



Capitol Region Watershed District

595 Aldine Street • Saint Paul, MN 55104
T: 651-644-8888 • F: 651-644-8894 • capitolregionwd.org

June 28, 2023
Board Meeting
APPROVED

Board Meeting of the Capitol Region Watershed District (CRWD) Board of Managers, for **Wednesday, June 7, 2023, at 6:00 p.m.**

CRWD has returned to in-person Board of Managers meetings. The public is invited to attend in person as well. Currently, a virtual attendance option is not available.

Please visit www.capitolregionwd.org to get additional CRWD COVID-19 information.

MEETING MINUTES

I. A) Call to Order of Meeting (*President Joe Collins*)

Managers

Joe Collins
Hawona Sullivan Janzen
Shawn Mazanec
Rick Sanders
Mary Texer

Staff Present

Mark Doneux
Meilina Dalit
Elizabeth Hosch
Britta Belden

Public Attendees

James Mogen, Ramsey County Attorney
Bob Simonet, CAC

B) Review, Amendments, and Approval of the Agenda.

Motion 23-077: *Approve the Agenda of June 7, 2023.*

Administrator Mark Doneux requested the addition of the following action item to the agenda: V. C) Approve Partial May 2023 Accounts Payable/Receivable (Dalit).

Mazanec/Sullivan Janzen
Unanimously Approved

II. Public Comment – No comments submitted.

III. Permit Applications and Program Updates

A) 23-010, Highland Bridge Lot 2 Block 2 Senior Living (Hosch)

Elizabeth Hosch reviewed permit #23-010, Highland Bridge Lot 2 Block 2, which was issued for the construction of a senior living mixed-use building proposed on the south end of Lot 2 Block 2 at Highland Bridge. The property is bordered by Outlot C to the west, Bohland Avenue to the south, Cretin Avenue to the east, and the privately owned Hillcrest Drive to the north. Staff request approval of the permit with six conditions and noted that the fifth condition has already been fulfilled.

Motion 23-078: *Approve Permit #23-010, Highland Bridge Lot 2 Block 2 Senior Living, with six conditions.*

1. Receipt of \$11,000 surety.
2. Provide approved plans signed by a professional engineer per the Minnesota Board of AELSLAGID.
3. Provide a copy of the site-specific NPDES permit.
4. Revise erosion and sediment control plan to include inlet protection for CBMH 202 and CBMH 203. Update the “Estimated Quantities” table on Sheet C200 accordingly.
5. Clarify the area of Block Lot 2/2 (1/1) in square feet and the proposed impervious area, also in square feet, and that this impervious is less than or equal to the proposed impervious for the properties in the approved stormwater masterplan. The quantities in Table 1 are estimates.
6. Include a landscape plan that clearly delineates areas to be revegetated post-project.

Mazanec/Sullivan Janzen
Unanimously Approved

B) 23-011, MnDot TH5/Minnehaha (Hosch)

Elizabeth Hosch reviewed permit #23-011, MnDot TH5/Minnehaha, which was issued for road reconstruction of trunk highway 5 from Mendota Street to CRWD boundary at Etna. The project continues on outside of CRWD to Century Avenue. Plans consist of drainage infrastructure repair, pedestrian accessibility, safety improvements, traffic signal replacements, ADA safety upgrades, and installation of a new storm sewer. The applicant intends to comply with the volume retention standard using qualified banking credits.

Motion 23-079: Approve Permit #23-011, MnDot TH5/Minnehaha, with two conditions:

1. Provide approved plans signed by a professional engineer per the Minnesota Board of AELSLAGID.
2. Provide a copy of the NPDES permit.

Mazanec/Sullivan Janzen
Unanimously approved

Motion 23-080: Approve withdrawal of 3,382 cf from MnDOT’s volume credit bank.

Mazanec/Sullivan Janzen
Unanimously approved

C) Authorize a 45-Day Review and Comment Period for Draft Rule Revisions (Hosch)

The Joint Rules Technical Advisory Committee (TAC) met virtually on May 23, 2023, to discuss proposed Rule revisions. Staff reviewed the comments received during the informal comment period and shared responses with the TAC and Board. Significant changes to the rule include:

- Revised and added definitions, including Disconnected Impervious, and Land Disturbance, among others
- Enhanced filtration guidance referenced (CRWD only)
- Full Stormwater Impact Fund rate applies to any off-site treatment
- Soil borings in BMP footprint are required
- Inclusion of wetland replacement sequence option outside of CRWD boundaries

Through Board resolution at the time of adoption and effective in 2024, the District also proposes increasing the cost cap for linear projects and the Stormwater Impact Fund contribution amounts from \$75,000/acre and \$100,000/acre to \$94,000/acre and \$125,000/acre, respectively.

Staff request distribution of the draft rule revisions for 45-day review and comment beginning Friday, June 9, 2023, and ending Monday, July 24, 2023, and to set a public hearing date of June 28, 2023, as required by MN Statute 103D.341.

Manager Murphy asked for further information about off-site treatment. Ms. Hosch responded that the Stormwater Impact Fund is an in-lieu payment if all options of providing physical stormwater treatment, such as banked credits or building a stormwater practice off-site, are not possible at the time of construction. The rate the applicant would be required to pay, particularly for linear projects, would be assessed at the Stormwater Impact Fund rate, which is currently higher than the linear cost-cap rate. The onsite restrictions that prompted CRWD to initially adopt the linear cost-cap benefit do not apply if the work is not happening within the site restrictions.

Manager Sullivan Janzen asked for further information about the inclusion of a wetland replacement sequence option outside of CRWD boundaries. Ms. Hosch replied that the wetland rule requires replacement if any wetlands are impacted by development at a ratio of 2:1 within the drainage area and district. Often there are not options to meet this requirement in proximity to the site, so this proposed rule allows for making a replacement at a 5:1 rate in specific counties listed outside of the district. The focus area for this replacement location is the Minnesota River watershed where many wetlands have been historically impacted by agriculture and wetland replacement would be most beneficial.

Mazanec/Sullivan Janzen
Unanimously Approved

Motion 23-081: *Authorize distribution of proposed draft rule revisions for a formal 45-day review and comment period ending July 24, 2023.*

Mazanec/Sullivan Janzen
Unanimously Approved

Motion 23-082: *Schedule a public hearing on the proposed draft rules for Wednesday, June 28, 2023, at 6:00 pm.*

Mazanec/Sullivan Janzen
Unanimously Approved

V. Action Items

- A)** Approve Minutes of May 17, 2023, Regular Board Meeting (Eleria)

Motion 23-083: *Approve the minutes of the May 17, 2023, Regular Board Meeting.*

Mazanec/Sullivan Janzen
Unanimously Approved

- B)** Approve Agreement for the Como Lake Signage and Kiosk Project (Belden)

CRWD, in partnership with the City of Saint Paul (“Design Committee”), distributed a request for proposals (RFP) to five graphic design firms to develop seven interpretive signs and one two-paneled kiosk for Como Lake. The interpretive signs and kiosks will be installed at key locations around the lake to serve as educational resources for the millions of annual visitors and to enhance user experience and understanding of the lake’s history, ecosystem, wildlife, and water quality. The RFP is included as an enclosure for more information. Four proposals were submitted to CRWD in response to the RFP. Following an in-depth review of the proposals

using a standardized rubric, the Design Committee would like to recommend Background Stories to the Board of Managers as the selected design firm for this project. The proposal from Background Stories presented an approach that strongly met the requirements listed in the RFP, including a budget, project timeline, and a commitment to DEI. The Design Committee also felt that the qualifications of Background Stories, including a strong portfolio of previous work, closely matched the vision for the signs at Como Lake.

Manager Sullivan Janzen asked how translations for signage will be handled. Ms. Belden responded that CRWD will write all copy for the signage, and an outside contractor will provide translations. QR codes will be produced for the signs as well.

Motion 23-084: Approve Background Stories as the consultant for the Como Lake Signage and Kiosk project and authorize the Administrator to execute an agreement for an amount not to exceed \$45,750.00.

Mazanec/Sullivan Janzen
Unanimously Approved

C) Approve Partial May 2023 Accounts Payable/Receivable (Dalit)

Motion 23-085: *Approve Partial May 2023 Accounts Payable/Receivable and 2023 Year-to-Date Financial Report and direct Board Treasurer and President to endorse and disperse checks for these payments.*

Mazanec/Sullivan Janzen
Unanimously Approved

VI. Unfinished Business

A) 2024 Budget Update (Doneux)

Administrator Doneux presented the proposed 2024 Work Plan and Budget Schedule:

Date (2023)	Action
June 7*	Board Meeting – 2024 Budget Schedule, WMP, Division responsibilities, 2023 Budget
June 28*	Board Meeting or Workshop - 2024 Preliminary Budget and Levy Review
July 12*	Board Meeting or Workshop - 2024 Preliminary Budget and Levy Review
July 26*	Approve Preliminary 2024 Budget/Levy for Public Comment & set Public Hearing
August 7	Publication Date for Legal Notice for Public Hearing
August 9	CAC Meeting – Receive Comments on 2024 Budget/Levy
August 14	Publication Date for Legal Notice for Public Hearing
August 16*	Public Hearing (Held at opening of Regular Board Meeting)
September 6*	Board Adopts Preliminary 2024 Budget and Levy
September 15	Last day for Preliminary Levy Certification at Ramsey County
December 6*	Review of Final Draft 2024 Budget and Levy
December 20*	Final Board meeting of 2023 – Adopt Final 2024 Budget and Levy
December 30	Last day for Final Levy Certification at Ramsey County

Mr. Doneux noted that July 26 is the proposed date for the Board to approve the preliminary 2024 budget/levy for public comment. August 7th is the backup date in case more time is needed.

In 2023, the tax levy was a total of \$9,356,175, a 6.78% (\$581,814) increase over the previous year. Budget policies require that the operations fund balance must be greater than or equal to 50% of the budget, and the Capital Improvement Projects fund balance must be greater than or equal to \$2M.

Budget highlights in 2024 include Facility Management Plan, Wetland Management Plan, Climate Adaptation Plan, Phalen Creek Subwatershed Study, and the Chloride Management Plan. One question for budgeting in 2024 is whether to include implementation planning in the budget for these plans.

Anticipated expenditures in 2023 include payments for Highland Bridge, Thomas Building improvements, Midway Peace Park, and Trout Brook repair (possibly a partial payment). There is some uncertainty surrounding projects at the Science Museum. It is possible that some phases that involve CRWD projects will move forward. There is a budget for McMurray Field this year; construction will not take place next year but budgeting for engineering is needed. Staff are accumulating funds to do this project and will find out about the 319 Grant from the Minnesota Pollution Control Agency (MPCA) later this year. CRWD received the first half of a \$950k grant from the Board of Water & Soil Resources for construction, which will take place in two years.

Manager Texer asked whether the River Learning Center should be included in 2023 anticipated expenditures. Administrator Doneux responded that the project has been included in the budget, and CRWD has not made any more commitments beyond that. Manager Sullivan Janzen inquired about the projects at the Science Museum. Administrator Doneux replied that he is not sure why, but it does seem to be on hold for now. Manager Collins added that the Board mentioned at the last meeting that CRWD might consider a study at the North End Community Center, where there have been issues with watershed run-on on the property. A placeholder could be added to the budget to explore these issues.

Manager Collins would like the Board to have a discussion on future tax revenue, which may be impacted by commercial buildings decreasing in value as fewer people are going back to work full-time in person. There may be cascading effects that impact tax revenue. One way CRWD could prepare is by increasing reserves to offset budget impacts. Manager Collins would like to discuss what the impact may be on Ramsey County and how CRWD will respond to it.

B) CAC Tour Update (Doneux)

The June 14th CAC tour will highlight a variety of projects. The bus will leave at 5:30 PM and return to the office by approximately 9:00 PM. All times are approximate. The tour will take place rain or shine and will include walking on paved and unpaved trails, up and down hills, and on uneven terrain. Please wear good walking shoes.

C) Como Lake Aquatic Plant Management Update (Belden)

Staff have been in the process of procuring services for hand-pulling curly-leaf pondweed at Como Lake by SCUBA divers. Unfortunately, an agreement could not be reached with the contractor as they were unable to meet CRWD's insurance requirements. Staff are investigating other options for removal in 2024 and gathering data in the meantime. There is significant curly-leaf growth at Como Lake currently. Unfortunately, there is nothing that can be done this year because there is so much biomass and disturbances will encourage growth.

Ms. Belden added that water clarity is the clearest it has been since alum treatment because the curly-leaf is holding it. There is also a metro-wide phenomenon in which water temperature conditions create bacteria that are killing off a lot of fish. The native plants are starting to come back; the water clarity is great in providing sunlight to the plants. Curly leaves die off around the summer solstice, which creates an environment for rapid decomposition; a corresponding algal bloom should follow thereafter. It's expected to see murky waters in July.

VII. General Information

A) Board of Managers' Updates

Manager Collins recently attended a street-sweeping workshop hosted by the Minnesota Pollution Control Agency.

Manager Sanders attended WaterFest 2023 and shared that there was a good turnout.

Manager Sullivan Janzen encouraged everyone to attend the Northern Spark Festival, which will be the final festival. It will be held at Upper Landing Park along the Mississippi River on Saturday, June 10th.

Manager Texer shared that the Wakpa Triennial Art Festival will be held from June 24 to September 16. The event was advertised in the local newspaper, and CRWD is listed as a supporter, for providing funding for artwork by Seitu Jones.

Manager Texer noted that the MN Watersheds Summer Tour is coming up in mid-June. Administrators Collins and Texer will attend, as well as Mark Doneux and Anna Eleria.

B) Administrator's Update – None.

VIII. Next Meetings

- A) Wednesday, June 14, 2023, 5:15 PM – CAC Tour (Bus will leave CRWD office at 5:30 PM)
- B) Wednesday, June 21, 2023 – MN Watersheds Summer Tour
- C) Wednesday, June 28, 2023, 6:00 PM

IX. Adjournment

Motion 23-086: *Adjournment of June 7, 2023, Regular Board Meeting at 7:11 P.M.*

Mazanec/Sullivan Janzen
Unanimously Approved

Respectfully submitted,

Meilina Dalit