

## Memorandum of Agreement

**AGREEMENT** made this 12 day of March, 2003, by and between the City of Falcon Heights, a Minnesota municipal corporation ("Falcon Heights") and the Capitol Region Watershed District ("CRWD").

### **Synopsis of this agreement's intent:**

The purpose of this agreement is to create a formal structure in which to assist Falcon Heights in their decision making process and implementation of activities that the CRWD believes to be directly related to our goal of protecting water resources.

**Whereas**, The Capitol Region Watershed District (CRWD) has been created under Mn Statutes 103D and 103B to protect and conserve the water resources within its geographic boundaries, and

**Whereas**, The CRWD has adopted a Watershed Management Plan (WMP) pursuant to MN Statutes 103B for the protection and conservation of water resources, and

**Whereas**, All local units of government units (LGUs) as defined in MN Statues must develop "local water management plans" that are consistent with and inclusive of the requirements of the CRWD's WMP, and

**Whereas**, it is the intent of the CRWD to rely on cooperation with LGUs and LGU permitting authorities and procedures to achieve non-point pollution control within the watershed, and

**Whereas**, It is in the best interest of the LGUs and CRWD to cooperate and coordinate on all activities that will effect the protection and conservation of water resources with in the CRWD, and

**Whereas**, the CRWD desires the opportunity for input in the land development review, permitting, and enforcement activities of LGUs to better understand the existing controls of LGUs for water resource conservation and protection and better discern the need for and/or content of future Rule promulgation to govern LGU activities, and

**Whereas**, the CRWD desires an effective and efficient exchange of information relevant to the protection and conservation of water resources.

### **Now Therefore Be It Resolved,**

Falcon Heights will submit to the CRWD for its review and comment the following:

## General Stormwater Management Concerns

1. "Site plan reviews" for one acre or larger sized development sites for property requiring site plan review under city ordinance.
  - a) Examine surface and groundwater impacts and assist in the design for protective activities/requirements and insure that the goals and objectives of the WMP are achieved.
  - b) The CRWD will complete their review within 15 calendar days of receipt of the site plan from the permitting body.
  
2. Rezoning requests for sites greater than one acre and where it is anticipated that potential total impervious surface area will be increased by 25% or where there will be an increase in impervious surface area in excess of one acre or hazardous materials will be used or generated.
  - a) Provide review and comment on the environmental effects a specific rezoning request may present to water resources.
  - b) The CRWD will complete their review within 30 calendar days of receipt of the rezoning request from the zoning authority.
  
3. Comprehensive land use plan changes or amendments
  - a) Provide review and comment on land use planning updates or changes in land use code
  
  - b) The CRWD will complete their review within 30 calendar days of receipt of the land use update or change request from the land use planning authority.
  
4. All public road reconstruction planning and design
  - a) Review and comment on all road reconstruction planning
  - b) The CRWD will complete their review within 30 calendar days of receipt of the road construction request from the road construction authority.
  
5. Flood plain Management
  - a) Provide technical direction with regard to standards
  
6. Groundwater quality protection needs
  - a) Advise per Ramsey County Groundwater Plan activities that apply to the site
    1. Suggest mitigative activities necessary to prevent the contamination of groundwater.
    2. Assist public water suppliers with compliance with State wellhead protection requirements.

## Routine and Special Public Works Projects/activities

1. Street sweeping activities
  - a) Advise on schedule
  - b) Assist in the prioritization of geographic areas

2. Catch basin design and construction and maintenance
  - a) Advise on maintenance schedule, and review the design and construction.
  
3. Stormwater Pond construction and maintenance
  - a) Review and consult on all plans for all road and public property construction activities and land development sites in excess of one acre.
  - b) The CRWD will complete their review within 30 calendar days of receipt of the road construction or public property construction request from responsible authority.
  
4. Wetland restoration
  - a) Guide implementation to insure consistency among LGUs in the watershed.
  - b) The CRWD will complete their review within 30 calendar days of receipt of the wetland restoration request from the local wetland authority.

Implementation of Ordinances

1. Wetland Conservation Act
  - a) Oversee implementation to insure consistency among LGUs
  
2. Erosion and sediment control inspections and enforcement activities
  - a) Monitor the effectiveness of the LGU

Exchange of Information

1. Develop protocol for the exchange in information. This may be unique to each member of this MOA

Special Projects with LGUs

1. Serita Wetland restoration

**Termination:**

This agreement may be terminated by any party with 60 days written notice.

Approved:

**CITY OF FALCON HEIGHTS**

By Susan J. Gehrz 3/12/03  
 Susan Gehrz, Mayor Date

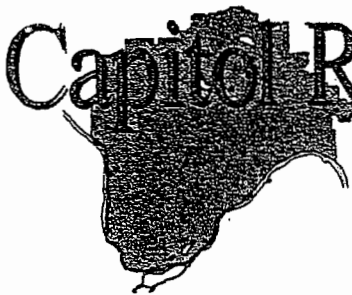
**CAPITOL REGION WATERSHED DISTRICT**

By Marylyn Deneen 2-26-03  
 Marylyn Deneen, Vice President Date

By Heather M. Worthington 3/14/03  
 Heather Worthington Date  
 Administrator

By Mark Doneux 2/26/03  
 Mark Doneux, District Coordinator Date

# Capitol Region Watershed District



2015 Rice Street, Roseville, MN 55113-6814

Phone: 651-488-1476, ext. 14

FAX: 651-488-3478

## **Memorandum of Agreement**

**to create a formal structure in which to cooperate and assist in the review and implementation of municipal government, Ramsey County, U of M, MN State Fair, St. Paul Civic Center Authority, St. Paul River Front Development Corporation, St. Paul Housing and Redevelopment Authority, and St. Paul Port Authority relating to land use planning, zoning, permitting, permit enforcement, select public works activities, select parks department activities, and the general exchange of information as it relates to the business of the Capitol Region Watershed District.**

### **Synopsis of this agreement's intent:**

The purpose of this agreement is to create a formal structure in which to collaborate and participate with the aforementioned entities in their decision making process and implementation of activities that the CRWD believes to be directly related to our goal of protecting water resources. We will use this collaboration to learn more about these entities and use this information to guide our promulgation of standards, rules, and other performance indicators that will ultimately be required of them.

**Whereas,** The Capitol Region Watershed District (CRWD) has been created under Mn Statutes 103D and 103B to protect and conserve the water resources within its geographic boundaries, and

**Whereas,** The CRWD has adopted a Watershed Management Plan (WMP) pursuant to MN Statutes 103B for the protection and conservation of water resources, and

**Whereas,** All local units of government units (LGUs) as defined in MN Statutes must develop "local water management plans" that are consistent with and inclusive of the requirements of the CRWD's WMP, and

**Whereas,** The CRWD's WMP recommends that the CRWD enter into a memorandum of agreement with the LGUs to assist in the promulgation of "Rules" for the implementation of provisions of the CRWD WMP, and

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**Whereas,** The CRWD WMP prescribes that it is not the intent of the CRWD to develop a permitting process independent of the LGUs unless necessary to achieve the goals of the WMP, and

**Whereas,** it is the intent of the CRWD to rely on cooperation with LGUs and LGU permitting authorities and procedures to achieve non-point pollution control within the watershed, and

**Whereas,** It is in the best interest of the LGUs and CRWD to cooperate and coordinate on all activities that will effect the protection and conservation of water resources with in the CRWD, and

**Whereas,** the CRWD desires the opportunity for input in the land development review, permitting, and enforcement activities of LGUs to better understand the existing controls of LGUs for water resource conservation and protection and better discern the need for and/or content of future Rule promulgation to govern LGU activities, and

**Whereas,** the CRWD desires an effective and efficient exchange of information relevant to the protection and conservation of water resources.

**Now Therefore Be It Resolved,**

All parties to this agreement desire that the following activities shall be executed by the CRWD with the cooperation of the other parties for the betterment of water resources within the CRWD:

General Stormwater Management Concerns

1. "Site plan reviews" for one acre or larger sized development sites
  - a) Examine surface and groundwater impacts and assist in the design for protective activities/requirements and insure that the goals and objectives of the WMP are achieved.
  - b) The CRWD will complete their review within 15 calendar days of receipt of the site plan from the permitting body.
  
2. All rezoning requests where it is anticipated that potential total impervious surface area will be increased by 25% or where there will be an increase in impervious surface area in excess of one acre or hazards materials will be used or generated.
  - a) Provide advice on the environmental effects a specific rezoning request may present to water resources.
  - b) The CRWD will complete their review within 30 calendar days of receipt of the rezoning request from the zoning authority.

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3. All comprehensive land use planning
  - a) Assist in land use planning updates or changes in land use code
  - b) The CRWD will complete their review within 30 calendar days of receipt of the land use update or change request from the land use planning authority.
4. All public road reconstruction planning and design
  - a) Review and comment on all road reconstruction planning
  - b) The CRWD will complete their review within 30 calendar days of receipt of the road construction request from the road construction authority.
5. Flood plain Management
  - a) Provide technical direction with regard to standards
6. Groundwater quality protection needs
  - a) Advise per Ramsey County Groundwater Plan activities that apply to the site
    1. Suggest mitigative activities necessary to prevent the contamination of groundwater.
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4. Wetland restoration
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Implementation of Ordinances

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Exchange of Information

1. Develop protocol for the exchange in information. This may be unique to each member of this MOA

Special Projects with LGUs

1. Serita Wetland restoration
2. Woodview Marsh restoration
3. Trillium site/Lower Phalen Creek restoration

**Termination:**

This agreement may be terminated by any party with 60 days written notice.

Approved:

Date: 10/22/01

CRWD MOU. march 22,01

CITY OF MAPLEWOOD

By

+ Robert J. Cardinal  
Its Mayor

By

[Signature]  
Its City Manager



## **Memorandum of Agreement**

**to create a formal structure in which to cooperate and assist in the review and implementation of municipal government, Ramsey County, U of M, MN State Fair, St. Paul Civic Center Authority, St. Paul River Front Development Corporation, St. Paul Housing and Redevelopment Authority, and St. Paul Port Authority relating to land use planning, zoning, permitting, permit enforcement, select public works activities, select parks department activities, and the general exchange of information as it relates to the business of the Capitol Region Watershed District.**

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**Whereas,** The CRWD has adopted a Watershed Management Plan (WMP) pursuant to MN Statutes 103B for the protection and conservation of water resources, and

**Whereas,** All local units of government units (LGUs) as defined in MN Statues must develop "local water management plans" that are consistent with and inclusive of the requirements of the CRWD's WMP, and

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  - a) Examine surface and groundwater impacts and assist in the design for protective activities/requirements and insure that the goals and objectives of the WMP are achieved.
  - b) The CRWD will complete their review within 15 calendar days of receipt of the site plan from the permitting body.
  
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3. Trillium site/Lower Phalen Creek restoration

**Termination:**

This agreement may be terminated by any party with 60 days written notice.

Approved:

Maryjo T. Deener Acting President 3-11-02  
Capitol Region Watershed District / Date

John Kyslyczyn 2/10/02  
John Kyslyczyn, Mayor, City of Roseville / Date

Neal J. Beets 2/8/02  
Neal J. Beets, City Manager, City of Roseville / Date

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# UNIVERSITY OF MINNESOTA

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*Twin Cities Campus*

*Environmental Health and Safety  
Office of Vice President for University  
Services*

*W-140 Boynton Health Service  
410 Church Street S.E.  
Minneapolis, MN 55455*

*Office: 612-626-6002  
Fax: 612-624-1949  
dehs@umn.edu*

February 18, 2002

To: Marilyn Deneen, Acting President  
Capital Region Watershed District  
2015 Rice Street  
Roseville, MN 55113

RE: Storm Water Management – Letter of Cooperative Intent

Please accept this response to the Draft Memorandum of Agreement (MOA) that was submitted to the University in a letter dated October 11, 2001. Like the Capital Region Watershed District (CRWD), the University is committed to storm water protection and improvement of water quality. As you are aware, the University is subject to the pending EPA Phase II Storm Water Rules, which requires us to implement a storm water management plan to reduce University impacts on storm water to the Maximum Extent Practical (MEP) through implementation of Best Management Practices (BMPs). The University has formed a storm water task force that is in the process of drafting a storm water management plan. In many ways, we have mutual goals of improving water quality and minimizing the campus impacts on the watershed. To this end, the University will make a concerted effort to incorporate the CRWD's recommendations and suggestions on improving our internal standards, policies and procedures to be consistent with the CRWD's Storm Water Management Plan. The University specifically proposes certain opportunities for CRWD involvement:


**University Phase II Storm Water Management Plan** - The University welcomes the CRWD's input into our pending storm water management plan. Specifically, the University will solicit input on the draft of the storm water management plan before it is submitted to the MPCA in early 2003. This comment period will likely resolve many of the items proposed in the CRWD's MOA to ensure that our internal mechanisms are consistent with CRWD's goals. Throughout the 5 year Phase II permit, the University will accept written suggestions from the CRWD on the effectiveness of the University's Storm Water Management Plan.

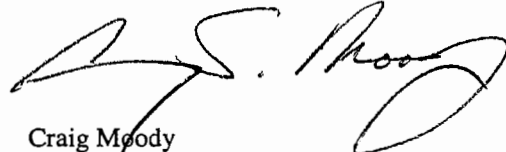
**New Construction** – The University accepts the proposed assistance of the CRWD in reviewing future projects that will significantly alter land use or significantly increase impervious surfaces on the St. Paul Campus. Specifically, the University will invite the CRWD to attend pre-design meetings for projects that impact greater than 1 acre. Already, the University has amended its construction standard to require permanent and temporary sediment control measures, which are consistent with current City of Minneapolis codes and pending EPA requirements. The University will welcome CRWD suggestions for improving temporary or permanent control measures or suggestions for alternatives to traditional curb and gutter systems as part of pre-design meetings.

**Sarita Wetland** – The University welcomes the CRWD technical expertise in developing a restoration plan for the Sarita Wetland, which is an integral part of both the CRWD's and University's Storm Water Management Plans. It is clear from the recent modeling report that the University is a significant contributor to the watershed, which discharges into and through the Sarita Wetland. The University will continue to include the CRWD in discussions pertaining to restoration of Sarita. Specifically, the University requests technical assistance in review of restoration options. Also, the University requests assistance in coordinating implementation of the Sarita Restoration with the State Fair Grounds and Falcon Heights as applicable.

We propose these general concepts as guiding principles for a cooperative, consultative relationship with the CRWD.

Sincerely,

  
Greg Archer  
Environmental Compliance Specialist

  
Craig Moody  
Acting Director, Environmental Health and Safety

Cc: Mark Cox, Campus Health and Safety  
Bill Donahue, Office of the General Counsel  
Jerome Malmquist, Energy Management  
Anna McDonagh, Design Construction Services  
Les Potts, Landcare  
Steve Spehn, Facilities Management

## Memorandum of Agreement

**AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by and between the Minnesota Department of Transportation, ("Mn/DOT") and the Capitol Region Watershed District ("CRWD").**

### **Synopsis of this Memorandum's Intent:**

The purpose of this agreement is to create a formal structure in which to coordinate with Mn/DOT in their mission of delivering a transportation system and the CRWD mission of protecting water resources.

**Whereas, The Capitol Region Watershed District (CRWD) has been created under Mn Statutes 103D and 103B to protect and conserve the water resources within its geographic boundaries, and**

**Whereas, The CRWD has adopted a Watershed Management Plan (WMP) pursuant to MN Statutes 103B for the protection and conservation of water resources, and**

**Whereas, All local units of government units (LGUs) as defined in MN Statutes must develop "local water management plans" that are consistent with and inclusive of the requirements of the CRWD's WMP, and**

**Whereas, The CRWD's WMP recommends that the CRWD enter into a memorandum of agreement with the LGUs to assist in the promulgation of "Rules" for the implementation of provisions of the CRWD WMP, and**

**Whereas, The CRWD WMP prescribes that it is not the intent of the CRWD to develop a permitting process independent of the LGUs unless necessary to achieve the goals of the WMP, and**

**Whereas, it is the intent of the CRWD to rely on cooperation with LGUs and LGU permitting authorities to establish procedures to achieve non-point pollution control within the watershed, and**

**Whereas, It is in the best interest of the LGUs and CRWD to cooperate and coordinate on all activities that will effect the protection and conservation of water resources with in the CRWD, and**

**Whereas, the CRWD desires the opportunity for input in the land development review, permitting, and enforcement activities of LGUs to better understand the existing controls of LGUs for water resource conservation and protection and better discern the need for and/or content of future rule promulgation to govern LGU activities, and**

**Whereas, the CRWD desires an effective and efficient exchange of information relevant to the protection and conservation of water resources,**

## **Now Therefore Be It Resolved,**

Mn/DOT agrees to support the CRWD for the betterment of water resources within the CRWD by coordinating the following activities with the CRWD:

### General Stormwater Management Concerns

1. "Site plan reviews" for one acre or larger sized development sites
  - a) Examine surface/groundwater impacts and provide review and comment on proposed designs for protective activities/requirements to help insure that the goals and objectives of the Watershed Management Plan are achieved.
  - b) The CRWD will complete their review within 15 calendar days of receipt of the construction plans from Mn/DOT.
2. Right of way acquisition where it is anticipated that potential total impervious surface area will be increased by 25% or where there will be an increase in impervious surface area in excess of one acre.
  - a) Provide review and comment on the effects that a specific right of way acquisition may present to water resources.
  - b) The CRWD will complete their review within 30 calendar days of receipt of the rezoning request from the zoning authority.
3. Transportation System Planning (TSP):
  - a) Provide review and comment on TSP updates or changes.
  - b) The CRWD will complete their review within 30 calendar days of receipt of the TSP, change request or environmental impact statement.
4. All public road reconstruction planning and design. Review and comment on all state highway construction plans, environmental impact statements, and other comprehensive transportation plans.
  - a) The CRWD will complete their review within 30 calendar days of receipt of the road construction request from the road construction authority.
5. Flood plain Management
  - a) Provide technical review and comments with regard to CRWD standards.
6. Groundwater quality protection needs
  - a) Advise per Ramsey County Groundwater Plan activities that apply to the site
    1. Suggest mitigative activities necessary to prevent the contamination of groundwater.
    2. Assist public water suppliers with compliance with State wellhead protection requirements.

### Routine and Special MnDOT Projects/activities

1. The CRWD will review and comment on the Mn/DOT Metro District stormwater management plan as published in compliance with the MPCA Municipal Separate Storm Sewer Permit. The review and comment may include:
  - a) Advise on schedule
  - b) Assist in the prioritization of geographic areas
2. Catch basin design and construction and maintenance
  - a) Advise on maintenance schedule, and review the design and construction.
3. Stormwater Pond construction and maintenance
  - a) Review and consult on all plans for all road and public property construction activities and land development sites in excess of one acre.
  - b) The CRWD will complete their review within 30 calendar days of receipt of the road construction or public property construction request from responsible authority.
4. Wetland restoration
  - a) The CRWD will assist Mn/DOT in identification of appropriate wetland restoration opportunities.
  - b) The CRWD may review and comment on wetland replacement plans as promulgated by Mn/DOT
  - c) The CRWD will complete their review within 30 calendar days of receipt of the wetland restoration request from the local wetland authority.

#### Implementation of Ordinances

1. Wetland Conservation Act
  - a) Comment on Mn/DOT Wetland Replacement Plans to help insure consistency among LGUs
2. Erosion and sediment control inspections and enforcement activities
  - a) Monitor the effectiveness of the LGU and advise as appropriate

#### Exchange of Information

1. Develop protocol for the exchange in information. This may be unique to each member of this MOA

#### **Official Agency Contacts:**

In an effort to enhance communication between Mn/DOT and the CRWD, and to speed resolution of issues, the first point of contact with any issue that involves Mn/DOT and becomes a concern to the CRWD shall be the Mn/DOT Metro Water Resources Engineer. On the effective date of this agreement the Mn/DOT Metro Water Resource Engineer is Dennis Larson.

Upon notification of an issue of concern, he will take appropriate action to resolve the issue to the satisfaction of the CRWD and Mn/DOT while keeping both agencies informed of his progress. The first point of contact with the CRWD shall be the District Coordinator.


**Termination:**

Any party may terminate this agreement with 60 days written notice.

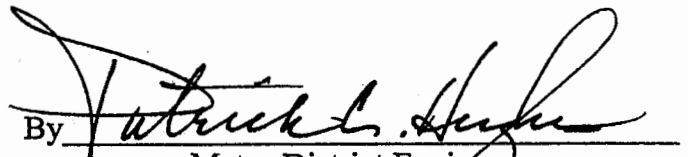
Approved:

**MINNESOTA DEPARTMENT OF  
TRANSPORTATION**

Date: 21 MAY 03

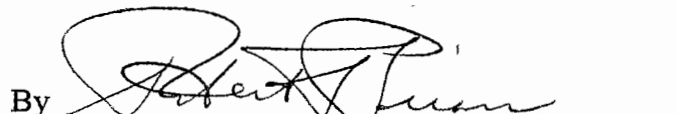
By   
Mn/DOT Metro Water Resources Engineer

Date: 5/27/03

By   
Metro District Engineer

**CAPITOL REGION WATERSHED  
DISTRICT**

Date: 6/05/03

By   
President