

Capitol Region Watershed District



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Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, November 18, 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
Mike Thienes
Marylyn Deneen

Others Present

Mark Doneux, CRWD
Dawn Nelson, CRWD
Forrest Kelley, CRWD
Anna Eleria, CRWD
Elizabeth Beckman, CRWD
Melissa Baker, CRWD
Nissa Rudh, CRWD

Katie Huser, CRWD
John Woodside, CRWD
David MacMillan,
Ramsey County Attorney
Todd Shoemaker,
Wenck Associates
Jerome Wagner, CAC

B) Review, Amendments and Approval of the Agenda

Manager Piram asked for additions or changes to the Agenda. Manager Piram added Unfinished Business C) Administrators performance review evaluation and Unfinished Business D) Staff Performance Review Process.

The Board adopted the Agenda as amended by consensus.

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

Jerry Wagner provided written comments that noted a meeting he attended that acknowledged the career long efforts of Roger Anderson and Roger Bloomberg to assemble a record of thousands of Minnesota water wells over decades. The Hydrologists at the meeting said the records are the best they have seen. Mr. Wagner suggested there be well records for all forks; west, middle, northeast, main and Troutbrook subwatershed as the District plans water quality projects. Mr. Wagner continued to say that he will provide his comments in writing at future meetings.

III. Permit Applications

A) Permit # 09-029 HealthEast Ambulance Facility (Kelley)

Forrest Kelley reviewed CRWD Permit #09-029 HealthEast Ambulance Facility. Mr. Kelley said the project is construction of a new ambulance facility on the northwest corner of Reaney and Arcade in St. Paul. Mr. Kelley said this project has 4 acres of disturbed area, 2.34 acres of proposed impervious surface and the proposed stormwater management is an above ground infiltration basin and underground perforated pipes. Mr. Kelley said the staff recommendation is to approve the permit with one condition. Manager Collins asked the difference of an infiltration basin and a raingarden. Mr. Kelley explained that an infiltration basin is a dry pond with an elevated outlet of water that goes to the outlet and back down to the soil.

Motion 09-11-07: *Approve Permit #09-029 HealthEast Ambulance Facility with one condition.*

1. *Receipt of \$11,700 surety and maintenance agreement.*

Collins/Jones

Unanimously Approved

B) Permit Program/Rules Update (Kelley)

Mr. Kelley said staff has met with applicants preparing permits but there are no new applications for the next meeting. Mr. Kelley said CRWD staff and Ramsey Washington Metro Watershed District have spoke about the need to have a Technical Advisory Committee meeting to discuss Rules due to the Central Corridor Light Rail Project.

IV. Special Reports – CRWD Wetland Assessment Report, Katie Huser, CRWD Water Resource Technician

Administrator Doneux noted that the District has been monitoring Wetlands since 2007 and he introduced Katie Huser to present the 2007 and 2008 Wetland Assessment Report. Ms. Huser said CRWD has been performing monitoring to assess the health of district wetlands, as part of the Monitoring Program, since 2007. The evaluation tool the district uses is an Index of Biological Integrity (IBI) that incorporates data collected on macroinvertebrates, aquatic plants and water chemistry to assess the condition of wetlands. Ms. Huser said this is the first CRWD Wetland Assessment Report that has been completed detailing results of the first two years of monitoring, 2007 and 2008, and results from all 10 wetlands. The report contains background information on the IBI and the need for wetland assessment, description of the strict methodologies utilized and results of the IBI scoring, broken down by the individual IBI data calculations, for each wetland monitored. Ms. Huser discussed and explained the overall results and how the first data analysis and reporting effort proceeded. Ms. Huser described the data collection methods used for invertebrates. Manager Collins asked if “bugs” are good or bad. Ms. Huser said they are good. Ms. Huser described the data collection methods used for plants and how to conduct a plant survey. Ms. Huser explained that a total score of metrics equals the IBI score, the IBI Score can range from 10-50. Ms. Huser said the condition categories are poor, moderate or excellent and applied to the IBI score range to grade scoring. Manager Collins asked if it is possible for a wetland to receive a perfect score. Ms. Huser said she thought it possible. Manager Jones asked if there is a difference between constructed wetlands and natural wetlands. Ms. Huser said it can vary however those wetlands that receive stormwater runoff generally have a lower score. Ms. Huser said Arlington-Jackson wetland was rated a score of 32 for invertebrate and a score of 28 for plants. Cottage Avenue was rated a score of 28 for invertebrate and a score of 28 for plants. Guptil Pond was rated a score of 32 for invertebrate and a score of 16 for plants. The Reservoir Woods was rated a score of 24 for invertebrate and a score of 14 for plants. Villa Park was rated a score of 16 for invertebrate and a score of 28 for plants. Willow Reserve was rated a score of 30 for invertebrate and a score of 24 for plants. Lastly, Ms. Huser discussed recommendations for future years of data collection and analysis.

The Board thanked Ms. Huser and all of the staff for their hard work on the Report.

Motion 09-11-08: *Approve CRWD 2007-2008 Wetland Assessment Report with modifications as discussed*

Thienes/Deneen

Unanimously Approved

V. Action Items

Consent Agenda

Manager Piram asked for a motion to approve the November 18, 2009 Consent Agenda as presented.

Motion 09-11-09:

A) *Approve Minutes of the November 4, 2009 Regular Meeting as presented.*

B) *Approve Accounts Payables for \$206,682.52 and the Accounts Receivable for \$6,638.27 for the month of October 2009 and direct Board President and Treasurer to endorse and disperse checks for payment.*

C) *Approve the Lenhart Stewardship Grant with reimbursement funding not to exceed \$210.00 subject to the following conditions:*

1. *CRWD and Chris Lenhart 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.*

Thienes/Jones

Unanimously approved

Discussion

D) BWSR Clean Water Legacy Grant Application (Eleria)

Ms. Eleria said the Clean Water Fund was established to support projects that protect, enhance or restore water quality in lakes, rivers, and streams in addition to protecting groundwater and drinking water sources from degradation. The Minnesota Board of Soil and Water Resources (BWSR), one of several state agencies who will distribute a portion of Clean Water Funds, is accepting grant applications until December 1, 2009 for projects that fall under one of nine different grant programs. Ms. Eleria explained that staff seeks to obtain Clean Water Funds through the BWSR Runoff Reduction Grant Program, which is dedicated to structural and vegetative practices that reduce stormwater runoff and retain water on the land to reduce the movement of sediment, nutrients and pollutants. The grant program has a total fund amount of \$2,460,000 with no maximum individual award amount; however it requires a minimum match of 25% of the total project cost. Ms. Eleria said staff propose to request a \$1,250,000 grant from BWSR for the construction of innovative stormwater BMPs (green infrastructure) within and adjacent to the Central Corridor Light Rail Transit (CCLRT). Ms. Eleria explained that partnering with the City of Saint Paul, CRWD will seek funding for an integrated tree trench system along the University Avenue section of the corridor as well as for additional BMPs located on or underneath the side streets of the corridor. Ms. Eleria said located on both sides of University Avenue, the integrated tree trench system entails pervious pavers on the sidewalk and catch basins on the street to collect and receive stormwater runoff that will be directed to trees, structural soils, and underground infiltration trenches. The estimated total construction cost of the project is \$6,000,000; of which, Met Council will pay \$3,200,000 to meet its CRWD permit requirements. Of the remaining \$2,800,000, a combination of City funds and a BWSR grant will be sought. CRWD and the City, who is not directly eligible for a BWSR Runoff Reduction Grant, will seek \$950,000 for the integrated tree trench system along the entire CCLRT University Avenue section. Ms. Eleria said to achieve greater volume reduction and water quality benefits and enhance the aesthetics of the area, CRWD is pursuing the construction of additional BMPs on side streets that are within and adjacent to the construction limits of CCLRT. The three additional BMPs that have been preliminarily reviewed by the City and are most likely to receive final approval are raingardens, infiltration trenches and stormwater planters. The Board discussed the design details of the three BMPs. Ms. Eleria said the District and its engineers have selected fourteen side street locations for constructing additional BMPs; seven are located within construction limits and the other seven are outside the limits. These sites have the highest potential for construction based on numerous criteria including utilities, boulevard width, construction limits, and drainage source. Ms. Eleria explained that staff estimates the total construction cost for these additional BMPs is \$450,000; of which \$300,000 will be sought from BWSR. Discussion occurred.

Ms. Eleria concluded by saying the District will request a \$1,250,000 grant from BWSR that will cover portions of the construction costs for additional BMPs on the side streets and the integrated tree trench system along University Avenue.

Administrator Doneux discussed policy issues that were mentioned at a meeting and how the District will respond to the City of Saint Paul.

Motion 09-11-10: *Authorize submission of the grant application for the CCLRT Green Infrastructure Project to BWSR's Runoff Reduction Grant Program subject to the following condition: the City of Saint Paul approves the additional BMPs.*

Thienes/Deneen

Unanimously approved

E) Appoint Delegates for the MAWD Annual Meeting (Doneux)

Administrator Doneux said each year watershed districts are asked to appoint and certify two delegates and one alternate for the Minnesota Association of Watershed District (MAWD) annual meeting. Managers Piram, Thienes, Collins and Deneen will be attending MAWD and Manager Jones will not be in attendance this year. After discussion the Board elected Managers Thienes, Deneen and Collins.

Motion 09-11-11: *Appoint Managers Deneen and Thienes as delegates and Manager Collins as the alternate for the MAWD 2009 Annual Meeting.*

Deneen/Jones

Unanimously approved

F) Adopt Positions on Proposed MAWD Resolutions (Doneux)

Administrator Doneux said as part of the annual meeting of the Minnesota Association of Watershed District (MAWD), delegates are asked to consider and take action resolutions submitted to the membership. This year twelve resolutions are being considered at the annual meeting.

The twelve resolutions under consideration are:

1. Watershed District Permits required for State Agencies, Two Rivers WD
2. State Agencies to obtain Watershed Permits, Valley Branch WD
3. General Fund Levy Limit, Bois de Sioux WD
4. Increase Limits of District Funds, Bois de Sioux WD
5. Increase Limits of Funds WDs are allowed to Borrow, Bois de Sioux WD
6. Elimination of "Riparian Consent" for Treatment of Invasive Aquatic Species, Pelican River WD
7. Waiver of Permit Fee for the Treatment of Invasive Aquatic Species Infested Waters, Pelican River WD
8. Improve Containment and Control of Aquatic Invasive Species Infested Waters, Pelican River WD
9. Increased Statewide Efforts to Control the Spread of Aquatic Invasive Species, Middle Fork Crow River WD
10. Control the Spread of Exotic Invasive Species, Minnehaha Creek WD
11. Providing Property Tax Incentives for Environmentally Protective Construction, Minnehaha Creek WD
12. Control of Pesticides Use in Stormwater Ponds, Minnehaha Creek WD

Administrator Doneux said staff would recommend supporting all resolutions except #1. Resolutions # 1 and 2 will need to be consolidated into one position. The final position of MAWD should be that all state Agencies be required to obtain watershed district permits.

Motion 09-11-12: *Authorize the delegates to assess the resolutions discussed before them and vote using their best judgment.*

Deneen/Jones

Unanimously approved

G) 2010 Education and Outreach Programs (Beckman)

Ms. Beckman said in October 2009, Wilder Research submitted the final report of CRWD's watershed study, one of the first programs recommended in the CRWD Education and Outreach Plan. Staff seeks comment and guidance regarding 2010 programs. Generally, with 87% of District residents reporting that they believe

their actions *can* make a difference in local water quality; and 92% of respondents either “agreeing” or “strongly agreeing” that preserving the quality of local lakes and streams is one of the “most important issues” facing our region, CRWD staff can assume residents have a high level of interest in these issues and that programming should demonstrate the connection between individual and group actions and water quality protection. Ms. Beckman said at this time, staff recommends three primary programming efforts for 2010. The first program to implement would be the Media campaign. Ms. Beckman explained that the initial action step would be to distribute an RFP to media and public relations firms that requests a campaign strategy, implementation plan, and performance analysis. Ms. Beckman said with nearly half of survey respondents (48%) reporting they are “very concerned” about water quality issues and an additional 43% reporting they are “somewhat concerned”, a media campaign is a potentially effective means of raising the awareness of and providing information for District residents. Focus group participants cited “lack of knowledge” as the primary barrier to water quality protection actions, and phone survey data also supports lack of information as a behavior barrier. A focused media effort could include various formats including print, outdoor or yard signage, mail, neighborhood canvas, or drivers to the CRWD website. Manager Piram said he is excited about the Media Campaign and the Downspout Redirection Campaign and said it had given him an idea. Manager Piram asked if it is possible to look at the average size of a house and calculate the average water that could be infiltrated. Manager Deneen suggested adding the fact that the water drains to the Mississippi River because she feels most people don’t realize that. Manager Deneen also suggested that staff consider not providing yard signs again because she feels they don’t educate people enough. Administrator Doneux added that the message that the water drains to the Mississippi River could be part of the Media Campaign.

Ms. Beckman continued to say that in conjunction with a media campaign or as a stand-alone project, CRWD staff will work with the board and other community partners to determine a geographic focus area(s) and carry out a downspout redirection campaign. The program focus will be educational information about CRWD’s preferred behavior of directing gutter downspouts onto pervious areas, and in some instances carrying out work tasks associated with this practice. Initial action steps would be to determine potential liabilities and establish safety guidelines for this project, and to identify program partners. A canvassing squad program model is suggested by staff for its ease of implementation: an advance informational alert goes out to the geographic focus area via mail or through District planning councils; a canvassing team visits each individual home with information about water quality, volume control, and the work tasks involved in downspout redirection; qualified technicians offer a suite of services including providing information only, technical advice, a project supply list and directions, or a coupon for free or reduced cost supplies. An additional option would be for technicians to carry out the tasks for a fee or at no cost. Ms. Beckman said in the 2010 budget, \$30,500 is currently allocated for a downspout redirection and/or leaf removal community engagement program. While a street leaf raking program would most likely be an effective way to engage the community, and would reduce nutrient loading in District surface waters, staff recommends carrying out a downspout direction program first because of its reduced complexity, and the fact that downspout redirection offers a more direct benefit to stormwater runoff reduction visually and conceptually. Staff will refine this pilot demonstration, then export the model to other program areas. Focus group participants did not mention downspout redirection when generating a list of ways individuals can protect water quality, but when it was suggested they viewed such a program as a viable option for reducing stormwater runoff. Some participants expressed a willingness to pay a small fee for downspout redirection work done by a qualified technician, but overall cost along with concern about potential water damage to structures were identified as barriers to these actions.

Ms. Beckman said staff recommends an exploration of the development of a high quality water quality education traveling display or exhibit for use at District events. Creative, eye catching displays can be an effective tool in educating the public about water quality education, particularly when several elements of

our subject matter are underground, e.g. storm sewer pipes, groundwater, and plant roots. With less than two-thirds of District residents practicing CRWD's preferred behaviors, for example, street leaf removal, displays could play a role in overcoming perceptual barriers inherent to describing the role of nutrients in runoff; stormwater's path to surface water; or the role of plants in water quality protection. Ms. Beckman noted that in 2010, \$25,500 is currently allocated for development of a water quality education display or exhibit, and \$10,000 is allocated for the development and printing of an accompanying public education materials, which could be developed in a variety of formats. Display development could also be done in concert with a media campaign or a community engagement program.

Motion 09-11-13: *Direct staff to begin implementing media campaign, downspout redirection campaign and development of a water quality education exhibit.*

Thienes/Jones

Unanimously approved

VI. Unfinished Business

A) Central Corridor Light Rail Transit Stormwater Update (Staff)

Administrator Doneux noted staff is still reviewing the City's request to increase their stormwater volume credit for their part of the tree trench along University Avenue.

B) The Expressive Potential of the Watershed (Manager Jones)

Manager Jones said during the CRWD strategic planning process in December 2007, involvement in the development of a public art plan was established as a District goal. One effective means of meeting the District's goal to participate in public art planning is to partner with Public Art St. Paul in the development of a Public Art Plan. Manager Jones said on May 19, 2009, a public lecture was given by nationally recognized public artist Cliff Garten and Via Partnership, an art planning firm that has worked with organizations with missions similar to that of CRWD. On June 11th a workshop was held for the CRWD, Ramsey Washington Metro Watershed District, Friends of the Mississippi River, and their community partners. The watershed lecture and workshop laid the foundation for subsequent development of a CRWD public art policy and plan. Manager Jones noted that the PASP board approved investing \$8,000 from their program fund to engage a public artist in residence for the Capitol Region and Ramsey Washington Metro Watershed Districts and to develop a proposal for a public art demonstration project for each Watershed District. PASP will be seeking approval of the proposal, including commitment from each Watershed District to contribute \$2,000 to the overall residency cost. Manager Piram asked which Watershed District the Public Art Plan is for. Manager Jones said he asked that question also. Each Watershed District is contributing the same funds so the Plan will be for both CRWD and RWMWD.

C) Trout Brook Transfer Agreement (Doneux)

Administrator Doneux said the District received a Bill of Sale and Quick Claim Deed from Metropolitan Council for the two sections that were repaired. Manager Thienes noted that Met Council could not provide those documents until they paid the District the matching funds. Administrator Doneux said that is the last step for the Transfer Agreement and now staff can start the process for cleaning up the easements.

D) Staff Recognition (Doneux)

Administrator Doneux introduced the two seasonal monitoring technicians for 2009 Nissa Rudh and John Woodside. Nissa Rudh said she graduated from the University of Minnesota with a Bachelors Degree in Fisheries and Wildlife last year. Nissa said she met Administrator Doneux and learned about the seasonal position at the University Career Fair. Nissa said it has been a great experience and really enlightened her to work with the staff and at the District. Nissa continued to say that she really appreciates the projects that the District does. John Woodside said he graduated from Winona state with a Bachelors Degree in Geology last

year and a Masters Degree in Hydrogeology from Illinois State University. John said he also met Administrator Doneux and learned about the seasonal position at the University Career Fair. John said he has enjoyed working at the District and feels the staff works well as a team and uses their time efficiently. The Board thanked John and Nissa for all of their hard work.

Administrator Doneux noted that Katie Huser, Water Resource Technician will have her last day on Friday. The Board thanked Katie for her hard work. Katie said she is sad to leave but has enjoyed her employment with the District.

VII. General Information

A) Administrator's Report

Administrator Doneux noted that Dave Callister will be at the December 2 Board meeting to review the Watershed Management Plan and the 10 year budget that comes along with the WMP. Mr. Callister will add those numbers to the spreadsheet model that he developed. The Board will review a few different financial scenarios and not be asked to make any decisions on the 2nd. Manager Thienes said he will not be at the December 2nd Board meeting. Manager Piram said he thought it imperative that all managers attend Dave Callister's presentation. It was the consensus of the Board to change the December 2nd Board meeting to Tuesday, December 1st, 2009 from 5:00 pm to 7:00 pm subject to Dave Callister's availability.

B) CAC Update (Manager Thienes)

An update was not provided.

C) Administrators Performance Review Evaluation (Manager Piram)

Manager Piram distributed the Performance Review forms for Administrator Doneux's review and requested that the Managers return their comments at the next Board Meeting. Manager Collins asked staff to email the form to him to fill out.

D) Staff Performance Review Process. (Administrator Doneux)

Administrator Doneux stated that last year the Board expressed interest in learning more about the annual performance review process that is conducted for all employees. Mr. Doneux reviewed the process with the Board of Managers for 2009.

E) Ramsey Conservation District (RCD) Board Meeting (Deneen)

Manager Deneen provided Dawn Nelson a written summary of the November 9, 2009 RCD meeting. Two citizens were present from White Bear Lake to discuss a buffer that was keeping an area from having enough water for boats. The Supervisors denied removal of the buffer. Action items approved included the WCA Admin cost-share, the Encumber Parking Project for Rice Creek and the amendments to the FY09 Native Buffer Work Plan. Michelle Wohles, NRCS provided new project for next year they may help the RCD. The Supervisor handbook was reviewed. The Supervisors would like to be appointed by County Commissioners rather than elected.

VIII. Meeting Agenda Review

Tuesday, December 1, 2009 Regular Meeting Agenda Review

IX. Adjournment – 8:14 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson