



**Ramsey-Washington Metro Watershed District  
Minutes of Regular Board Meeting  
June 6, 2018**

The Regular Meeting of June 6, 2018, was held at the District Office Board Room, 2665 Noel Drive, Little Canada, Minnesota, at 6:30 p.m.

**PRESENT:**

Marj Ebensteiner, President  
Cliff Aichinger, Vice President  
Dianne Ward, Treasurer  
Dr. Pam Skinner, Secretary  
Lawrence Swope, Manager

**ABSENT:**

**ALSO PRESENT:**

Tina Carstens, District Administrator  
Amanda Staple, Recording Secretary  
Brad Lindaman, Barr Engineering  
Simba Blood, Natural Resources Specialist  
Viet-Hanh Winchell, Attorney for District  
Paige Ahlborg, Project Manager

Eric Korte, Water Quality Monitoring Coordinator  
Nicole Soderholm, Permit Inspector  
Dave Vlasin, Water Quality Technician  
Rebecca Beduhn, SEH for Ramsey County  
Brent Massey, CEI - Panera

**1. CALL TO ORDER**

The meeting was called to order by President Ebensteiner at 6:30 p.m.

**2. APPROVAL OF AGENDA**

Tina Carstens noted that Item 3B, Change Order No. 1 – 2018 CIP Maintenance and Repair, will be moved to Action Items to be considered as 8B and she requested to add an additional Item, 8C Change Order No. 1 – Grass Lake Berm.

Motion: Dianne Ward moved, Cliff Aichinger seconded, to approve the agenda as amended. Motion carried unanimously.

**3. CONSENT AGENDA**

- A. Approval of Minutes from May 2, 2018
- B. ~~Change Order No. 1 – 2018 CIP Maintenance and Repair~~
- C. Change Order No. 1 – Frost/Kennard Spent Lime Filter
- D. Washington County Watershed Based Funding Memorandum of Agreement

Motion: Dr. Pam Skinner moved, Lawrence Swope seconded, to approve the consent agenda as presented. Motion carried unanimously.

**4. TREASURER’S REPORT AND BILL LIST**

Motion: Cliff Aichinger moved, Dianne Ward seconded, to approve the June 6, 2018, bill list as submitted. Motion carried unanimously.

**5. VISITOR PRESENTATIONS**

There were none.

**6. PERMIT PROGRAM**

A. Applications

Permit #18-10: Maplewood 2018 Street Improvement Project

Manager Aichinger asked for clarification on the volume credits. Nicole Soderholm provided additional details, noting that they will need to determine the number of cubic feet that will be removed from the Maplewood bank. She stated thus far there are six people interested in curb cut rain gardens. She explained that the city will continue outreach and the rain gardens added will decrease the amount of credit that needs to be used for the project.

Motion: Dr. Pam Skinner moved, Cliff Aichinger seconded, to approve Permit #18-10. Motion carried unanimously.

Permit #18-11: Whistler Pines – Shoreview

Manager Ward stated that it appears an overflow will be added from the infiltration basin to the ditch. Nicole provided additional details noting that the existing conditions create a bowl and therefore the ditch is at a higher elevation than the site. She noted that the only other option would be to raise the entire site and therefore they will use a pump when the water reaches the outflow elevation to reach the county ditch.

Manager Skinner noted that this is near the Grass Lake area and asked if the volume and rate control measures would prevent additional water from going to that area. She asked if the District is looking at sites of this nature that could be purchased for additional storage. Tina Carstens noted that staff did look at sites that could be used for storage, but advised that the small sites would not provide enough storage to make a difference.

Brad Lindaman confirmed that the available sites were reviewed but the smaller sites are not large enough to solve the problem and that is why the District looked downstream in attempt to solve the problem that way.

Motion: Cliff Aichinger moved, Lawrence Swope seconded, to approve Permit #18-11. Motion carried unanimously.

Permit #18-12: Panera Bread – Maplewood

Nicole Soderholm noted that this is a typical commercial redevelopment.

Brent Massey, in representation of the applicant, stated that they attempted to have an above ground infiltration basin, but the soils were not conducive to infiltration and therefore that aspect is proposed to be placed underground. Manager Skinner asked if the amount of impervious surface will increase with construction. Brent replied that the impervious surface will slightly decrease.

Motion: Dr. Pam Skinner moved, Dianne Ward seconded, to approve Permit #18-12. Motion carried unanimously.

D. I-694 and Rice Street Wetland Mitigation Discussion

Nicole Soderholm stated that this project was introduced to the Board back in October as there are anticipated wetland impacts for the project. She noted that in the past project specific mitigation has been waived for projects that qualify for the Board of Water and Soil Resources (BWSR) road replacement bank. She stated that detailed

information was provided in the packet explaining why project specific mitigation would not be ideal for this project.

Manager Swope asked what would be lost by losing the wetland, in terms of rain mitigation and wildlife. Tina noted that the floodplain mitigation would still need to be provided. Manager Skinner stated that she has big concerns about this. She asked for information on the District policy. Nicole noted that BWSR has recommended approval of this project using the road replacement bank. BWSR is concerned that onsite replacement would not provide adequate quality of wetland due to the position adjacent to a freeway. Manager Aichinger asked if something could be done with the staging area after the project to provide wetland area.

Rebecca Beduhn, SEH, stated that the area will be used for staging and wetland mitigation needs to occur prior to the project beginning. Manager Aichinger stated that, after the project is completed, perhaps some expansion to enhancement of the wetland and habitat could be done on that staging area. Tina noted that the area is used year-round for maintenance activity. Rebecca confirmed that there would not be enough space in that area because the site is used for maintenance purposes currently and in the future the road will go through this part of the site.

Manager Skinner stated that the wetlands currently filter the water from the freeway and asked if something else is going to be done to treat that water. Nicole confirmed that is an element of the permit that will come in for the project. She confirmed that BWSR supports non-project specific mitigation and utilization of the road bank for the project. Rebecca noted that both MnDOT and the Army Corps are also supportive of using non-project specific mitigation. Nicole stated that there is a history of the Board being flexible on the no net loss policy for linear existing road projects. Manager Aichinger stated that he does not have an issue and would support the plan as proposed, noting that the memorandum has sufficient information supporting the request. Manager Ward stated that she did not find sufficient information on why the county could not expand on the wetland two and three sites. Nicole stated that soils and hydrology were a big part of that decision. Rebecca stated that safety was a reason that site was ruled out as well, noting that the slope would cause the water to be too close to the roadway.

Nicole stated that she can provide the additional information to the Board prior to the next meeting for the Board to consider as the permit will come before the Board at the next meeting.

#### C. Monthly Enforcement Report

During May, 13 notices were sent to address: install/maintain inlet protection (2), install/maintain perimeter control (2), install/maintain construction entrance (2), sweep streets (1), contain liquid/solid wastes (1), protect/maintain permanent BMPs (3), and install/maintain energy dissipation (2).

### 7. **STEWARDSHIP GRANT PROGRAM**

#### A. Applications

##### Permit #18-11 CS: Lake Phalen Aquatic Vegetation Harvesting

Paige Ahlborg noted that this is the first application for aquatic vegetation removal. She stated that this activity has occurred for years. Tina Carstens confirmed that the District has cost-shared on this for years, this simply moves the action over to the new cost-share program.

Motion: Cliff Aichinger moved, Dianne Ward seconded, to approve Permit #18-11 CS. Motion carried unanimously.

#### B. Budget Status Update

No comments.

### 8. **ACTION ITEMS**

#### A. Stormwater Pollution Prevention Plan Annual Report and Meeting

Tina Carstens reported that this is an annual meeting the District holds, providing an opportunity for the public to comment on the MS4 Stormwater Pollution Prevention Plan (SWPPP). She stated that the report must be sent to

the MPCA by the end of June. Nicole Soderholm stated that there are six minimum control measures that must be included in the report. Manager Swope commended staff for the excellent job on the report. Manager Aichinger referenced the alum treatment information. Eric Korte noted that another staff member from Barr Engineering is compiling the full report for the alum treatment.

Motion: Cliff Aichinger moved, Dianne Ward seconded, to accept the 2017 MS4 Annual Report and authorize the Administrator to submit the report to the MPCA. Motion carried unanimously.

Manager Aichinger asked if the MPCA is doing any more analysis on the reports. Nicole stated that the MPCA does audit on occasion. Tina noted that the last audit the District received was in 2014.

B. Change Order No. 1 – 2018 CIP Maintenance and Repair

Brad Lindaman distributed change order requests from Fitzgerald, the contractor completing both the 2018 CIP Maintenance and Repair project and the Grass Lake Berm project. He stated that the contractor began work earlier in the year on the CIP project and then there was no work during the spring melt. He stated that following the spring melt, when there were good weeks of weather, the District noticed that the contractor was still not working. He stated that staff met with the contractor a couple of weeks ago and explained that the contractor would need to submit a timeline identifying how the project would be completed. He stated that the deadline to have that information submitted was not reached and there was no contact. He stated that the contractor has since been working on the CIP project, but is working outside the contract deadline and had not submitted the necessary information to request an extension. He stated that the legal counsel for the District sent a letter stating that the District would extend the contract to June 15<sup>th</sup> as long as there is acknowledgement from the contractor of the contract extension. He stated that there still has not been any communication from the contractor. He stated that he was finally able to reach the contractor recently through text specifying that he would need communication from the contractor in order to recommend extension of the contracts at this board meeting.

Brad stated that, as of the night of the board meeting, good progress has been made on the CIP project, but noted that the scope of work has changed on the Battle Creek pipe that will cause the project to run past the mid-June contract extension. He stated that there are two change orders before the Board and there is no obligation for the Board to extend the contracts. He stated that if the Board would choose to end their contracts with Fitzgerald there would be transition costs to switch contractors to finish the project. He provided an update on the progress for the CIP project and noted that there has not been much work on the Grass Lake Berm thus far, with the exception of hauling material.

Manager Aichinger stated that his concern would be that the District would need to rebid the project if the contract is canceled, which would cause further delay. He stated that the berm project is not weather dependent and does not see an issue with completing that project this summer. Brad noted that the only issue with the Grass Lake Berm is that a water control plan would be needed for high water, and the contractor has not yet submitted that plan. Manager Aichinger noted that this contractor was significantly under the other bidders and he would support moving forward with this contractor, ensuring that there is onsite supervision.

Manager Ward stated that she can understand the July 31<sup>st</sup> date for the berm, but asked why that date would be used for the CIP project. Brad stated that they are still in the discovery stage for the Battle Creek pipe and he would recommend the longer timeline to ensure the work can be completed due to the change in scope because of that site. Manager Ward asked if guidance is being given on which items should be completed first in terms of priority. Brad stated that would take over the responsibility of the contractor, noting that it is the job of the contractor to plan his time accordingly to meet the terms of the contract. Manager Ward stated that there should be priorities to ensure that the work is being completed. Brad noted that priorities can be identified by changing deadlines, if desired. He provided additional details on the issues that arose with the Battle Creek pipe.

President Ebensteiner noted that it appears the contractor is not good with paperwork and is not terribly responsive in communication. She stated that the references appear to support that in the end a good result will be reached. She stated that the contractor has submitted the requested correspondence and is still out working and would support continuing with the contractor rather than rebidding in attempt to go with another contractor. Brad stated that when a project goes past the contract date, additional charges can be recouped through liquidated damages. Viet-Hanh Winchell stated that the District could consider liquidated damages and provided additional details on that process.

Manager Ward stated that it appears the contractor has problems managing the work and therefore she would support creating separate deadlines to align the priorities. Manager Aichinger suggested using July 15<sup>th</sup> for the Grass Lake Berm and August 30<sup>th</sup> for the Battle Creek pipe work. Manager Aichinger noted that the change order could include the interim dates for the project elements. Manager Ward stated that she would support shorter deadlines to ensure work is being completed. Viet-Hanh Winchell stated that something needs to be done tonight because the contractor is working outside of the contract.

Motion: Cliff Aichinger moved, Dianne Ward seconded, to approve Change Order No. 1 – 2018 CIP Maintenance and Repair with a completion date of July 31, 2018. Motion carried unanimously.

C. Change Order No. 1 – Grass Lake Berm

Motion: Cliff Aichinger moved, Dianne Ward seconded, to approve Change Order No. 1 – Grass Lake Berm, revising the completion date to July 6, 2018, and directing staff to work with the contractor on phasing. Motion carried unanimously.

**9. ADMINISTRATOR'S REPORT**

A. Meetings Attended

No comments.

B. Upcoming Meetings and Dates

Tina Carstens provided details on the District paddling event.

C. July Meeting Date Change Reminder

Tina reminded the Board of the July meeting date change.

D. Washington County Meeting Update

Manager Aichinger suggested hosting a tour of Washington County properties within the District, inviting elected officials to highlight the projects in that area. Tina stated that the District could hold that activity as the annual tour this year.

E. 3M Settlement Working Group

Tina Carstens confirmed that the District does have a seat at the table for this discussion.

**10. PROJECT AND PROGRAM STATUS REPORTS**

A. Presentation: 2017 Water Quality Summary

Eric Korte presented the 2017 water quality summary and identified the water quality program sites within the District. He explained that the overall objective is to assess the condition of the lakes over time. He stated that the trophic state index is used to assess the lakes and reviewed the four different trophic states used. He displayed the trophic state data for each of the monitored lakes for 2017.

Manager Skinner asked if increased chloride has an impact on the water quality level. Eric stated that is unknown and noted that stormwater ponds are beginning to be monitored to provide additional data on chloride. He explained that the goal of monitoring is to monitor the lake condition over time and provided the trend analysis

information, noting that a lot of the lakes have positive or no trends, which is a good result. He provided more information on Kohlman Lake in example of a positive trending lake. He provided information on Best Management Practices (BMPs) including the alum plant. Manager Skinner stated that she is very opposed to the use of alum and therefore will never support a project of this type.

Eric provided additional information on various BMP monitoring throughout the District.

Manager Skinner asked if there are other researchers in this area that would perhaps be interested in projects. Tina Carstens stated that there is a project coming up where the District will work with Saint Anthony Falls Lab to determine if iron could be added to ponds to reduce phosphorus. Manager Aichinger stated that the Minnesota Stormwater Research Council is up and running and two grants were issued last year. He stated that new projects will be authorized each year. Manager Skinner stated that it would be great to allow master students to participate in certain research projects. Tina confirmed that master students are involved in the projects. Eric then reviewed some of the future monitoring sites.

B. New Project Memo: Maplewood Mall Green Infrastructure Assessment

Manager Aichinger stated that he is glad to see this plan and he believes that this is the time to complete that assessment. Brad Lindaman provided additional details on the process that will be used. He noted that water runs not only through the District project area but also from untreated areas. Tina stated that the rain gardens are easily monitored, and the District is now going to focus on the tree trenches.

C. New Project Memo: Impact of Removal of Accumulated Sediment from Wakefield Lake on Lake Phalen Water Quality

Tina stated that there is accumulated sediment at the south part of Wakefield Lake. Brad stated that they are attempting to determine if it would be worth it to dig the sediment out and determine if there is an impact downstream. He noted that the study will determine whether that action would be beneficial and cost efficient. Manager Aichinger asked if it would be beneficial to move some of the sediment during excavation, if that path is taken, in attempt to increase the circulation of the lake. He asked if that could be part of the study. Tina confirmed that could be discussed.

D. Ongoing Project and Program Updates

- i. Permit Application Inspection/Enforcement
- ii. Beltline Resiliency Study
- iii. At Risk Subwatershed Feasibility Studies
- iv. Snail Lake and Grass Lake Study and Berm Raise Project
- v. Snail, Grass and West Vadnais Lakes Outlet Permitting  
Dianne Ward asked if there has been any more progress with the DNR regarding Item V. Brad Lindaman replied that staff is still working to discuss the item further before discussing permitting, in attempt to further flush out the cost details.
- vi. District Wide Atlas 14 Modeling
- vii. Kohlman Weir Test System
- viii. Roseville High School Campus Retrofit Feasibility Study
- ix. Frost/Kennard Project
- x. Willow Pond CMAC Project
- xi. Wakefield Park/Frost Avenue Project
- xii. Targeted Retrofit Projects
- xiii. BMP Design Assistance and Review
- xiv. Owasso Basin Improvements
- xv. Beltline/Battle Creek Tunnel
- xvi. CIP Maintenance/Repair 2018

xvii. Natural Resources Program

xvii. Education Program

President Ebensteiner noted that there will be a more thorough review of the projects and programs at the next meeting. She stated that in the future it would also be helpful to have a presentation on the education programs to recognize the work that is being done.

Manager Aichinger referenced the Maplewood Mall study and suggested that perhaps this would be a good time to discuss the user agreement and maintenance responsibilities.

**11. INFORMATIONAL ITEMS**

No comments.

**12. REPORTS OF MANAGERS**

Manager Aichinger asked if staff has thought about site tours the staff might hold for the board. Tina Carstens stated that staff thought about going to the Wakefield park site with plans to look further in depth at that site. She identified potential other locations and noted that the tour could occur prior to the regular Board meeting.

**13. ADJOURN**

Motion: Cliff Aichinger moved, Dr. Pam Skinner seconded, to adjourn the meeting at 8:35 p.m. Motion carried unanimously.

Respectfully submitted,

Dr. Pam Skinner, Secretary