



Approved March 17, 2010

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, March 3, 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. (Vice President, Joe Collins)

A) Attendance

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

Others Present

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

Todd Shoemaker
Wenck & Associates.
David MacMillan,
Ramsey County Attorney

B) Review, Amendments and Approval of the Agenda

Manager Collins 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 was no public comment.

III. Permit Applications

A) Permit # 10-002 Highway 36 and Rice Street Interchange Reconstruction (Kelley)

Forrest Kelley reviewed Permit #10-002 Highway 36 and Rice Street Interchange Reconstruction. Mr. Kelley said the applicant is Ramsey County Public Works and the engineer is SEH, Inc. Mr. Kelley said the project is reconstruction of the interchange at Rice Street and Trunk Highway 36. The applicable rules are Stormwater Management (Rule C), Floodplain Management (Rule D), Wetland Management (Rule E) and Erosion Control (Rule F). Mr. Kelley said the project has 55.7 acres of disturbed area and 20.5 acres of proposed impervious surface. Mr. Kelley said the application is for the stormwater management and erosion and sediment control permits for the Rice Street and Trunk Highway 36 Interchange. However, the project includes impacts to multiple wetlands and a wetland management permit application has not been submitted. Mr. Kelley said staff have received a portion of the documents submitted for the State Wetland Conservation Act (WCA) but have not completed a full review. Mr. Kelley reviewed a narrative from the WCA application, a proposed drainage map, and a figure identifying the proposed wetland impacts. Mr. Kelley explained that wetlands C and E are legally in Ramsey-Washington Metro Watershed District (RWMWD), but physically drain to CRWD. Wetlands A, B, and D are within the jurisdictional boundary of CRWD. Wetlands A, B, and E are part of the constructed stormwater management infrastructure and exempt from wetland rules. Mr. Kelley noted that Mn/DOT has been designated the Local Government Unit (LGU) for administration of the MN WCA. Mr. Kelley also noted that RWMWD Wetland Rules only apply if they are the LGU. Mr. Kelley said Mn/DOT proposes the wetland impacts be mitigated by using banked credits from the BWSR Road Replacement Program. Mr. Kelley said CRWD staff would like to propose that areas

physically draining to the District be required to meet CRWD wetland standards. Currently, the only wetland impact required to meet CRWD Rules is wetland D. This means the loss of wetland C may not be replaced within CRWD or RWMWD. Mr. Kelley said staff will continue to review the available documents for additional discussion by the Board. Mr. Kelley said staff recommendation is to table the permit with eight conditions. Manager Collins asked when staff would return with this permit. Mr. Kelley said Ramsey County's schedule requires the permit be approved by the first meeting in April.

Motion 10-03-01: *To table Permit #10-002 Highway 36 and Rice Street Interchange Reconstruction with eight conditions.*

1. Receipt maintenance agreement.
2. Submit a copy of the NPDES permit application.
3. Clarify the total impervious area as a result of this project. Separate the impervious areas into designated categories:
4. Provide pretreatment of runoff for Infiltration Basin 1 at or upgradient of FES 54.
5. Submit existing and proposed calculations to demonstrate that rate control is provided.
 - a. The XP-SWMM models submitted do not reflect the entire project or all inflows to the infiltration basins and appear to only apply to proposed conditions. Although the storm water narrative states that "runoff rates would increase slightly or none at all from the project," the narrative also notes that the project fills a "natural storage area upstream of structure 604."
 - b. Combine the two models since both drain to the infiltration basins. Expand the models as necessary to include all drainage into the basins.
 - c. Adjust the overflow elevation between the eastern and central infiltration basins to correspond. The XP-SWMM model indicates an overflow elevation of 909.0 while plan sheet 195 indicates an elevation of 908.0.
 - d. Justify a model continuity error of 5.7% for the "Infilbasin.xp" model, or adjust the model to reduce continuity error to 2% or less.
6. Identify the emergency overflow route for the three infiltration basins. Are the basins designed to be land-locked with no outlet? If so, up to what storm event?
7. Submit a wetland impact sequencing discussion for review and approval. If impact is unavoidable, submit a wetland replacement plan for review and approval.
8. Provide a 25-foot buffer for all wetlands.

Thienes/Deneen

Unanimously Approved

Administrator Doneux said if the applicant defers the wetland issue, the next step would be for CRWD to petition to have the water that drains to Capitol Region Watershed District be required to meet CRWD wetland standards. Manager Collins suggested sending the request to the Board of Water and Soil. Administrator Doneux noted that the difference between CRWD and RWMWD rules is CRWD requires the wetland be replaced within the Watershed District.

Motion 10-03-02: CRWD requests areas that physically drain to CRWD be required to meet CRWD wetland standards.

Deneen/Thienes

Unanimously Approved

B) Permit Program/Rules Update (Kelley)

Kelley said the District received a permit application from the University of St. Thomas for the second phase of their project for the next Board meeting.

IV. Special Reports

A) Watershed Management Plan Financing, Bob Fossum

Bob Fossum said during the first formal review of the District's 2010 Watershed Management Plan (WMP), the Board of Water and Soil Resources (BWSR) indicated that the plan needed to include a section on how the initiatives in the plan will be financed. Mr. Fossum noted that at a previous Board meeting the Manager's reviewed the financing plan from Ramsey Washington Metro Watershed District's Plan as a potential model for the CRWD WMP. Mr. Fossum reviewed the draft financing section created by staff to be included in the next draft of the 2010 WMP. Mr. Fossum also reviewed a flow-chart and table describing all funding options available to metropolitan watershed districts that was developed by BWSR. Mr. Fossum said the District will fund its implementation program using four primary sources of revenue; property tax levy, grant funds, local cost-sharing funding, bonds and loans. Manager Collins asked about special taxing districts. Administrator Doneux explained that special taxing districts are for cities that are split in multiple districts.

V. Action Items

Consent Agenda

Manager Collins asked for a motion to approve the March 3, 2010 Consent Agenda as presented.

Motion 10-02-03:

A) Approve Minutes of the February 17, 2010 Regular Meeting as presented.

Thienes/Deneen

Unanimously approved

Discussion

B) Agreement with LeBreche and Associates for Communication Plan (Beckman)

Ms. Beckman said at the February 17, 2010 meeting, CRWD Board Managers approved the education committee's recommendation of LaBreche to complete a CRWD communications plan and campaign promotions for a downspout program. Ms. Beckman reviewed the agreement noting that the scope of work is reflective of Phases 1 and 2 of LaBreche's proposal dated February 10, 2010. This proposal was reviewed by the Board prior to the February 17 meeting. Ms. Beckman explained that since a scope of work for Phase 3 of the campaign cannot be developed until work on Phases 1 and 2 has begun, Phase 3 tasks will be carried out under a separate contract. Ms. Beckman discussed the project schedule and budget with the Board.

Motion 10-03-04: Approve agreement with LaBreche for an amount not to exceed \$25,000.00 subject to review by the Ramsey County Attorney.

Thienes/Deneen

Unanimously approved

C) Special Meeting for 2010 Watershed Management Plan Review (Fossum)

Mr. Fossum said at the September 22, 2009 special board meeting the Managers authorized the start of the formal review process and distribution of the draft 2010 Watershed Management Plan to the required review agencies, CAC, TAC, and the Community Group. The Managers held a public hearing for the 2010 Watershed Management Plan for February 3, 2010. Mr. Fossum said staff recommend a special Board meeting to review the 45-day review draft and authorize distribution to the advisory groups. Mr. Fossum noted that only 3 of the 5 Board managers are present and suggested the Board select a couple of days and staff will confirm a meeting date with the other two managers. Managers Collins, Deneen and Thienes stated they would all be available March 23, 24 and 25th at 5:00 pm for a special meeting.

Motion 10-03-05: Set special Board meeting for March 23, 24 or 25th, 2010 at 5pm to review the 45-day review draft of the Watershed Management Plan contingent to pending availability of the other two Board members.

Thienes/Deneen

Unanimously approved

VI. Unfinished Business

A) 2009 Stewardship Grant Program (Eleria)

Ms. Eleria said since 2005, CRWD's Stewardship and Partner Grant Programs have provided cost-share funding and technical assistance for best management projects, such as raingardens, rain barrels, and green roofs, and for education and outreach activities that improve water quality and raise awareness of the impacts of stormwater runoff. Ms. Eleria explained that CRWD residents, non-profits, businesses and schools located in the District are eligible for grants. Ms. Eleria said in 2009, through the Stewardship Grant Program, CRWD supported 44 water quality improvement projects at a cost of nearly \$31,000. The 2009 budget for Stewardship Grant projects was \$32,000. Ms. Eleria said three education and outreach projects were funded through the Partner Grant Program at a total cost of nearly \$24,000, which was within the 2009 Partner Grant Program budget of \$49,000. Ms. Eleria provided a summary of the 2009 Stewardship and Partner Grant Programs. Manager Deneen asked how residents find out about the stewardship grant program. Ms. Eleria said there is always an article about the program in the CRWD newsletter and the information gets published in local neighborhood papers and websites. Manager Collins asked where the residential green roof is located that the District provided a grant for. Ms. Eleria said the green roof project is a garage in the St. Anthony neighborhood.

B) Work Plan for Crosby Lake Management Plan (Eleria)

Ms. Eleria said as a recipient of a Clean Water Assistance Grant from the Minnesota Pollution Control Agency (MPCA), Capitol Region Watershed District is required to prepare a work plan for the development of the Crosby Lake Management Plan. Ms. Eleria explained that the MPCA has provided CRWD a guidance document for preparing a project work plan. The work plan is defined as a comprehensive document that specifies goals and objectives of a project, how and when the work will be done and who is responsible for doing it, what the cost of the work will be, and how the resulting data will be managed so that the goals of the project are met. Ms. Eleria explained that District staff has prepared a draft work plan for the Crosby Lake Management Plan, which is divided into seven broad areas including; project goals and objectives; work plan program elements; milestone schedule; monitoring and modeling plan; public participation plan; quality assurance and quality control procedures and overall project budget. Ms. Eleria reviewed the draft work plan with the Board and noted that the draft plan is also being reviewed by Saint Paul and other local contributing sponsors for the project. Ms. Eleria said they have until Friday, March 5th to provide comments. Ms. Eleria said staff anticipates submitting a revised, final work plan to the Board for its approval at the March 17th Board meeting. Manager Collins asked if Crosby Lake is a recreational lake. Ms. Eleria said fishing is the primary recreation. The Board thanked Ms. Eleria for the update.

C) Central Corridor Light Rail Transit Update (Kelley and Eleria)

Mr. Kelley noted a letter was included in the Board packet addressed to the CCRLT project office. The letter states that staff reviewed the plans and provided a draft report to assist Met Council staff in preparing a formal permit application submittal. In order to complete a full permit review and assess compliance with CRWD Rules, there are several more items required to provide a complete review on the project. Manager Collins asked if the funds they are providing pay for the trees or the soil. Mr. Kelley said some of the structural soil does qualify for the cost cap. Mr. Kelley said staff do not know when Met Council intends on submitting a formal permit application.

D) City of Saint Paul Water Resources Work Group (Doneux)

Administrator Doneux said there was a meeting March 2nd and the two primary agenda items were the Crosby Lake Management Plan and the Como Lake TMDL follow up. Administrator Doneux said there were a lot of comments from the City staff about the workplan for the Crosby Lake Management Plan.

VII. General Information

A) Administrator's Report

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

- 1) The MAWD Legislative Briefing and Breakfast is Wednesday and Thursday, March 10th and 11th. The Legislative Briefing is Wednesday evening March 10th from 7:00-9:00 PM and the Legislative Breakfast is Thursday morning March 11th from 7:00 – 9:00 AM. The cost of the event is \$50 and is due March 1st. Board members can register on line at www.mnwatershed.org.
- 2) Mark Doneux has been named Co-Chair, along with Jay Riggs to lead the Minimal Impact Design Standards (MIDS) process.
- 3) Barr Engineering Company and the CRWD have won an award for the Maryland Avenue Repairs of the Trout Brook Interceptor. Manager Joe Collins along with Anna Eleria attended the 46th Annual Engineers Week Awards and Recognition Banquet. The banquet was held Friday, Feb. 19 at the Minnesota Landscape Arboretum in Chaska.
- 4) Mark Doneux will be out of the office March 15th – 19th which will include the March 17th Board meeting. Bob Fossum will be Acting Administrator during Administrator Doneux's absence.

B) CAC Revised By-Laws

Administrator Doneux said at the January 13th CAC meeting, the Co-Chairs recommended reviewing the By-Laws and directed staff to amend the current By-Laws to encourage better attendance by members and provide a final copy to the Committee. Co-Chairs Shirley Reider, Paul Kammueler and staff communicated by email discussing possible revisions. The revisions were made and discussed at the February 10th CAC meeting. The Committee approved the By-Laws as amended and asked for the Board to review and comment.

VIII. Meeting Agenda Review

Wednesday, March 17, 2010 Regular Meeting Agenda Review

IX. Adjournment – 7:35 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson

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