



Capitol Region Watershed District

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

Regular Meeting Minutes

I. Call to Order at 6:00 p.m. (President, Robert Piram)

A) Attendance

Robert Piram

Joe Collins

Seitu Jones

Mike Thienes (Arrived @ 6:12)

Marylyn Deneen

Others Present

Mark Doneux, CRWD

Bob Fossum, CRWD

Dawn Nelson, CRWD

Geoffrey Nash, RCD

Tom Petersen, RCD

Steve Duerre, CAC

Steve Klein, Barr Engineering

B) Review, Amendments and Approval of the Agenda

Manager Piram asked for additions or changes to the agenda. Administrator Doneux requested moving Permit Applications and Program Updates to Unfinished Business. Administrator Doneux requested adding Action Item H) Monitoring Budget Amendment.

The Board adopted the Agenda as amended by consensus.

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

There were no public comments.

III. Permit Applications

A) Permitted St. Paul Street Projects (Fossum)

Moved to Unfinished Business

B) Permit Program/Rules Update (Fossum)

Moved to Unfinished Business

Permit Program/Rules Update (Kelley)

Moved to Unfinished Business

IV. Special Reports

A) Ramsey County Groundwater Plan Update, Geoffrey Nash, Groundwater Specialist, Ramsey Conservation District (RCD)

Tom Peterson updated the Board on the McCarrons Lake shoreline stabilization project. Mr. Peterson said there are currently four projects out for bid and will begin work in the next few weeks, two projects that are in the final design phase, and two projects that are in the early design phase. Mr. Peterson said if all goes well there should be 4 or 5 projects under construction by the end of August.

Administrator Doneux said Michael MacDonald provided the CAC with a groundwater presentation and around the same time the Board authorized funding for the County Groundwater Plan Update. Early this year, RCD hired groundwater specialist, Geoff Nash and Administrator Doneux said he invited Mr. Nash to provide an update to the Board on the preliminary activities and review the basic groundwater hydrology and geology of the region. Mr. Nash began his presentation by explaining the types of aquifers. Manager Jones asked what a potentiometric surface is. Mr. Nash said it's a surface formed by measuring the level to which water will rise in wells of a particular aquifer. Mr. Nash said aquifer data comes from drillers that are required to submit a boring log to the Minnesota Geological Survey and the Department of Health. Manager Jones asked who is responsible for tracking and monitoring the wells. Mr. Nash said the Minnesota DNR is responsible for the monitoring. Mr. Nash described some goals of the Groundwater Plan. Regulatory issues include assisting the cities with the State requirements to complete their Wellhead Protection Plans and designating Ramsey Conservation District as the leader in the groundwater protection planning process and the repository of County groundwater data. The County ordinances require "Early Warning" groundwater monitoring well systems on specific industrial properties with the potential to impact municipal drinking water wells. Mr. Nash said this would be implemented during the facilities' permitting process. Require stormwater reuse, as well as infiltration, as part of the watershed and city permitting process for new development and re-development. Mr. Nash said this approach conserves the limited groundwater resource. Stormwater infiltration areas should avoid onsite contaminated soils as part of the permitting process. Mr. Nash said stormwater infiltrated through contaminated soil will cause migration of contaminants into groundwater. A Groundwater Protection Joint Powers Organization should be formed with the purpose of keeping the Plan updated and to formalize groundwater protection. Develop progressive municipal water rate structures. These rate structures should encourage conservation of this limited resource. Mr. Nash said planning includes establishing county-wide emergency procedures for sharing water in case municipal water supply wells are contaminated. Provide education and outreach related to groundwater issues to community stakeholders and document current knowledge of how enhanced stormwater infiltration effects groundwater quality. Discussion occurred. The Board thanked Mr. Nash for the update.

V. Action Items
Consent Agenda

Manager Piram asked for a motion to approve the August 6, 2008, Consent Agenda.

- A) Approve Minutes of the July 23, 2008 Regular Meeting (Nelson)**
- B) Approve Minutes of the July 24, 2008 Special Meeting (Doneux)**
- C) Approve Community Design Center of MN Stewardship Grant (Eleria)**

Motion 08-08-01:

- A) Approve Minutes of the July 23, 2008 Regular Meeting as presented.*
- B) Approve Minutes of the July 24, 2008 Special Meeting as presented.*
- C) Approve Community Design Center of MN Stewardship Grant with reimbursement funding not to exceed \$329.00 subject to the following conditions:*
 - 1. CRWD and Community Design Center of Minnesota 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/Deneen

Unanimously approved

- D) Approve Trout Brook Interceptor – Maryland Avenue Repair Preliminary Design Report**
Steve Klein, Barr Engineering

Mr. Klein said the project is proceeding on time and on budget. Mr. Klein said the structural repairs for the 3,000-foot section of the Trout Brook Storm Sewer Interceptor (TBI) near Maryland Avenue and I-35E

include: 1) surficial repairs of cracks, deteriorated concrete and corroded reinforcing steel; 2) replacement of a 200-foot sagging section of TBI under L'Orient Street bridge (Sag 1); 3) stabilizing the foundation of a 200-foot sagging section of TBI under Maryland Avenue (Sag 2); and 4) storm sewer access improvements. Mr. Klein CRWD staff is seeking temporary construction easements from owners of private and public properties located in and/or adjacent to the area of TBI repairs. The property owners are Kmart/Sears Holdings Corporation, Shidler/West Finance V Partners, MnDOT, City of Saint Paul and possibly BNSF Railway. The easements are needed for access to TBI, excavation and replacement of TBI at Sag 1, staging of construction materials and equipment and excavated materials, and/or grading improvements near TBI. Mr. Klein said the preliminary design and technical specifications for the repairs, which involved delineation of wetland areas adjacent to the area of TBI repairs, collection of additional measurements and information on TBI, design of the repairs stated above, other design considerations for site dewatering, access and scheduling, and estimation of the construction costs are completed. Mr. Klein said key recommended design elements include: 1) replacing Sag 1 with a precast box culvert section instead of a cast-in place pipe section; 2) stabilizing the new foundation for Sag 1 with helical piles; 3) stabilizing the existing foundation of Sag 2 with push pier piles; 4) extending foundation stabilization for Sag 2 an additional 40 feet to include the entire length of TBI underneath Maryland Avenue; and 5) relocating an existing manhole that also serves as a CRWD monitoring station downstream to the new box culvert section. The new total cost estimate for all of the proposed work is \$2,286,900 which is consistent with the earlier total cost estimate of \$2,420,550 provided in the final feasibility study report. The earlier cost estimate did not include the surficial repairs for the section of TBI downstream of the sag sections. Mr. Klein said two wetlands exist in the area of TBI repairs. One wetland is a 0.29-acre shallow marsh drainage ditch, which is bordered by L'Orient Street on the west edge, Maryland Avenue on the south edge, and the exit ramp of I-35E on the east edge. The second wetland is 0.11-acre shallow marsh drainage ditch that is bordered by the railroad line to the west, Mississippi Street to the east, and is located under the Mississippi Street and I-35E overpasses. It is anticipated that only the first wetland will receive temporary impacts because of the open-cut replacement of TBI in this area. Impacts to the wetlands may be under the jurisdiction of WCA and CRWD rules. Mr. Klein said they are looking into this issue more closely and will recommend an approach for permitting and wetland restoration at a later Board meeting. Manager Deneen asked if the Bridge will still be used during construction. Mr. Klein said yes. The Board thanked Mr. Klein for his report.

Motion 08-08-02: *Approve the preliminary design for the Trout Brook Storm Sewer Interceptor – Repairs near Maryland Avenue and I-35E.*

Collins/Jones

Unanimously approved

Administrator Doneux said staff has indicated to Kmart/Sears Holdings Corporation, Shidler/West Finance Partners V, and BNSF Railway our need for temporary construction easements to enter and use their properties for implementing the TBI repairs. The Kmart/Sears Holdings and Shidler/West properties are critical for construction staging and excavating and replacing TBI at Sag 1 while a construction easement on the BNSF property is not imperative to the success of the project because it would be used for grading improvements only. Administrator Doneux said a letter of interest; a project and easement map and a draft temporary construction easement agreement have each been sent to Kmart and Shidler/West for their review. Administrator Doneux said staff is awaiting the determination from BNSF Railway on how to proceed to obtain permission to construct grading improvements. Administrator Doneux said easements from the City of Saint Paul and MnDOT will be obtained in August/September. The Board and staff discussed contract language and options to maintain the contract schedule. Discussion occurred.

E) Approve Comments for St. Paul Comprehensive Plan – Water Chapter (Fossum)

Mr. Fossum discussed the comments and changes suggested for the Comp Plan. Mr. Fossum said the follow up memo reiterates the 3 major items to address in the St. Paul Comp Plan. Manager Jones asked about the Comp Plan referencing to the District as a WMO. Manager Piram said the Comp Plan is categorizing the

District as a WMO. The Managers to attend the Water Chapter Public Hearing on August 8, 2008, 8:30 a.m. are Manager Deneen and Manager Collins. Administrator Doneux will attend the Public Hearing to relay comments.

Motion 08-08-03: *Approve comment letter for the City of St. Paul Comprehensive Plan with the changes as discussed.*

Deneen/Collins

Unanimously approved

F) Approve Comment Letter for St. Paul Regional Water Services (Fossum)

Mr. Fossum said in July the Managers reviewed the draft comment letter and requested that staff verify the Trout Brook Interceptor has the capacity to safely convey the maximum discharge of 4.5 million gallons/day (mgd) from the facility. Mr. Fossum said staff contacted MPCA staff and requested an extension to the comment period in order to evaluate effects on the Trout Brook Interceptor. The comment period has been extended to August 11, 2008. Staff have reviewed the 2007 CRWD monitoring data and some preliminary SPRWS data to learn that the Trout Brook Interceptor has enough capacity to convey the peak continuous discharge of 4.5 mgd. Manager Piram made some changes to the comment letter to make our requests more clear.

Motion 08-08-04: *Authorize comment letter regarding NPDES/SDS permit for the St. Paul Regional Water Services McCarrons Treatment Plant with changes as discussed.*

Thienes/Piram

Unanimously approved

G) Approve Watershed Management Plan (WMP) Kickoff Meeting Format and Speaker (Fossum)

Mr. Fossum said a larger kickoff event will allow for a more interesting and well attended event while also bringing all or many of our stakeholders together at one time to begin the planning process. Staff have selected a guest speaker to recommend to the Board. Steve Wise, Natural Resource Program Manager for Center for Neighborhood Technology (CNT) in Chicago, IL. Manager Deneen asked where the event will be held. Discussion occurred for different locations. The Board agreed to have the event at the Como Lakeside Pavilion. Mr. Fossum said staff will gather more information for the next Board Meeting. Manager Jones asked about combining the Kickoff meeting and the District's 10-year anniversary. Mr. Fossum said staff wanted to schedule the location and guest speaker before making the agenda. Mr. Fossum said he reviewed various stakeholder calendars and he suggest September 25th. Manager Collins agreed.

Motion 08-08-05: *Approve Watershed Management Plan kickoff event for September 25, 2008.*

Jones/Deneen

Unanimously approved

Motion 08-08-06: *Approve Compensation for \$2,500 for Steve Wise, Center for Neighborhood Technology (CNT) for speaking at the 2010 Watershed Management Plan kickoff event.*

Thienes/Jones

Unanimously approved

H) Approve Monitoring Budget Amendment (Doneux)

Administrator Doneux said he received a request for a 4 week, unpaid medical leave from Katie Huser. Administrator Doneux said this request is consistent with the Family & Medical Leave Act (FMLA) and the District's policies on unpaid leave. Administrator Doneux requested a Monitoring Budget Amendment to allow the hiring of temporary staff.

Motion 08-08-07: *Approve Monitoring Budget Amendment in the amount of \$5,000 for an adjusted budget of \$172,600 to \$177,600.*

Thienes/Jones

Unanimously approved

VI. Unfinished Business

A) Public Art Plan (Manager Jones)

Manager Jones said earlier this year, District staff, Christine Podas-Larson of Public Art St. Paul, staff of Ramsey-Washington Metro Watershed District, Friends of the Mississippi and he met to discuss public art plans for Watershed Districts. The purpose of the meeting was to discuss a proposal to join forces to open discussion of a public art plan/policy for the Watershed District/Water Organizations in the St. Paul area. Manager Jones said Christine Podas-Larson proposed a process for developing a public art plan for the District. The proposal includes a guest lecture, workshop, meetings, and fundraising as major work elements. Manager Jones said the cost is approximately \$6,000 and it was recommended at the meeting that Ms. Podas-Larson apply for a stewardship grant.

B) 2010 WMP Update (Fossum)

Mr. Fossum distributed a revised calendar of meetings.

C) 2009 Work Plan, Budget and Levy (Doneux)

Administrator Doneux said there are revised fund balance pages as discussed at the last meeting included in the packet to replace previous pages. Administrator Doneux noted the Public Hearing for the 2009 Budget and Levy is scheduled for the August 20th Board meeting.

D) Local Planning Update (Staff)

Mr. Fossum reported that there is no update on local planning issues at this time.

E) Permitted St. Paul Street Projects (Fossum)

Mr. Fossum said contractors were excavating material for the trenches on these two street projects and the on-site soil conditions were found to differ greatly from what the soil borings indicated. Contrary to what the boring logs show, bedrock was found within inches of the ground surface in two of the three trench locations on the Seventh-Bay project, and extremely tight clay soils were encountered in the locations of the trenches in the Ashland-Pascal project. The Board agreed that this could have been expected. Mr. Fossum said city staff have been working with the District to explore options to maintain compliance with the approved permits for these two projects. The feasible on site solutions have been exhausted and the City of St. Paul is requesting the District allow a negative balance in the volume credits bank. The city will submit permit addendums for Board approval for the two projects detailing plan changes and propose to maximize treatment on the 2009 RSVP projects. District staff is working closely with City Staff to identify additional options for treatment on new projects throughout the city. Moving forward, City Staff have indicated that multiple soil borings will be requested in locations of potential infiltration practices to gain better information on soil conditions before construction begins. Mr. Fossum said Rice Creek Watershed District and Nine Mile Creek Watershed District do not have the impact fund step in their Rules. They do allow municipalities to go negative temporarily on their banking volume. Manager Thienes said he would approve negative banking but allow the municipality up to two years to catch up. If they have not caught up in two years then the impact fund takes effect.

F) Permit Program/Rules Update (Fossum)

Mr. Fossum said several projects have completed construction activities and the CRWD permits are ready to be closed. As more permitted sites reach completion of District approved activities, a process for closing CRWD permits will need to be implemented to ensure proper adherence to approved plans and to calculate surety deductions and returns. Staff compiled a list of items to be considered as part of the permit close out process and will provide a more formal process for the Boards approval at a later meeting. Manager Piram suggested providing the information to the Board for approval of the permit close-out and authorization of a check for the return of the surety. Manager Collins asked if the surety would be refunded monthly or quarterly. Administrator Doneux said it would be as requested. Manager Deneen asked why the process was

not determined when creating the Rules. Mr. Fossum said the TAC did not know what a full permit process would be which is why the Rules are general. Manager Piram said the surety requests for permits can be on the consent agenda and if a Manager wants to discuss the permit they can request to pull it.

VII. General Information

A) Administrators Report (Doneux)

Administrator Doneux said there are two Board Committee meetings to coordinate. The Villa Park RFP Committee – Manager Thienes and Manager Collins will meet Tuesday, August 12th at 5:00 p.m. Administrator Doneux said the Education Plan RFP is due August 15th. Manager Deneen and Manager Jones will meet at 5:00 p.m. prior to the Board Meeting on August 20th to discuss a recommendation to provide to the whole Board. Manager Thienes will be absent August 20th.

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

IX. Adjournment – The meeting was adjourned at 8:47 p.m. by consensus.

Respectfully submitted,

Dawn M. Nelson

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