



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

Meeting Minutes of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, October 29, 2008, 6:00 p.m.** at the office of the CRWD, 1410 Energy Park Drive, Suite 4, St. Paul, MN 55108.

Special Meeting Minutes

I. Call to Order at 5:00 p.m. (President, Robert Piram)

A) Attendance

Robert Piram
Joe Collins
Seitu Jones
Mike Thienes
Marylyn Deneen

Others Present

Mark Doneux, CRWD
Anna Eleria, CRWD
Elizabeth Storey, CRWD

Sarah Stai, Westwood
Professional Services, Inc.
Aaron Malinik, Westwood
Professional Services, Inc.

B) Review, Amendments and Approval of the Agenda

Manager Piram asked for additions or changes to the agenda.

The Board adopted the Agenda as amended by consensus.

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

There were no public comments.

III. Approve Revised Rules for Public Comment

Forrest Kelley provided some background information on the Rule Revision process and noted that at the October 15, 2008 Board Meeting, the Managers discussed the need to revise the rules to specifically allow public entities to maintain negative volume bank balances and attorney David MacMillan indicated a rule change was necessary. There was also discussion on a rule change to reduce the permit threshold below one acre of land disturbance.

Mr. Kelley then reviewed the issues with the Board stating CRWD staff recommends moving with a Rule revision as advised by attorney David MacMillan. Draft language to address the negative banking issue was included in the Board Packet. Ramsey Washington Metro Watershed District (RWMWD) staff was contacted to coordinate volume bank rule revisions and RWMWD staff will present the topic to their Board of Managers at their November 5, 2008 meeting.

Regarding the permit threshold issue, staff has explored two approaches for consideration by the Board. The goal is to achieve volume reduction and stormwater treatment on sites smaller than one acre (small sites), and to do so in the most efficient manner.

Approach 1 - The first approach is to approve a draft rule revision for public comment that includes a revised permit threshold less than one acre

The following items should be discussed when considering Approach 1:

Permit Threshold

1. Results in an increase in the amount of volume reduction and water quality treatment throughout the District.
2. May encourage cities to review and update their stormwater ordinances for small sites.
3. The permit threshold was not specifically discussed at the October 7, 2008 TAC meeting.
4. The District will obtain TAC's position from comments to draft rule revisions.
5. Documentation not provided through creation of a Statement of Need and Reasonableness(SONAR).
6. Public and private projects currently planned or budgeted for 2009 have not accounted for the requirements of a revised rule.
7. Appropriate numeric permit threshold has not yet been determined (10,000 sq-ft, 1/3 acre, 1/2 acre).
8. Full implications of a rule change for linear projects, cities, MnDOT, and Ramsey County have not been fully evaluated.
9. District would have to plan and budget for the additional staff, engineering, and legal costs to implement the new rule.

Approach 2 – the second approach is to direct staff to create a work plan to convene the TAC to develop recommendations on how to achieve volume reduction and stormwater treatment on small sites.

The following items should be discussed when considering Approach 2:

Permit Threshold

1. Delays the implementation of stormwater treatment and volume reduction on small sites.
2. Builds consensus on the need to address small sites with a collaborative, science based approach.
3. Provides opportunity for cities to amend ordinances to require stormwater quality on small sites.
4. Reduces potential for inconsistency between watershed districts, and between and within municipalities of the District.
5. Provides District with more time, information, and support to implement rule change if cities do not revise ordinances.
6. Is consistent with District's commitment to create regulation based on science and research.
7. Allows for adequate evaluation of the effect the rule change will have on linear projects, cities, MnDOT, Ramsey County, and other regulated parties.

Staff recommends Approach 2 because it is consistent with the District's commitment to collaboration and science based decisions, and it will provide a timeline to address the uncertainties and unanswered questions surrounding stormwater management on sites below one acre.

Staff recommended approving draft rule revisions for public comment to address negative volume banking and direct staff to create a work plan to convene the TAC to develop recommendations on how to achieve volume reduction and stormwater treatment on sites smaller than one acre.

IV. Award of Bid for Trout Brook Interceptor – Maryland Avenue Repairs and ordering project (Eleria)

Anna Eleria noted that bidding for the Trout Brook Storm Sewer Interceptor (TBI) Repair Project – Station 58+00 to Station 96+19 started on October 6th and ended on October 24th with opening and reading of the received bids at Barr Engineering Office.

A total of eight bids for the TBI Repair Project were submitted to CRWD. A table included in the Board packet lists the contractors who submitted a bid for the project and their respective bid amount. Barr

“Our mission is to protect, manage, and improve the water resources of the Capitol Region Watershed District.”

Engineering Company has evaluated the bids including the bid amounts and qualifications of the interested bidders. The lowest responsible bidder is Minger Construction, Inc. of Chanhassen, MN, with a Base Bid of \$2,121,912.20 as recommended by Barr Engineering at the meeting. Ms. Eleria reviewed the enclosed draft CRWD resolution that authorizes and orders the TBI Repair Project at Station 58+00 to Station 96+19.

Ms. Eleria requested the Board of Managers to Order the Trout Brook Storm Sewer Interceptor Repair Project – Station 58+00 to Station 96+19; and award the agreement to the lowest responsible bidder subject to the approval of the Ramsey County Attorney.

Motion 08-10-14:

NOW, THEREFORE, BE IT RESOLVED by the Board of Managers of the Capitol Region Watershed District, Ramsey County, Minnesota, that the following actions are hereby authorized for the Trout Brook Storm Sewer Interceptor Repair Project – Station 58+00 to Station 96+19:

1. Board President, Administrator and Attorney to execute a Notice of Intent to Award to Minger Construction, Inc., address, Chanhassen, MN, the lowest responsible bidder with a Base Bid of \$2,121,912.20 and rejecting alternate bids number 1 and 2, consistent with the bid of Minger Construction dated October 24, 2008 in response to the Request for Bids
2. Board President, Administrator and Attorney to execute a Construction Agreement with Minger Construction, Inc., address, Chanhassen, MN, the lowest responsible bidder with a Base Bid of \$2,121,912.20, consistent with the bid of Minger Construction dated October 24, 2008 pending receipt of proper bonds, insurance and permits.
3. Administrator and Attorney to execute a Notice to Proceed with Minger Construction, Inc. address, Chanhassen, MN, the lowest responsible bidder with a Base Bid of \$2,121,912.20, consistent with the bid of Minger Construction dated October 24, 2008 following receipt of executed Agreement, Insurance Certificates, and Performance and Payment Bonds.

Thienes/Collins

Unanimously approved

**VII. Board Workshop – Development of Education and Outreach Plan (Storey)
Education & Outreach Plan Development, Sarah Stai, Westwood Professional Services, Inc.**

Elizabeth Storey reviewed the past work on the Education and Outreach Plan and summarized the discussion from the October 1 Board meeting. Ms. Storey then asked Sarah Stai from Westwood Professional Services, Inc. to lead the discussion on the next phase of the planning process. Ms. Stai began by describing the definitions of the driving forces, the goal, and objectives used in the Plan. Development of the Plan was based on two key premises. First, by definition, community education relies on the involvement of multiple stakeholders. The Plan incorporates input from District Staff, it's Board of Managers, and the Citizen Advisory Committee and includes techniques for gathering feedback from the larger community as the Plan is implemented. Second, the Plan reflects a fundamental understanding that prioritization of efforts needed to occur. Water quality is a complex problem, and the nature of the problem varies across the diverse landscape of the District. The District's population is also large and diverse, and its resources are limited. Social marketing works not by striving to tackle every problem and reach every person. Instead, it focuses on specific problems and tailors the solutions to carefully defined target audiences and their particular behavior patterns. Once the behavior of a "critical mass" in the population is changed, it spreads naturally through social diffusion, and each change paves the way for ongoing progress. After some discussion there was affirmation from the Board of Managers of the proposed goal.

"Our mission is to protect, manage, and improve the water resources of the Capitol Region Watershed District."

Manager Collins expressed his concerns with the phrase “polluted stormwater runoff”. Manager Piram stated he felt that there needed to be more emphasis on water volume or water quantity.

Ms. Stai then reviewed the objectives. Manager Deneen noted concerns about reaching people that don’t care. It was discussed how that group could be reached. Manager Collins agreed that leaves are part of the problem. Manager Jones asked how the Watershed Management Plan and the Education and Outreach Plan will be merged. The Board and staff discussed how these two plans will work and fit together.

Ms. Stai used a flow chart to describe the organizing structure for the Plan she has co-developed with staff. She asked for direction concerning the questions in the Draft Education and Outreach Plan. Specifically, the prioritization of Target Area objectives was reviewed and discussed. Ms Stai also described the Comprehensive and Area Specific objective formats used. Manager Piram noted that the Target Areas are not all the same. There was a discussion about Target Areas.

The discussion then moved to identifying pollutant generating behaviors. These behaviors were also linked to the Target Groups. Manager Piram reminded the Board that our watershed is 42% impervious and that this creates and exacerbates the problem.

Ms. Stai then reviewed some examples of mapping options that can help identify target groups. Manager Collins said that he liked the subwatershed approach. Manager Deneen stated she felt that the commercial property owners are an important group because of the waste and trash that comes off of their parking lots and properties. Manager Collins stated he felt that the owners of large parcels of land should be targeted. These groups could be reached through the local chambers of commerce. Manager Thienes noted that the issues of poor shoreline management and impacts boaters have on erosion and water quality has not been emphasized.

The Board ranked the problems or issues in the following order: 1) phosphorous/sediment/runoff volume, 2) metals/trash, 3) bacteria and 4) invasive species.

The next step was to begin prioritizing the Target Groups. The consensus was to rank the Target Groups in the following order: 1) homeowner, 2) City/agency Staff and 3) construction and landscape contractors. The other groups included residents/motorists/pedestrians, lake/river users and pet owners.

Ms. Stai noted the next steps will be to draft implementation/action/programming plans will be crafted for each objective related to each District water body and/or priority subwatershed. The Board thanked Ms. Stai for her work.

IX. Adjournment – The meeting was adjourned at 7:02 p.m. by consensus.

Respectfully submitted,

Mark Doneux

W:\04 Board of Managers\Minutes\2008\October 29, 2008 APPROVED Minutes.doc

“Our mission is to protect, manage, and improve the water resources of the Capitol Region Watershed District.”