



Capitol Region Watershed District

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Regular Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, October 20, 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 6:00 p.m. (Vice-President, Joe Collins)

A) Attendance

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

Others Present

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

Todd Shoemaker
Wenck & Associates
Kevin Lyndsey,
Ramsey County Attorney
Jim Herbert, Barr Engineering
Bruce Irish, Mn/DOT
Jihshya Lin Mn/DOT

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 were no public comments.

III. Permit Applications

A) 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 Kelley noted that the permit was tabled with 9 conditions on May 6, 2010 and the permit was withdrawn by Ramsey County in late May. Ramsey County has requested the use of volume bank credits for the project due to clay soils, limited right of way, and high costs. Use of these credits will satisfy the volume reduction and water quality standards in Rule C, but do not result in compliance with the rate control standard. Because there is a small increase in the amount of impervious surface (added turn lanes), the discharge rates for the project increase by a maximum of 0.3 cubic feet per second for the 100-yr rain event. Todd Shoemaker reviewed past permits within the same subwatershed (Trout Brook) to determine if there has been enough reduction within the system to make up for the small increase proposed by Ramsey County. The McDonough Homes project alone provided an 8 cfs reduction in the rate for the 100-yr rain event. Based on this calculation, and the intent of utilizing volume bank credits for difficult sites, staff feels that the requested variance is reasonable. The staff recommendation is to approve the requested variance and approve the permit with one condition.

Motion 10-10-09: *To approve requested variance to allow a 0.3 cfs increase in the discharge rate as requested by Ramsey County.*

Thienes/Deneen

Unanimously Approved

Motion 10-10-10: *To approve permit #10-010 Maryland and Rice Street Reconstruction subject to the following condition:*

1. Receipt of maintenance agreement.

Thienes/Jones

Unanimously Approved

B) Permit #10-027 Lafayette Bridge (Kelley)

Mr. Kelley noted that Jim Herbert from Barr Engineering and Bruce Irish from Mn/DOT are present to answer any questions. Mr. Kelley said Permit 10-027 Lafayette Bridge was tabled with 2 conditions on October 6, 2010. The project proposes the placement of fill on top of the District owned Trout Brook Interceptor. At the October 6th meeting the Board of Managers requested Mn/DOT provides assurance that any repairs from damage to the Trout Brook Sewer resulting from the project be the responsibility of Mn/DOT. Mr. Kelley said Mn/DOT provided written response to the items identified in the Barr Engineering memo from Jim Herbert dated September 1, 2010. Mr. Kelley noted that included in the letter is a statement indicating Mn/DOT will repair any damage found to be a result of the project at the post construction inspection at no cost to CRWD. Mr. Herbert said he concurred with the responses in the Mn/DOT letter. The Board indicated concern regarding the increase in cost to repair or replace Trout Brook with the Loop Road 7 on top of it. Administrator Doneux said staff will draft a letter summarizing the Boards request and a draft agreement regarding future responsibility for pipe and road reconstruction.

C) Permit #10-029 I-94 and Hwy 280 (Kelley)

Mr. Kelley said Permit #10-029 I-94 and Hwy 280 was tabled with 5 conditions on September 15, 2010 and the 60-day review period for this permit expires October 26, 2010. Mr. Kelley 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 10-10-12: *Approve the requested 60-day extension.*

Jones/Deneen

Unanimously Approved

D) Permit #10-032 Meridian Industrial Center (Kelley)

Forrest Kelley reviewed CRWD Permit # 10-032 Meridian Industrial Center. The applicant is Industrial Equities, LLP and the project is construction of a new commercial building, parking lot and associated utilities. Mr. Kelley said the project is located on Pelham Blvd and Wabash Ave near Hwy 280 and 94. Mr. Kelley said the applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Flood Control (Rule D). Mr. Kelley said this project has 5 acres of disturbed area, 4.22 acres of proposed impervious surface and the proposed stormwater management will include a surface filtration basin. The staff recommendation is to approve the permit with four conditions.

Motion 10-10-13: *Approve permit #10-032 Meridian Industrial Center subject to the following four conditions:*

1. Receipt of \$21,100 surety and maintenance agreement.
2. Provide plans signed by a professional engineer per the Minnesota Board of AELSLAGID.

3. *Submit a copy of the NPDES permit application.*
4. *Submit architectural plans to support roof storage and the associated rate control.*
Deneen/Thienes
Unanimously Approved

E) Permit Program/Rules Update (Kelley)

Mr. Kelley said there are no new permits for the November 3rd Board meeting.

IV. Special Reports – No Special Reports

V. Action Items

Consent Agenda

Manager Collins asked for a motion to approve the October 20, 2010 consent agenda as presented.

Motion 10-10-14:

- A) Approve Minutes of the October 6, 2010 Regular Meeting (Nelson)**
- B) Approve Accounts Payables for \$162,761.72 and the Accounts Receivable for \$48.31 for the month of September 2010 and direct Board President and Treasurer to endorse and disperse checks for payment.**
- C) Approve Amendment #1 for Trout Brook Interceptor Work Order #1 – TBI General Engineering Assistance.**
- D) Approve Amendment #1 for Trout Brook Interceptor Work Order #2 – XP-SWMM Model Revisions.**
Jones/Deneen
Unanimously approved

Discussion

E) Williams Street Pond Retrofit Project (Fossum)

Mr. Fossum said at the April 1, 2009 Board meeting the Managers adopted McCarrons Subwatershed 4 Study. All projects contained in the study have been included in the capital improvement section of the District's 2010 Watershed Management Plan. The District was approached by Ramsey Conservation District regarding grant funding that is available in 2010 for BMP construction projects in Ramsey County. These projects would need to be encumbered by the end of 2010. At the June 2, 2010 Board meeting the Managers approved the scope and budget with Wenck Associates for the Williams St. Pond Retrofit Project for an amount not to exceed \$25,000. Mr. Fossum said engineering for the project has progressed significantly during this fall. Several issues have impacted the design of the pond retrofit project. One is addressing Wetland Conservation Act requirements that limit the depth of the excavation in the pond to 2 meters. The other issue is that sediment within the pond has high levels of polycyclic aromatic hydrocarbons (PAHs) which require special disposal. In addition these issues an Iron-filing filtration bench is a desired BMP for the pond to meet pollutant reduction goals. Mr. Fossum reviewed the draft construction plans and an engineer's estimate of cost with Managers. The total estimated construction cost of the project is \$65,875. Staff have discussed and negotiated a financing plan with Ramsey Conservation District (RCD) and the City of Roseville to fund the Williams Street Retrofit Project. Both RCD and Roseville have indicated they could contribute up to \$25,000 towards the project. Mr. Fossum reviewed the financing plan with the Managers. Mr. Fossum explained that the design issues discussed have increased the complexity of the project and require completion of tasks not originally included in the engineering scope of work. Mr. Fossum said staff is seeking approval of two items; approval of the financing plan for the project and a contract amendment with Wenck Associates to complete the additional design work, prepare bidding documents, assist with bidding, and provide construction oversight. The original scope of work did not include a full formal bidding process or construction oversight. The amendment would be \$19,000 and would take the project through completion.

Should the Board approve the additional engineering work, staff would intend to bring final plans and specifications to the November 3rd Board Meeting seeking authorization to go out to bid for this project.

Motion 10-10-15: *Authorize the Williams St. Pond Project; approve the project financing plan and direct staff to develop cooperative agreements with Roseville and Ramsey Conservation District.*

Thienes/Deneen

Unanimously approved

Motion 10-10-16: *Approve Contract Amendment #1 with Wenck Associates for the Williams St. Pond Retrofit Project for an amount not to exceed \$19,000 and a total contract amount of \$44,000.*

Thienes/Jones

Unanimously approved

F) Highland Ravine Stabilization/Restoration Feasibility Study (Eleria)

Ms. Eleria said on several occasions since 2007, CRWD staff have been approached about erosion and flooding issues in an area bounded on the west and east by Edgcumbe Road and Lexington Parkway and on the north and south by Highland Parkway and Montreal Avenue. Ms. Eleria said this area is known as Highland Ravine. In late August 2010, CRWD and Ramsey Conservation District (RCD) staff conducted a site visit with residents from the Deer Park Condominium Association who live at the downstream end of the ravine. These residents have been experiencing significant flooding and sedimentation on their properties likely due to unmitigated stormwater runoff from the top of the bluff and erosion in the ravine. CRWD and RCD staff observed numerous gullies of variety of depths in the ravine. The existing drainage and erosion and sediment control measures, which include a silt fence, berm and storm sewer inlet located at the back edge of the property lines, are failing. Installed in the early summer, the silt fence is already 75% full. In addition, there is significant accumulation of sediment on the berm and storm sewer inlet located just beyond the silt fence. Ms. Eleria said District staff has requested a scope of work and budget from EOR, Inc. for a feasibility study to remediate the flooding, erosion and sedimentation issues as well as improve stormwater quality before it discharges to the Mississippi River. Ms. Eleria reviewed the draft scope of work and budget. Ms. Eleria said EOR will assess the subwatershed area draining over the bluff and into the ravine and identify the locations and cause(s) of erosion and flooding in the ravine. In addition, EOR will propose planning level solution(s) and their costs to address these issues. This project is budgeted for \$10,000 and scheduled for completion by the end of this year. Ms. Eleria said typically for engineering related projects, CRWD solicits proposals from various firms and selects the most qualified firm. Because of the small budget of this project, EOR's existing knowledge about nearby bluff erosion issues and EOR possesses most of the necessary data. Ms. Eleria said staff is requesting that the Board approve EOR, Inc. as the engineer for this project.

Motion 10-10-17: *Approve the Contract Agreement with EOR for the Highland Ravine Stabilization/Restoration Feasibility Study subject to the review and approval by the Ramsey County Attorney.*

Jones/Deneen

Unanimously approved

VI. Unfinished Business

A) Center/Rice Subwatershed Update (Eleria)

Ms. Eleria said CRWD and our project partners, the Cities of Roseville and Maplewood, Ramsey County and Saint Paul Regional Water Services will conduct a drainage and water quality improvement study to alleviate flooding at Center Street and Rice Street, improve water quality in this subwatershed area and restore the drainage channel/wetlands downstream of the Center/Rice Street intersection. Ms. Eleria said the objectives of the drainage and water quality improvement study are to, understand the hydrology and hydraulics of the stormwater drainage system including the pipes, ditch and wetlands near Center Street and Rice Street in

Roseville and Maplewood; determine the best management practices and their locations to alleviate flooding, improve water quality in the area, and restore the drainage channel and associated wetlands southeast of the Center/Rice Street intersection. Manager Thienes said he was not aware that area was still flooding. Administrator Doneux stated that at a recent meeting with the City of Roseville it was noted that there was still a problem at this intersection. Ms. Eleria said staff would like to ask Barr Engineering, the Engineer for Trout Brook to assist in developing a scope of work for this project, staff would then bring it to the Board and ask for guidance on pursuing the project.

B) Crosby Lake Management Plan Update (Eleria)

Ms Eleria said the Crosby Lake Management Plan Technical Advisory Group met on October 14th at the District Office and heard a presentation from Joe Bischoff, Wenck Associates.

C) Como TMDL Update (Fossum)

Mr. Fossum reminded the Board that the approved 2010 Watershed Management Plan Workplan includes a task to convert the Como Lake Strategic Management Plan (adopted by District in 2002) into a Total Maximum Daily Load Plan (TMDL). At the July 1, 2009 Board meeting the Managers reviewed a draft Como Lake TMDL and authorized distribution to the appropriate partners. The Managers authorized submittal of the Como Lake TMDL Plan to MPCA to begin the formal review process at the March 17, 2010 Board Meeting. Mr. Fossum said the formal 30-day comment period was completed on September 29, 2010. Two agencies provided comments, MNDOT and Minnesota DNR. Staff and District consulting engineers have prepared responses to those comments and made the noted revisions in the draft TMDL. Officially, MPCA prepares the response to comments and at the end of October 2010 they will submit to U.S. EPA the revised Como TMDL for final approval.

D) 2010 Subwatershed Projects Update (Fossum)

Mr. Fossum said on July 27, 2010, District staff met with City staff to discuss upcoming partnership opportunities. At the meeting City staff requested that the District complete subwatershed studies to help inform BMP placement decisions within the RSVP projects for 2011. City of St. Paul Councilmember Russ Stark (Ward 4) has indicated a desire to do enhanced stormwater management within the Residential Street Vitality Projects (RSVP) in 2011 within his ward. On August 4, 2010 the Manager's approved two subwatershed studies that included the 2011 RSVP project areas. The District, in cooperation with City of St. Paul staff has begun the subwatershed studies for 2010 in the Saint Anthony Hill and Mississippi River Blvd. Subwatersheds. An initial subwatershed study work group meeting was held on September 2, 2010. Mr. Fossum noted significant progress has been made with the subwatershed studies approved earlier this year including draft plans, preliminary cost estimates, and volume reduction quantities have been completed. Mr. Fossum reviewed the concept plans with the Managers.

E) Land Conservation (Eleria)

Ms. Eleria said at the October 6, 2010 meeting, CRWD's Board of Managers continued their discussion about their position on land acquisition and the possible circumstances and criteria the Board would exercise their authority to acquire land for water resource protection purposes. The impetus for this discussion is the current opportunity for CRWD to purchase a 1.42 acre parcel comprised mostly of wetlands in the Trout Brook subwatershed. Ms. Eleria said In general, all five Board Managers are favorable to considering land acquisition under certain criteria and circumstances. Ms. Eleria said staff prepared a draft land conservation policy for the Board's review based on previous Board discussions and research of other land conservation programs in the metro area including Minnehaha Creek Watershed District's Land Conservation Program and Dakota County's Farmland and Natural Area Program. Ms. Eleria reviewed a guidance document created by the League of Minnesota Cities that discusses the sales and purchases of land as well as other ways of acquiring and disposing of property. In addition, it outlines some of the different ways cities make these transactions and some of the more common issues relating to these transactions. Ms. Eleria noted that

although the audience for this document is cities, some of the information is applicable to watershed districts and currently there isn't a comparable document created for watershed districts.

VII. General Information

A) Administrator's Report

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

- 1) The Crosby Lake Management Plan Technical Advisory Group met on October 14th at the District Office.
- 2) CRWD Staff met with City of Saint Paul Parks and Recreation Division design staff on October 12th to begin planning for a study to restore a stream in the proposed Trillium Nature Sanctuary.
- 3) Administrator Doneux met with officials from the St. Paul Saints to discuss stormwater concepts for a possible Lowertown/Regional Ballpark. They are asking for a letter of support from the District.
- 4) Administrator Doneux gave our Arlington Pascal BMP Performance Effectiveness and Cost Benefit Analysis presentation to a Region V EPA TMDL conference in Fort Wayne, Indiana on October 20th.
- 5) The Annual Water Resources Conference will be held on October 19th and 20th at the Saint Paul River Centre.
- 6) Administrator Doneux will be attending the BWSR Academy training on October 26-28 in Brainerd.
- 7) The MAWD Annual Conference is set for December 2-4 in Alexandria.

VIII. Meeting Agenda Review

Wednesday, November 3, 2010 – Regular Meeting Agenda Review

IX. Adjournment – 8:03 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson