



# Capitol Region Watershed District

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**Regular Meeting Minutes** of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, September 2, 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  
Bob Fossum, CRWD  
Dawn Nelson, CRWD  
Forrest Kelley, CRWD  
Anna Eleria, CRWD  
Elizabeth Beckman, CRWD

David MacMillan,  
Ramsey County Attorney  
Todd Shoemaker,  
Wenck & Associates  
Jerry Wagner, CAC Member

## **B) Review, Amendments and Approval of the Agenda**

Manager Piram asked for additions or changes to the Agenda. Manager Deneen will give a special report on the District 6 Raingarden workshop.

*The Board adopted the Agenda as amended by consensus.*

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

No Public Comment.

## **III. Permit Applications**

### **A) Permit # 09-014 Carondelet Village (Kelley)**

Forrest Kelley reviewed CRWD Permit # 09-014 Carondelet Village. Mr. Kelley said the applicant is the Sisters of St. Joseph of Carondelet. Mr. Kelley said the project is construction of a new senior housing facility. Mr. Kelley said this project has 7.37 acres of total disturbed area, 3.83 acres of proposed impervious surface and the proposed stormwater management is two filtration raingardens and a sub-grade filtration trench. Mr. Kelley said the staff recommendation is to approve the permit with two conditions.

**Motion 09-09-01:** *Approve Permit # 09-014 Carondelet Village with two conditions.*

- 1. Receipt of \$19,150 surety and maintenance agreement.*
- 2. Contact District staff before construction to avoid or replace groundwater monitoring wells within the construction limits.*

Deneen/Collins

Unanimously Approved

### **B) Permit #09-023 Central Corridor Light Rail Transit (CCLRT) Stormwater Impact Fund and Volume Deferral (Kelley)**

Forrest Kelley reviewed CRWD Permit # 09-023 CCLRT 4<sup>th</sup> Street Utilities. Mr. Kelley said the applicant is Metropolitan Council. Mr. Kelley said the project is utility re-location for the Central Corridor light rail Transit Project on 4<sup>th</sup> Street from Minnesota Street to Broadway Street in Downtown St. Paul. Mr. Kelley said this project has 4.86 acres of total disturbed area, 4.74 acres of proposed impervious surface and the proposed stormwater management is pervious pavers with trees and structural soils with integrated catch basins. Mr. Kelley said the staff recommendation is to approve the permit with two conditions. Mr. Kelley

explained that Permit 09-023 CCLRT 4<sup>th</sup> St Utilities is the first phase of the larger Met Council Light Rail project. The current plans propose a combination of on site treatment, contribution to the Stormwater Impact Fund, and volume deferral to future portions of the light rail project. Mr. Kelley said CRWD, City of St. Paul and Met Council staff met to discuss designs for the pervious paver, tree planter, and integrated catch basins and ensure that all concerns were addressed. The two tree trenches provide 1,152 cubic feet of treatment towards the 15,486 cubic foot requirement. Mr. Kelley said Met Council proposes contributing \$40,000 to the Stormwater Impact Fund as their share of the CCLRT Stormwater Workshop that was held on June 25, 2009 and would be eligible towards the cost cap calculation. Mr. Kelley said Met Council requested that the remaining 10,030 cubic feet of volume reduction be deferred to future phases of the CCLRT project. Mr. Kelley said staff recommend approval of the contribution to the Stormwater Impact Fund and volume deferral as this approach is consistent with alternative compliance sequencing provided in the rules. Manager Collins asked if the water will drain through the rock or through the trench. Mr. Kelley said the water will drain through the trench. Manager Jones noted that he must abstain from voting but wanted to express his concern about setting precedence when allowing Met Council to contribute \$40,000 to the Stormwater Impact Fund as their share of the CCLRT Stormwater Workshop rather than actual pay their portion. Manager Collins said he also questions what precedent is being set by that type of contribution. Administrator Doneux said there was discussion prior to the workshop with Met Council that they would need to contribute to the workshop for it to be an actual partnership. Met Council said their budget was set for storm runoff and the way they could help with the workshop was through the Stormwater Impact Fund.

**Motion 09-09-02:** *Approve \$40,000 Contribution to the Stormwater Impact fund for Permit 09-023 CCLRT 4<sup>th</sup> St Utilities.*

Thienes/Deneen

Jones abstained

Unanimously Approved

**Motion 09-09-03:** *Approve Deferral of 10,030 Cubic Feet of Volume Reduction for Permit 09-023 CCLRT 4<sup>th</sup> St Utilities to future phases of the CCLRT Project.*

Thienes/Collins

Jones abstained

Unanimously Approved

**Motion 09-09-04:** *Approve Permit # 09-023 Central Corridor Light Rail Transit 4<sup>th</sup> Street Utilities with two conditions.*

1. *Receipt of maintenance agreement.*
2. *Submit a copy of the NPDES permit application.*

Thienes/Deneen

Jones abstained

Unanimously Approved

### **C) Permit Program/Rules Update (Kelley)**

Mr. Kelley said 700 Raymond has submitted revised plans and he received one more application for review at the next Board meeting.

### **IV. Special Reports – City of Falcon Heights Special Grant Update (Kelley)**

Mr. Kelley said at the December 3, 2008 Board Meeting the Managers approved special grant requests from the City of Falcon Heights and the City of Saint Paul for \$88,000 each. The City of Falcon Heights' project was a retrofit of their existing City Hall Parking lot with pervious asphalt pavement and two raingardens. Mr. Kelley said the construction of the pervious asphalt and raingardens is now complete. Mr. Kelley noted that the existing parking lot is original to the building from 1982. The parking lot was an extremely flat surface and water was unable to drain to the stormwater inlets at the entrance of the parking lot. Mr. Kelley said staff went to the site after a significant rainfall and the raingardens were dry so they are working very

well. Manager Collins asked if the parking lot had standard asphalt. Mr. Kelly said yes, except the fines are removed from the mix.

### **District 6 Raingarden Workshop (Manager Deneen)**

Manager Deneen said she attended the District 6 Raingarden Workshop at Washington School. The main presenter was Shawn Tracey. Manager Deneen said there were 25 to 30 people in attendance and each person received a Blue Thumb Raingarden Manual. Manager Deneen said everyone seemed to enjoy themselves and asked a lot of questions.

## **V. Action Items**

### **Consent Agenda**

Manager Piram asked for a motion to approve the September 2, 2009, Consent Agenda.

#### **Motion 09-09-05:**

- A) *Approve Minutes of the August 19, 2009 Regular Meeting as presented.*
- B) *Approve Sechler Stewardship Grant with reimbursement funding not to exceed \$275.00 subject to the following conditions:*
  - 1. *CRWD and Angela Sechler 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.*
- C) *Approve Hosser-Cox Stewardship Grant with reimbursement funding not to exceed \$240.00 subject to the following conditions:*
  - 1. *CRWD and Szilvia Hosser-Cox 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.*
- D) *Approve extension of Barr Engineering Company's contract deadline to December 31, 2009 for the Trout Brook Storm Sewer Interceptor Repair Project.*

Thienes/Deneen

Unanimously approved

## **Discussion**

### **E) Approve Maplewood Surface Water Management Plan (Kelley)**

Forrest Kelley said all cities in the metro area are required to complete a local water management plan to address drainage and stormwater within their boundaries. City local water plans are required to comply with watershed district management plans. The City of Maplewood submitted a Surface Water Management Plan (SWMP) to meet the requirements for a local water plan in January 2009 and the District provided comments on March 18, 2009. Mr. Kelley said the revised Maplewood Surface Water Management Plan was submitted on August 6, 2009. Staff have reviewed the revised plan, and all of CRWD's previous comments have been incorporated into the final draft. Metropolitan Council Environmental Services (MCES) has provided a letter indicating the plan is consistent with the MCES Water Resource Management Policy Plan. Mr. Kelley explained that Maplewood may need to revise, and CRWD approve, the SWMP within two years of CRWD adopting our 2010 WMP if any aspects of the Plans are found to be inconsistent.

#### **Motion 09-09-06: Approve Maplewood Local Water Plan.**

Collins/Jones

Unanimously approved

### **F) Approve Engineering Agreement for Small Site Analysis (Kelley)**

Forrest Kelley said as part of the District's goal of periodic evaluation of the requirements and standards provided in the rules, the Board of Managers has directed staff to evaluate the feasibility of requiring

stormwater quality practices on sites disturbing less than one acre. Mr. Kelley said a draft scope and workplan was distributed to the TAC and a meeting was held on April 13, 2009. Efforts were made to coordinate similar tasks for small sites with the City of St. Paul, but the timeframes for the two processes did not coincide. Mr. Kelley said staff have revised the scope of work to analyze 5 small development sites with prior municipal approval that did not incorporate water quality practices. Mr. Kelley explained that the sites will vary in disturbance from 10,000 to 40,000 square feet. The assessment will look at the feasibility of achieving half inch and one inch volume reduction standards and the 90% TSS removal standard, and incorporate estimates of the cost of compliance with these standards. Mr. Kelley said based on the draft scope of work, Wenck Associates has provided a draft of scope and budget to complete the analysis.

**Motion 09-09-07:** *Approve Small Sites Stormwater Management Feasibility Study not to exceed \$16,000 and direct Board President and Administrator to enter into a Contract with Wenck Associates.*

Jones/Collins

Unanimously approved

### **G) Preventing Harm MN Grant Request (Eleria)**

Anna Eleria said on August 14, 2009 CRWD received a Partner Grant application from the Preventing Harm Minnesota (PHM) with a request for funds to carry out a pesticide use ban campaign in St. Paul Public Schools. Ms. Eleria said PHM is a St. Paul nonprofit working to reduce children's exposure to toxic chemicals and improve their health through community outreach and education; advocacy for policy change; and partnership development with communities, non-profits and government representatives. PHM requests grant funding for a project aimed at engaging parents in campaigns to request bans on cosmetic pesticides used to treat broadleaf weeds on school grounds. Ms. Eleria said the original grant request was \$20,000 to expand work on the pesticide ban initiative District-wide. Staff agreed that given its place among other priorities, the ban on cosmetic pesticide use is neither central to our Stewardship Grant program objectives, nor to the guiding objectives in our other planning, the CRWD Strategic Plan and Education Plan. Ms. Eleria said because the work of PHM is related to CRWD's in terms of reducing polluted stormwater runoff, staff asks the board to fund the cost of supplies for evaluating the pilot project (digital camera, printing costs and office supplies) at \$1,250. Staff requests reimbursement funding not to exceed \$1,250.00 from fund 210 Stewardship Grants. Manager Thienes asked if pesticide is an issue for water. Manager Jones if this is an issue that the District should be monitoring. Administrator Doneux said he had the same question and he spoke to Elizabeth Beckman about it. Administrator Doneux said the goal of this organization is to reach out globally rather than one school at a time.

**Motion 09-09-08:** *Approve the Preventing Harm Minnesota Stewardship Grant request with reimbursement funding not to exceed \$1,250.00 subject to the following conditions:*

- 1) *CRWD and Preventing Harm Minnesota must both approve of and enter into a Cooperative Agreement;*
- 2) *any significant program changes must be approved by CRWD; and*
- 3) *All conditions must be met and the project completed within one year after project approval.*

Deneen/Collins

Unanimously approved

### **H) Approve Bergstrom Stewardship Grant (Eleria)**

Ms. Eleria said CRWD received a Stewardship Grant application from David Bergstrom for a raingarden, a permeable carport, and three rain barrels on his property located at 2129 Berkeley Avenue in Saint Paul. Ms. Eleria said the applicant is proposing a system of best management practices to capture and reuse or infiltrate stormwater runoff from his property. An 80 square-foot raingarden will treat a portion of rooftop runoff from a two-inch storm. The applicant also plans on replacing an existing 130 square-foot concrete carport

with grass pavers, which will allow daily parking yet reduce impervious surface on his property and infiltrate stormwater. Three rain barrels will be placed at downspouts of his home and garage. Ms. Eleria said staff recommends approval of funding for the Bergstrom project not to exceed \$1,585. The consensus of the Board was that Mr. Bergstrom was to be commended for making such a commitment.

**Motion 09-09-09:** Approve the Bergstrom Stewardship Grant with reimbursement funding not to exceed \$1,585 subject to the following conditions:

1. CRWD and David Bergstrom 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.

Jones/Collins

Unanimously approved

**I) Adopt Preliminary 2010 Budget & Levy (Doneux)**

Administrator Doneux said the Board of Managers must adopt and certify a Preliminary 2010 Budget and Levy with Ramsey County before the September 15, 2009 deadline.

**Motion 09-09-10:** RESOLUTION ADOPTING PROPOSED 2010 TAX LEVY AND CANCELING 2007A WATERSHED DISTRICT TAX SUPPORTED BOND LEVY

**WHEREAS**, the Capitol Region Watershed District (The District) is required to pass a resolution adopting a preliminary budget and certifying the total proposed property tax levy amount to the County Auditor prior to September 15, 2009; and

**WHEREAS**, it is the desire of the District, to submit a proposed property tax levy including general operating and debt levies; and

**WHEREAS**, the District and its financial consultant have conducted a review of the fund balances and determined that sufficient funds are currently available in the Capitol Improvement Fund to eliminate the debt levy scheduled to be collected in 2010; and

**WHEREAS**, it is the desire of the District to utilize the available excess funds to reduce the property tax burden on its residents and businesses.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of the Capitol Region Watershed District, Ramsey County, Minnesota:

- 1) That the scheduled levy for the \$1,555,000 General Obligation Watershed District Tax Supported Bonds of 2007A, in the amount of \$122,895.95, is hereby canceled.

Thienes/Collins

Unanimously approved

**Motion 09-09-11:** *To adopt Resolution # 09-09-11 establishing Preliminary 2010 Budget and Levy.*

**WHEREAS**, *At the June 3, 2009 Board meeting, the draft 2010 Work Plan was reviewed, and*

**WHEREAS**, *At the July 1, 2009 Board of Managers meeting a preliminary budget and levy along with a draft capital improvement program was reviewed and discussed, and*

**WHEREAS**, *A Board workshop was held June 29, 2009 to review the 2010 Budget and Levy, and*

**WHEREAS**, *at the CRWD Board of Managers meeting on July 15, 2009 the Preliminary 2010 Budget and Levy was reviewed, amended and approved for distribution for Public Review and Comment, and*

**WHEREAS**, *on August 12, 2009 the Citizens' Advisory Committee reviewed and recommended adoption of the budget and levy as presented; and*

*WHEREAS, a duly noticed Public Hearing was held on August 19, 2009 at 6:00 PM at the office of the Capitol Region Watershed District with no members of the public present commenting on the budget, and*

***THEREFORE BE IT RESOLVED,** that the CRWD Board of Managers approve and adopt the preliminary Operations Budget of \$1,832,764 and a Capital Improvement Budget of \$825,396 for a total budget of \$2,658,160 and Certified Levy of \$1,772,764 for 2010.*

Thienes/Collins

Unanimously approved

**J) Approve the 2010 Watershed Management Plan Formal Review Process (Fossum)**

Administrator Doneux said at the August 19, 2009 Board Meeting, the Managers reviewed the comments received on the draft Implementation section of the 2010 WMP. The Managers also reviewed the formal review and approval process schedule. Administrator Doneux said according to State statute the only review of the District's Watershed Management Plan that must be sent to the Cities is the first 60-day review draft. The review and approval process schedule that was reviewed with the Board at the meeting on August 19<sup>th</sup> indicated we would include the Cities on the 2<sup>nd</sup> 45-day review period as well. The City of St. Paul is very interested in being included in the second draft review and staff is requesting that the Managers affirm the District's intention to include the Cities in the 60-day and 45-day reviews.

**Motion 09-09-12:** *Approve the 2010 WMP formal review process that includes the Cities in the 2<sup>nd</sup> 45-day review period.*

Thienes/Jones

Unanimously approved

**K) Approve Administrative Assistant – Receptionist Position (Doneux)**

Administrator Doneux said at the December 17, 2008 meeting the Board adopted the Final 2009 Work Plan, Budget and Levy. Administrator Doneux said the 2009 Budget included funding for a part-time receptionist position. This position was funded for ¼ time over the entire year. A draft position description has been developed for this position that provides a pay range of \$12.12 - \$18.17/hour with an anticipated hiring range of \$12.12 - \$16.63/hour. The position description was developed from tasks included in existing Capitol Region Watershed District staff positions. Administrator Doneux noted that a part time receptionist will provide time for Dawn Nelson to be away from the phone and front desk so she can prepare Board and CAC minutes, maintain the District's website and manage accounts payable/receivable.

**Motion 09-09-13:** *Approve the establishment of the Administrative Assistant-Receptionist position and authorize staff to advertise and fill the position.*

Thienes/Jones

Unanimously approved

**VI. Unfinished Business**

**A) Central Corridor Light Rail Transit Update (Doneux)**

Administrator Doneux said there was a meeting earlier today to discuss how the District and the City of Saint Paul would work with Met Council to include additional stormwater BMPs into the Central Corridor Light Rail Transit project. The meeting included staff from the Central Corridor Project Office, City of Saint Paul, Ramsey County as well as Kurt Leuthold, Barr Engineering, Ed Mathiesen, Wenck & Associates and Cecilio Olivier, EOR, Inc. CRWD was represented by Manager Piram, Anna Eleria, Forrest Kelley and Mark Doneux. Because of the extremely tight time frame of the CCLRT project the District and City must move quickly to be able to incorporate additional stormwater BMPs into the design. Manager Piram emphasized the importance and opportunity the District has right now to be involved with this project. He also stated the District has to look in the short-term for opportunities within the University Avenue Right-of-Way first but we also need to look through out the entire corridor. Administrator Doneux said the meeting provided

valuable information on the level of effort needed to allow our consultants to have meaningful input into the preliminary and final design process. He continued to say that he would be returning with a draft Scope of Services for Engineering and Consulting Services for these three firms. The Scope of Services would include review of the proposed Met Council BMPs as well as identifying additional BMPs in the project corridor. Manager Collins asked how long the construction is going to take. Manager Piram said four years starting in 2010.

#### **B) Stewardship Grant Update (Eleria)**

Ms. Eleria said since 2005, CRWD has provided cost-share funding and technical assistance for water quality improvement projects, such as raingardens, rain barrels, green roofs and education and outreach activities, for residents, non-profits, businesses and schools located and/or working in the District. Ms. Eleria continued to say as of early September 2009 with the expected approval of three pending grant applications, CRWD will have awarded 34 stewardship grants for a total award amount of \$23,000. The majority of the grant projects have been for raingardens. Other funded projects include educational workshops, internships, rain barrels, green roofs and pervious pavements. The 2009 budget for Stewardship Grant projects is \$32,000. The remaining amount available for additional water quality improvement projects is \$9,000. Ms. Eleria said two Partner Grants have been awarded in 2009 to the Friends of Mississippi River and Chalchiutlicue Environmental Summit. The total Partner Grant amount awarded is nearly \$18,000. Thirty-one thousand dollars remain for funding Partner Grant projects. Ms. Eleria said as a whole, the Stewardship Grant Program including the Partner Grants and staff labor for both grant programs has incurred over \$35,000 in expenses as of July 31, 2009, which is a third of the entire program budget for 2009, \$101,880.00. The balance of funds remaining in the program was over \$66,000.

### **VII. General Information**

#### **A) Administrators Report**

Administrator Doneux gave the Administrator's Report and noted the following events and announcements:

- 1) Two Special Board meetings have been scheduled to review the Watershed Management Plan in the month of September. The meetings are scheduled for September 3<sup>rd</sup> and 22<sup>nd</sup> from 5:00 -7:00 PM at the District office.
- 2) Land Conservation and Clean Water Summit, Thursday, September 24<sup>th</sup> and Friday, September 25<sup>th</sup>.
- 3) Recreation for Adults 50+ Rain Garden Tour, Wednesday, September 30, 10:00 - 11:00am. Walking tour of Frankson-McKinley and Hamline-Midway gardens for St. Paul Division of Parks and Recreation Adults 50+ Program.
- 4) The office will be closed on Monday, September 7<sup>th</sup> for the Labor Day Holiday.

### **VIII. Meeting Agenda Review**

Wednesday, September 16, 2009 Regular Meeting Agenda Review

**IX. Adjournment** – 7:30 p.m. adjourned by consensus.

Respectfully submitted,

Dawn Nelson

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