

Capitol Region Watershed District



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Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, June 17, 2009, 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 6:00 p.m. (President, Robert Piram)

A) Attendance

Robert Piram
Joe Collins
Seitu Jones (absent w/notice)
Mike Thienes (absent w/notice)
Marylyn Deneen

Others Present

Mark Doneux, CRWD
Bob Fossum, CRWD
Dawn Nelson, CRWD
Elizabeth Storey, CRWD

Pat Conrad, EOR, Inc.
Jason Naber, EOR, Inc.
David MacMillan,
Ramsey County Attorney
Pam Massaro,
Wenck & Associates

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 presented by consensus.

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

There were no public comments.

III. Permit Applications

A) Permit # 09-020 Hmongtown Marketplace (Fossum)

Bob Fossum reviewed CRWD Permit # 09-020 Hmongtown Marketplace. Mr. Fossum said the applicant is 249 Como, LLC. Mr. Fossum said the project is a parking lot redevelopment and infiltration basin construction. Mr. Fossum said this project has 1.93 acres of disturbed area, 1.15 acres of proposed impervious surface and the proposed stormwater management is one surface infiltration basin. Mr. Fossum said the staff recommendation is to table the permit with six conditions.

Motion 09-06-06: *Table Permit # 09-020 Hmongtown Marketplace with six conditions.*

- 1. Receipt of \$5,750 surety and maintenance agreement.*
- 2. Provide erosion control around the proposed infiltration basin to prevent sediment from entering the basin during construction.*
- 3. Provide riprap at the infiltration basin emergency overflow.*
- 4. Provide inlet protection for the adjacent catchbasins in Como Avenue.*
- 5. Reduce infiltration rate in the HydroCAD model from 1.63 in/hr to 0.6 in/hr. The soil boring log indicates “silty sand with a little gravel” which corresponds to an infiltration rate of 0.6 in/hr according to the Minnesota Stormwater Manual.*
- 6. Provide documentation that off-site discharge to the north is acceptable to the adjacent property owner.*

Deneen/Collins

Unanimously Approved

B) Permit # 09-021 ADM Variance Request (Fossum)

Mr. Fossum reminded the Board that Permit 09-021 ADM Dock Improvements was tabled with 3 conditions on June 3, 2009. Mr. Fossum explained that Rule D, Flood Control requires compensatory storage for floodplain fill. The project proposes 39 cubic feet of fill below the 100 year flood elevation. Mr. Fossum noted that the Board of Managers discussed how this fill would affect the floodplain, where the fill is proposed, and where the compensatory storage would be provided for this river dependant project. Mr. Fossum said a letter has been submitted by the applicant to request a variance from the compensatory storage requirement of Rule D. Mr. Fossum said the staff recommendation is to approve the variance request.

Motion 09-06-07: *Approve the requested variance to allow 39 cubic feet of fill below the Mississippi River 100-yr flood elevation for permit 09-021.*

Collins/Deneen

Unanimously Approved

Mr. Fossum reviewed CRWD Permit # 09-021 ADM Floodplain Management. Mr. Fossum said the applicant is Archer Daniels Midland (ADM) and the engineer is Clark Engineering. Mr. Fossum said the project is construction of two storage structures on an existing dock in the Mississippi River. Mr. Fossum said this project has no disturbed area and 120 square feet of impervious surface. There is no proposed stormwater management; the application is for Flood Control and Erosion Control only. Mr. Fossum said the staff recommendation is to approve the permit with two conditions.

Motion 09-06-08: *Approve Permit # 09-021 ADM Flood Plain Management with two conditions.*

1. *Receipt of \$500 surety.*

2. *Provide a detail or description of how construction debris or other pollutants will be prevented from entering the river.*

Collins/Deneen

Unanimously Approved

C) Permit # 09-022 Metropolitan State Parking Lot (Fossum)

Mr. Fossum reviewed CRWD Permit # 09-022 Metropolitan State Parking Lot. Mr. Fossum said the applicant is Metropolitan State University and the engineer is LHB, Inc. Mr. Fossum said the project is reconstruction of a parking lot. Mr. Fossum said this project has 2 acres disturbed area and 1.88 acres of impervious surface. The proposed stormwater management is underground infiltration pipes. Mr. Fossum said the staff recommendation is to approve the permit with one condition.

Motion 09-06-09: *Approve Permit # 09-022 Metropolitan State Parking Lot with one condition.*

1. *Receipt of maintenance agreement.*

Collins/Piram

Unanimously Approved

D) Permit # 07-012 Concordia University Permit Close-out (Fossum)

Mr. Fossum said Permit 07-012 Concordia University has been completed and is ready to be closed out. Mr. Fossum said a final inspection was conducted and all temporary BMPs have been removed and soils stabilized. Mr. Fossum said construction as-builts were submitted and the BMPS were installed as approved. Mr. Fossum said a Maintenance Agreement for the onsite stormwater management practices was submitted to the District.

Motion 09-06-10: *Approve Certificate of Completion for permit 07-012 Concordia University and authorize return of \$5,345 surety.*

Deneen/Collins

Unanimously Approved

E) Permit # 07-019 The Winnipeg (Fossum)

Mr. Fossum said Permit 07-019 The Winnipeg has been completed and is ready to be closed out. Mr. Fossum said a final inspection was conducted and all temporary BMPs have been removed and soils stabilized. Mr. Fossum said construction as-builts were submitted and the BMPS were installed as approved. Mr. Fossum said a Maintenance Agreement for the onsite stormwater management practices was submitted to the District.

Motion 09-06-11: *Approve Certificate of Completion for permit 07-019 the Winnipeg and authorize return of \$4,600 surety.*

Collins/Deneen

Unanimously Approved

F) Permit # 09-011 Permit Renewal Request (Fossum)

Mr. Fossum said Permit 08-011 Mississippi Riverfront Improvements was approved May 21, 2008 with no conditions. A variance from Rule C was approved for the impervious surface created by the installation of a small pedestrian observation deck on the river bank. Mr. Fossum said the project was not constructed in 2008 due to funding and the permit expired on May 21, 2009. Mr. Fossum said the applicant has submitted a letter requesting the permit be renewed as allowed in Part 7 of Rule B, Permit Procedural Requirements. The letter indicates no changes to the approved plans are proposed. Staff recommends approval of the requested permit renewal. Manager Collins noted that this would be a great place to hold a meeting.

Motion 09-06-12: *Approve the requested permit renewal for permit 08-011 Mississippi Riverfront Improvements.*

Deneen/Collins

Unanimously Approved

G) Permit # 09-014 Permit Review Extension (Fossum)

Mr. Fossum said Permit 09-014 Carondelet Village was tabled with 7 conditions on May 20, 2009 and the 60-day review period for this permit expires June 30, 2009. Mr. Fossum said the Board must act on the permit tonight or the permit will be deemed approved. The applicant has submitted a request to extend the permit review period in order to incorporate final plan changes before resubmitting to the District. Staff recommends approval of the requested extension.

Motion 09-06-13: *Approve the requested 60-day extension.*

Deneen/Collins

Unanimously Approved

H) Permit Program/Rules Update (Fossum)

There was no Permit Program update.

IV. Special Reports – Wetland Management Plan Update, Jason Naber, EOR, Inc.

Mr. Fossum reviewed the outline/framework of the CRWD Wetland Management Plan with the Board. Mr. Fossum explained that the District's Wetland Management Plan, as drafted, has three distinct components: Wetland Protection, Wetland Improvement, and Wetland Creation. The Wetland Protection component would identify methods to protect the wetlands that currently exist in the District; this is largely a regulatory approach. The Wetland Improvement component looks at improving existing wetlands in the District that are degraded to varying degrees. The plan identifies methods to improve the quality of District wetlands. The Wetland Creation component identifies areas of the District where wetlands could be created. Mr. Fossum said the analysis was originally developed by Ramsey Conservation District and looks at areas that

were historically wetlands and provides a ranking system to prioritize wetland creation opportunities. Mr. Fossum said EOR, Inc. has completed an initial draft of the Wetland Management Plan with the exception of the functions and value assessment that is needed for the wetland improvement component of the plan. Mr. Fossum said the City of St. Paul through its wetland management plan has completed this assessment and will be providing this information to the District to complete the categorization of existing wetlands within the District. Mr. Fossum said upon receipt of this assessment from the City, EOR, Inc will finalize the draft plan and bring it to the Board for review at a later meeting.

Motion 09-06-14: *Authorize distribution of the Wetland Management Plan to the advisory groups for review and comment through the 2010 WMP review process.*

Collins/Deneen

Unanimously approved

V. Action Items

Consent Agenda

Manager Piram asked for a motion to approve the June 17, 2009, Consent Agenda.

Motion 09-06-15:

A) *Approve Minutes of the June 3, 2009 Regular Meeting as presented.*

B) *Approve Accounts Payables for \$290,224.28 and the Accounts Receivable for \$444,978.08 for the month of May 2009 and direct Board President and Vice President to endorse and disperse checks for these payments.*

C) *Approve Larson Stewardship Grant with reimbursement funding not to exceed \$75.00 subject to the following conditions:*

1) *CRWD and Julie Larson must approve and enter into a Cooperative Agreement;*

2) *Any changes to project plans must be approved by the CRWD; and*

3) *All conditions must be met and the project completed within one year after project approval.*

Collins/Deneen

Unanimously approved

Discussion

D) Adopt Education and Outreach Plan (Storey)

Elizabeth Storey reminded the Board that at the March 4, 2009 Board Meeting, the Managers authorized distribution for comment of the draft Education and Outreach Plan. At a later date the Managers agreed to delay the approval of the Education and Outreach Plan to allow the City of St. Paul staff to include programming suggestions and budget estimates. Ms. Storey said comments of note came from several community partners including Corrie Zoll of Minnesota Green Roofs Council; Faith Krogstad of Eco Education; Angie Timmons of Hennepin County Environmental Services and Phil Belfiori, Water Resources Coordinator for the City of St. Paul who requested that CRWD and St. Paul city staff co-develop the education strategy for the city, and brainstormed a list of potential education programming ideas for which the District could provide support and funding. Manager Piram asked if the objectives on page 5 of the plan are listed in order of importance. Ms. Storey said the objectives are not listed in order of importance. Ms. Storey said staff recommends adopting the plan as is and then in the fall Board and staff can review the plan again and some of the plan can be condensed. Manager Piram noted that very little is mention about support and how people can interact and help CRWD. Manager Piram said there should be something that says here is what we do as an organization and here is what you can do as a resident. Manager Piram noted a grammar error in the last sentence on page 37 add a d to the word engage. Manager Collins said he likes the charts.

Motion 09-06-16: *Adopt the CRWD Education and Outreach Plan.*

Collins/Deneen

Unanimously approved

Manager Deneen inquired about the Como Shoreline Clean up on Saturday June 13th. Ms. Storey said there were approximately 45 people including the District 10 Environment Committee for the clean up. Ms. Storey said she received interest from three families to learn more about CRWD. Ms. Storey said immediately following the clean up was a walking tour of the Como area raingardens sponsored by the Friends of the Mississippi River that included 62 people.

E) Approve 2008 SWPPP Annual Report (Doneux)

Administrator Doneux said as a regulated operator of a small municipal separated storm sewer system, the Capitol Region Watershed District (CRWD) must fulfill two annual requirements as part of its 5-year stormwater discharge permit: 1) solicit public comment on its Stormwater Pollution Prevention Program (SWPPP) and hold an annual public meeting to present the SWPPP activities and accomplishments made each year and 2) prepare and submit by June 30th a SWPPP annual report that reflects comments and recommended changes made by staff and the public. Administrator Doneux said starting in early May, CRWD held a thirty-day public comment period on the 2008 SWPPP and presented the activities and accomplishments of the SWPPP at two public meetings: 1) Citizens Advisory Committee meeting on June 10th and 2) Board of Managers meeting on June 3rd. Administrator Doneux said no significant changes to the SWPPP were recommended by the Board of Managers, CAC, or general public at either meeting and no comments were received in writing. Administrator Doneux said the 2008 SWPPP Annual Report, which includes MN Pollution Control Agency's (PCA) annual report form, has been completed and is ready to be submitted to PCA.

Motion 09-06-17: *Approve the 2008 Stormwater Pollution Prevention Program Annual Report and authorize the Administrator to submit the report to PCA.*

Collins/Deneen

Unanimously approved

F) Adopt the 10-year Maintenance, Repair and Improvement Plan for the Trout Brook Storm Sewer Interceptor (Doneux)

Administrator Doneux said in 2003, prior to the execution of the transfer agreement between Met Council and CRWD for the Trout Brook Storm Sewer Interceptor (TBI), CRWD developed a 10-Year Maintenance, Repair and Improvement Plan for the TBI system. The purpose of the Plan was to guide the District in implementing the repair, operation and maintenance projects and activities necessary to improve and maintain the TBI system in "good operating condition." Administrator Doneux said since the development of the first Plan, CRWD has assessed conditions in TBI in 2007 and has completed two major repair/replacement projects by spring 2009. Administrator Doneux said based on these accomplishments; CRWD has updated the 10-Year Maintenance, Repair and Improvement Plan to reflect current conditions in TBI and today's project and activity costs. Administrator Doneux reviewed the highlights of the Plan with the Board including the repairing the remaining sections of the tunnel rated in fair condition, updating the TBI hydraulic/hydrologic model and establishing a tunnel major repair fund. Manager Collins noted that in the final report it says that project no. 13 is a higher priority than projects 6 through 12 and asked if that was correct. Administrator Doneux said he will check into it. Manager Piram asked about the Major Repair fund. There was some discussion and it was agreed that the issue will need to be addressed at budget time.

Motion 09-06-18: *Adopt the 10-Year Maintenance, Repair and Improvement Plan for the TBI system.*

Deneen/Collins

Unanimously approved

G) Approve Distribution of Draft Implementation Section – 2010 WMP (Fossum)

Bob Fossum said at the April 28th Board Meeting, the Managers reviewed the first draft of the Implementation section of the 2010 Watershed Management Plan (WMP). At the May 27th Board Meeting, the Managers reviewed the 2nd draft of the Implementation Section of the 2010 WMP. Mr. Fossum said staff and EOR, Inc. have continued with development a draft implementation section of the 2010 WMP. Mr. Fossum explained that the Implementation Section has two components: Implementation Section Narrative and Implementation Section Table. Both components are formatted in the WMP and Budget categories. The implementation narrative for each WMP category includes: Description and purpose of activity, Projected expenditures, Objectives, Existing Initiatives, and New Initiatives. Mr. Fossum noted that the costs have not been included in the implementation narrative but are included in the implementation table. Also note that the photos in the implementation narrative are generic and only placeholders at this point. Mr. Fossum said staff are working to insert CRWD photos. Mr. Fossum said the latest version of the implementation section of the 2010 WMP includes changes discussed at the special Board Meeting on May 27th. It also includes items from the Wetland Management Plan (draft) and the Stream Corridor Restoration that was presented at the last board meeting. Manager Piram said in previous conversations there was discussion about strategies on groundwater studies and asked where it is in the Plan. Mr. Fossum said groundwater studies is on the top of page 4. Manager Piram added that there needs to be more about Citizen Involvement and engaging District Councils.

Motion 09-06-19: *Authorize distribution of the draft implementation section to the Advisory Groups for review.*

Collins/Deneen

Unanimously approved

VI. Unfinished Business

B) CCLRT Stormwater Workshop Update (Doneux)

Administrator Doneux said the CCLRT Stormwater Workshop is scheduled for Thursday, June 25, 2009. Administrator Doneux said the workshop will be from 8:00am – 2:00pm at the Central Corridor Resource Center formerly used as the Lexington Library. Administrator Doneux said the Metropolitan Council created a website that lists all the prime documents for stakeholders to review. Manager Piram asked if there is an invitation list. Administrator Doneux said he provided a list to the City of St. Paul staff that is sending out the invitations. Manager Piram asked if the CRWD CAC was invited. Administrator Doneux said yes. Administrator Doneux gave a brief presentation of some of the concepts that the developers are reviewing.

C) Ramsey County Groundwater Plan Update (Fossum)

Mr. Fossum said at the February 6, 2008 Board Meeting the Managers approved a letter of support for the revision to the Ramsey County Groundwater Protection Plan and approved a \$10,000 contribution to the effort. At the April 15, 2009 board meeting the Managers approved a comment letter on the draft Ramsey County Groundwater Protection Plan. The 60-day review period closed on May 7, 2009 and the public hearing is tonight at 5pm.

VII. General Information

A) CAC Update (Doneux)

Administrator Doneux said Anna Eleria presented the 2008 Stormwater Pollution Prevention Plan Annual Report. Nancy-Jeanne LeFevre from EOR, Inc. gave a presentation on the Stream Corridor Restoration Concepts.

B) Administrators Report (Doneux)

Administrator Doneux said the Art and the Watershed Workshop was Thursday, June 11th. Administrator Doneux said it was well attended. The lecture and workshop was the result of a Stewardship Grant to Public Art St. Paul.

VIII. Meeting Agenda Review

Wednesday, June 29, 2009 Special Meeting – 2010 Budget Workshop 5:00 pm.

Wednesday, July 1, 2009 Regular Meeting Agenda Review

IX. Adjournment – 8:10 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson

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