

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, February 6, 2008, 6:00 p.m.** at the office of the CRWD, 1410 Energy Park Drive, Suite 4, St. Paul, MN 55108.

Public Hearing Minutes

I. Call to Order at 6:00 p.m. (Vice President, Joe Collins)

A) Attendance

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

Others Present

Dawn Nelson, CRWD
Mark Doneux, CRWD
Bob Fossum, CRWD
Forrest Kelley, CRWD
Pat Conrad, EOR, Inc.

Tom Petersen, RCD
Steve Duerre, CAC
Jerome Wagner, CAC
David MacMillan,
Ramsey County Attorney
Todd Shoemaker,
Wenck Associates

B) Public Comments to the Proposed Rules of the Capitol Region Watershed District (CRWD)

Manager Collins, Vice President of the Capitol Region Watershed District Board of Managers, addressed the public and explained that the purpose of the CRWD is to protect, manage and improve water resources within the boundaries of the District and the CRWD has currently developed draft rule revisions that will help achieve that purpose. Manager Collins explained that the purpose of the hearing is for the Board to hear and accept public comments on the proposed rule revisions and move forward with an improved set of rules.

Manager Collins said that Mr. Forrest Kelley will give a brief overview of the issues that have developed relating to specific rules and then the Board will accept comments with regard to the rule revisions. After everyone has had an opportunity to speak, the Board will close the hearing. After the close of the comment period, all comments and responses will be distributed to all interested parties.

Mr. Kelley said the Capitol Region Watershed District (CRWD) adopted Rules effective October 1, 2006. Mr. Kelley said that through the 2006 rules process, it was agreed that the TAC should meet on a yearly basis to review how the process has gone and make recommendations on rule revisions. During 2007, the District convened two joint technical advisory committee meetings with Ramsey Washington Metro Watershed District (RWMWD) to address concerns raised during the past year of permitting under the new Rules. Staff drafted proposed Rule revisions to reflect the TAC's comments and recommendations. District staff identified the need to address the issue of linear projects and the requirement to meet both the volume reduction standard and the water quality standard. If the project is in alternative compliance or applies for the cost cap, the water quality standard still needs to be met. This requires additional money to be spent above the cap which is in conflict with the intent of the cost cap. Mr. Kelley said Capitol Region and Ramsey-Washington Metro Watershed Districts met with a sub-committee of the Technical Advisory Committee to discuss recommendations for the Cap on Costs for 2008. The sub-committee agreed that an increase in the Cap on Costs from \$20,000 to \$30,000 per acre of impervious surface is an acceptable recommendation. Sub-committee members also agreed that this number should continue to be evaluated on an annual basis and adjusted as more data is collected on

actual costs to implement stormwater Best Management Practices. No significant changes to the Unit Costs table adopted in 2006 are proposed at this time. Mr. Kelley said the Board will also adopt resolutions for 2008 regarding the Surety and Fees Schedule and the Stormwater Impact Fund. No significant changes are proposed for these resolutions.

Mr. Kelley said staff has received comments from two entities so far. The comment period ends February 19, 2008.

Mr. Kelley reminded everyone that a Statement of Need and Reasonableness (SONAR) was created during the Rules adoption process. One item that still needs to be added to the SONAR is the change in the Rule for the buffer requirement. The change to the current rule of buffer averaging of 25 feet with a minimum of 12.5 feet to a minimum buffer of 25 feet surrounding a wetland.

Manager Collins asked what entities are involved in the TAC. Mr. Kelley said all the cities within the two Watershed Districts, Ramsey County, MnDOT, PCA, Regional Rail and Met Council are all participants in the TAC.

Manager Collins asked the public to come forward with comments:

1. Jerome Wagner, CRWD - Citizens Advisory Committee

Mr. Wagner said groundwater has never been considered an asset but it is and he would like to see groundwater incorporated into the Rules. Mr. Wagner said springs in groundwater are easy access for monitoring. Manager Collins said later in the Agenda, the Board will be considering a contribution to Ramsey Conservation District to update the Ramsey County Groundwater Plan.

It was by consensus the Board closed the public hearing on the draft rule revisions and to continue the public comment period until 4:30 p.m. on Tuesday, February 19, 2008.

B) Review, Amendments and Approval of the Agenda

Manager Collins asked for additions or changes to the agenda. There were no additions or changes.

The Board adopted the Agenda as presented by consensus.

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

There were no public comments.

III. Permit Applications

A) Permit #07-028 – St. Thomas Parking Ramp (Kelley)

Forrest Kelley reviewed CRWD Permit #07-028, St. Thomas Ramp. Mr. Kelley reminded the managers that the application for Permit #07-028, St. Thomas Ramp was discussed at the January 2, 2008 meeting when the application was tabled with 9 conditions. Mr. Kelley said the applicant has submitted a request additional time in order to meet the requirements of the regulating bodies and finalize plans. The applicant has been very receptive to staff suggestions and willing to revise plans in order to meet the requirements of CRWD rules. Mr. Kelley explained that the applicant requests a 60-day extension for the review period. Manager Jones asked if the applicant has put any of the comments into consideration that were made previously. Mr. Kelley said the applicant has submitted revisions.

Motion 08-02-01: Approve a 60-day extension for Permit #07-028, St. Thomas Ramp.

Deneen/Thienes

Unanimously Approved

B) Permit #08-001, Selby Avenue (Kelley)

Forrest Kelley reviewed CRWD Permit #08-001, Selby Avenue. Mr. Kelley stated that the Applicant is the City of St. Paul Public Works and the project is reconstruction of Selby Avenue and select utilities. The project is located on Selby Avenue from Kent Street to Arundel Street. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said this project has 1.53 acres of disturbed area, 1.16 acres of total impervious surface and the proposed stormwater management is 2 foot sump catchbasins with hoods. Mr. Kelley said future development within the subwatershed will be subject to CRWD permit standards even though sump catchbasins have been provided as a part of this project. Mr. Kelley added that the applicant has requested to withdrawal 3,790 cubic feet of volume from the St. Paul Public Works Bank. Mr. Kelley said the stormwater standards for rate, water quality and volume control are met. Mr. Kelley said the flooding and erosion control standards are also met. Mr. Kelley said the staff recommendation is to approve with no conditions.

Motion 08-02-02: *To approve permit #08-001, Selby Avenue subject to no conditions.*

Jones/Deneen

Unanimously Approved

C) Permit #08-002, River Pointe (Kelley)

Forrest Kelley reviewed CRWD Permit #08-002, River Pointe. Mr. Kelley stated that the Applicant is River Pointe Lofts Limited Partnership, the Engineer is Hedlund Engineering and the project is construction of a condominium building, street improvements, and stormwater management facilities. The project is located on the southeast quadrant of West Seventh and Davern Street. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said this project has 1.79 acres of disturbed area, 1.34 acres of total impervious surface and the proposed stormwater management is a rock infiltration trench and a small filtration raingarden. Mr. Kelley said the stormwater standards for rate, water quality and volume control are met. Mr. Kelley said the flooding and erosion control standards are also met. Mr. Kelley said the staff recommendation is to approve with two conditions.

Motion 08-02-03: *To approve permit #08-002, River Pointe Lofts subject to two conditions.*

1. *Receipt of \$6,700 surety and maintenance agreement.*
2. *Submit a copy of the NPDES permit application.*

Jones/Deneen

Unanimously Approved

D) Permit #08-003, Seventh Bay RSVP (Kelley)

Forrest Kelley reviewed CRWD Permit #08-003, Seventh Bay RSVP. Mr. Kelley stated that the Applicant is the City of St. Paul Public Works and the project is reconstruction of select streets and utilities bounded by Randolph and Otto Avenues, and Victoria and Drake Streets. The project is located in the area surrounding the intersection of West Seventh Street and Bay Street. The applicable rules are Stormwater Management (Rule C), Erosion Control (Rule F) and Floodplain Management (Rule D). Mr. Kelley said this project has 6.2 acres of disturbed area, 6.2 acres of total impervious surface and the proposed stormwater management is 3 underground infiltration trenches and 2 foot sump catchbasins. Mr. Kelley said the stormwater standards for rate, water quality and volume control are met. Mr. Kelley said the flooding and erosion control standards are also met. Mr. Kelley said the staff recommendation is to approve with no conditions. Manager Collins said the City is building a new fire station and he thought perhaps the Public Works Department should speak to the Fire Department for consideration of a combined stormwater treatment system.

Motion 08-02-04: *To approve permit #08-003, Seventh Bay RSVP subject to no conditions.*

Thienes/Jones

Unanimously Approved

Mr. Kelley said the City of St. Paul Public Works, the Applicant for CRWD Permit #08-003, Seventh Bay RSVP has oversized the BMP's to treat more stormwater than is required and requests that the additional volume (4,139 cubic feet) be placed into a bank.

Motion 08-02-05: *To approve the request from St. Paul Public Works to bank an estimated 4,139 cubic feet of volume for the Seventh-Bay RSVP project with the following conditions:*

1. *Final recorded banked volume will be confirmed by as-built drawings.*
2. *Review and approval by the Ramsey County Attorney.*

Jones/Deneen

Unanimously Approved

E, F) Letters of Support for Watershed District Rules (Kelley)

Forrest Kelley said Rice Creek and Nine-Mile Creek Watershed Districts have both submitted draft Rule revisions for public comment. Mr. Kelley said staff have reviewed the proposed Rule revisions and have drafted comment letters in support of the new standards for the two Watershed Districts.

Motion 08-02-06: *To approve letter of support for Rice Creek Watershed District's Rule revisions.*

Deneen/Collins

Unanimously Approved

Motion 08-02-07: *To approve letter of support for Nine-Mile Creek Watershed District's Rule revisions.*

Jones/Deneen

Unanimously Approved

Mr. Kelley distributed a request to withdrawal permit application 07-023 at the request of the applicant due to unforeseen circumstances. Mr. Kelley said no action is required from the Board.

IV. Special Reports – Ramsey County Groundwater Plan Update, Tom Petersen, Ramsey Conservation District

Mr. Petersen said the Ramsey Conservation District (RCD) is preparing to update the groundwater plan. Mr. Petersen said Ramsey County lies at the center of the water-rich Twin Cities Aquifer. The residents and industries are more dependent than ever on clean groundwater resources for potable water supply. If we are to maintain our quality of life and economic opportunities, we must act now to conserve our groundwater resources. A revised groundwater plan will lead to this resolve. Mr. Petersen said the RCD requests CRWD's assistance and partnership in the revision of the *Ramsey County Groundwater Quality Protection Plan*. RCD is requesting a resolution of support for the revision and a \$10,000.00 financial contribution towards costs associated with revising the Plan. Mr. Petersen said the cost estimate is between \$97,000 and \$117,000 to revise/update and publish the plan. RCD is seeking \$35,000 from the Watershed Management Organizations in Ramsey County, \$32,000 in Board of Water and Soil Resources Natural Resources Block Grant funds, \$10,000 from the St. Paul Regional Water Authority, \$10,000 from the Ramsey County Environmental Health Dept., and the RCD will provide approximately \$30,000 in in-kind staff contribution. Administrator Doneux suggested moving action item C to the first action item considering Mr. Petersen is here.

V. Action Items

A) Approve Letter and Financial Support for Ramsey County Groundwater Plan Update (Doneux)

Administrator Doneux said the (RCD) is requesting a partnership in the revision of the *Ramsey County Groundwater Quality Protection Plan*. They are requesting a resolution of support for the revision and a \$10,000.00 financial contribution towards costs associated with revising the Plan.

Motion 08-02-08: *Approve letter of support for the Ramsey County Groundwater Protection Plan Update and authorize \$10,000 contribution to be paid over two years from the Groundwater Protection-Well Sealing Program fund.*

Deneen/Thienes

Unanimously approved

B) Approve Minutes of the January 16, 2008 Meeting (Nelson)

Manager Collins asked for a motion to approve the January 16, 2008 Regular Meeting Minutes.

Motion 08-02-09: *Approve Minutes of the January 16, 2008 as presented.*

Jones/Deneen

Unanimously approved

C) Approve Zoff Stewardship Grant (Doneux)

Administrator Doneux said staff received a Stewardship Grant application for a project at 446 Saratoga Street South in St. Paul on December 17, 2007. The project would create two raingardens and a permeable paver system with an underdrain to filter and infiltrate stormwater. One garden will be 130 ft² and the other garden will be 60 ft². The project will treat approximately 1,550 ft² of roof runoff through creation of a permeable paver system discharging to two raingardens. The project will address chronic soil erosion and drainage problems, and enhance wildlife habitat. The applicant originally requested funding for pavers and stone walls and staff decided that at this time the District will not fund portions of projects such as retaining walls or decorative stone. Staff reviewed the cost proposal and omitted items not directly contributing to improved water quality.

Motion 08-02-10: *Approve Zoff Stewardship Grant project with reimbursement funding not to exceed \$1,324.50 subject to the following conditions:*

- 1. The CRWD and Carol Zoff approve and enter into cooperative contract agreement;*
- 2. Any changes to the project must be agreed upon by CRWD and Carol Zoff; and*
- 3. All conditions must be met and the project must be completed within one year of project approval.*

Jones/Thienes

Unanimously approved

D) Approve Consultant Ranking for Como and McCarron's Subwatershed Studies (Fossum)

Mr. Fossum said the subcommittee met last Thursday to review the SOQs and recommend a ranking. Mr. Fossum said the committee recommends EOR, Inc. for the McCarrons Subwatershed 4 and H.R. Green Co. for the Como Subwatershed 3. Manager Collins added that the committee reviewed the proposals individually but came up with very similar rankings.

Motion 08-02-11: *Approve ranking of firms for the Subwatershed Analysis Studies as recommend by the subwatershed study selection subcommittee;*

Authorize staff to negotiate a detailed scope and budget with EOR, Inc. for the McCarrons Subwatershed 4 analysis, and with H.R. Green Co. for the Como Subwatershed 3 analysis for subsequent contract approval by the Board of Managers, subject to the review and approval of the Ramsey County Attorney; and

Authorize staff to negotiate with the next highest ranked firm(s) should they be unable to reach agreement on a scope and budget with one or both of the top two ranked firms.

Thienes/Jones

Unanimously approved

E) Approve Watershed Management Plan SOQ Committee and Workshop (Fossum)

Mr. Fossum said the Statements of Qualifications (SOQ) from consultants are due Friday, February 8th and the following week, a subcommittee of the board (2 managers) will review the SOQs and make a recommendation of which firms to interview. Managers Deneen and Thienes volunteered to sit on the subcommittee. Mr. Fossum suggested the Board conduct the interviews with the selected firms on March 5, 2008 from 3:30 - 5:30 p.m. prior to the regularly scheduled board meeting. Mr. Fossum said based on the recommendation from the subcommittee and interviews of the firms, the Board would then select a firm for 2010 WMP later that evening at the regular board meeting.

Motion 08-02-12: *Approve 2010 Watershed Management Plan SOQ Committee and set a Board workshop to interview consultants on March 5, 2008 at 3:30 p.m. at CRWD office.*

Collins/Deneen

Unanimously approved

VI. Unfinished Business

Strategic Plan (Doneux)

Administrator Doneux said the Board directed staff to develop a worksheet to use as a guide to review the draft Strategic Plan. Staff has prepared a worksheet to aid in the review of the draft Strategic Plan. The main areas of focus appear to be the vision elements (themes) and the strategies to achieve the vision. The worksheet asks that reviewers confirm/edit what is written, add missing elements and, if appropriate, remove out of place statements. Administrator Doneux noted that the worksheet and a Strategic Plan Road Map were included in the Board packet but comments are not due until Friday, February 15th. Administrator Doneux said managers could mail or email their comments. Manager Deneen requested an index in the back of the plan for notes. Administrator Doneux said once he receives input from everyone there will be one more workshop.

VII. General Information

Administrators Report

Administrator Doneux said the District received a Golden Bloom Award. Managers Deneen and Thienes were at the ceremony. There is a landscaper's workshop at the CRWD office on March 4th. Administrator Doneux said there is potentially Clean Water Legacy Grant money for the McCarrons Lake shoreline restoration. Administrator Doneux said staff will bring an action item to the Board for discussion and a request for funding for the Cleveland Randolph Groundwater Study. Wenck is developing a scope of work which was sent out to the partners for comment.

VIII. Wednesday, February 20, 2008 Regular Meeting Agenda Review

IX. Adjournment – The meeting was adjourned at 7:38 p.m. by consensus.

Respectfully submitted,

Dawn M. Nelson