



**Ramsey-Washington Metro Watershed District
Minutes of Regular Board Meeting
August 3, 2022**

The Regular Meeting of August 3, 2022, was held at the District Office Board Room, 2665 Noel Drive, Little Canada, Minnesota, and via Zoom web conferencing, at 6:30 p.m. A video recording of the meeting can be found at <https://youtu.be/bX8LW4DzNB8>. Video time stamps included after each agenda item in minutes.

PRESENT:

Larry Swope, President
Dianne Ward, Vice President
Val Eisele, Secretary
Matt Kramer, Manager

ABSENT:

Dr. Pam Skinner, Treasurer

ALSO PRESENT:

Tina Carstens, District Administrator
Brad Lindaman, Barr Engineering
Greg Williams, Barr Engineering
Dave Vlasin, Project Coordinator

Paige Ahlborg, Project Manager
Nicole Soderholm, Permit Inspector
Laurann Kirschner, Attorney for District
Bill Bartodziej, Natural Resource Specialist

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

Motion: Manager Eisele moved, Manager Kramer seconded, to approve the agenda as presented.

A roll call vote was performed:

| | |
|-----------------|-----|
| Manager Ward | aye |
| President Swope | aye |
| Manager Eisele | aye |
| Manager Kramer | aye |

Motion carried unanimously.

3. CONSENT AGENDA (0:35)

- A. Approval of Minutes from July 6, 2022
- B. Treasurer's Report and Bill List
- C. Permit Program
 - i. 22-20; Hawkins Terminal Improvements, St. Paul
 - ii. 22-21; Lapham-Hickey Steel Addition, Little Canada
 - iii. 22-23; Shoreview Deluxe Redevelopment Phase I, Shoreview
- ~~D. 2022 Targeted Retrofit Projects – Change Order No. 2~~

President Swope requested to remove Item D from the Consent Agenda.

Motion: Manager Eisele moved, Manager Ward seconded, to approve the consent agenda as amended.

Further discussion: Manager Ward referenced Item C.ii and asked if the review of the permit took into account the flood issues the Board has been discussing. She noted that this is a high priority area for flooding and a large project. Nicole Soderholm stated that this project was reviewed for volume and rate control and additional flood storage was not identified on the property. She stated that with the expansion there was not much room left to provide a regional benefit. She noted that the rate control requirements for the site will be met. She stated that staff does continue to look proactively but did not see a regional benefit that could be provided on this site.

Manager Eisele asked if any of the water seeped into the location in 2016. Nicole Soderholm stated that she is unaware of any issues. Brad Lindaman stated that he is also unaware of any site in that area that experienced flooding during that wet year.

A roll call vote was performed:

| | |
|-----------------|-----|
| Manager Ward | aye |
| Manager Kramer | aye |
| Manager Eisele | aye |
| President Swope | aye |

Motion carried unanimously.

D. 2022 Targeted Retrofit Projects – Change Order No. 2

President Swope noted that the Financial Implications section in the cover letter should be “increase the total contract price” not “decrease.”

President Swope referenced the increase in project cost and the impact on the bid results. He asked if the item that caused the overspend would have been unknown to anyone or whether another bidder could have been aware of that overage. Brad Lindaman replied that it is his understanding that because of the permitting requirements of the City of Saint Paul, a need to use a contractor on the approved list was triggered. He stated that perhaps a contractor could have read into those permit/contract requirements but noted that would have required a lot of digging early in the process. He noted that any of the contractors would have had to meet those same requirements and therefore it was not specific to this contractor and would have been an additional charge to any of the bids.

President Swope asked what would happen if one bidder were to include that cost in their bid and the low bidder did not. Brad Lindaman noted that the final increase in project cost will be less due to items being removed during construction.

Laurann Kirschner stated that the threshold question would be whether the other bidders included that permit requirement cost in their bid. She stated that the contract documents do place the burden to secure permits on the bidder. She stated that there is not a legal requirement that would prohibit the District from continuing on this contract.

Brad Lindaman provided additional clarification on the permit requirements and responsibility.

President Swope commented that he agrees to proceed.

Dave Vlasin provided additional details on the short list of contractors allowed to complete this type of work in Saint Paul and that process.

Motion: Manager Eisele moved, Manager Kramer seconded, to approve the 2022 Targeted Retrofit Projects – Change Order No. 2.

A roll call vote was performed:

| | |
|-----------------|-----|
| Manager Eisele | aye |
| Manager Kramer | aye |
| Manager Ward | aye |
| President Swope | aye |

Motion carried unanimously.

4. VISITOR COMMENTS (15:03)

No comments.

5. PERMIT PROGRAM (15:11)

A. Applications – See Consent Agenda

B. Monthly Enforcement Report

During July, six notices were sent to address: install/maintain inlet protection (2), install/maintain perimeter control (3), and install stabilization (1).

President Swope stated that he would like additional detail on the residential permit, such as whether it was for a driveway or rain garden. Nicole Soderholm stated that typically those are shoreline permits as the District rules are otherwise not triggered. She confirmed that a short statement could be added going forward.

Manager Eisele referenced previous discussion where it was requested to have past permits more easily searchable and asked if that had been done. Tina Carstens noted that the information is available on the map and commented that staff will ensure the managers have access to that.

6. STEWARDSHIP GRANT PROGRAM (17:58)

A. Applications - None

B. Budget Status Update

President Swope asked for details on the consulting fees. Paige Ahlborg provided additional details on those fees for the design work, inspections, and close out of permits. She noted that Barr Engineering also reviews projects over \$50,000.

Manager Eisele stated that it appears they are above the 50 percent point and asked if there are any concerns with running out of funds before the end of the year. Paige Ahlborg stated that although the funds were going quickly in the first part of the year, she does not have concerns at this time. She noted that there are no larger projects in the timeline for this year.

7. ACTION ITEMS (19:45)

None.

8. ATTORNEY REPORT (19:51)

Laurann Kirschner provided details on the case from the Supreme Court the previous week related to watershed laws. She stated that it was determined that Anoka County did not follow the proper procedure for appointing a member to the watershed organization. She commented that MAWD will most likely provide input and guidance on appointments to the counties in the future. She highlighted activities she worked on for the District in the past week.

9. BOARD ISSUES, POLICIES, AND OPERATION (FOR DISCUSSION AT MEETING) (26:33)

A. Board Action Log; Additions and Deletions

Manager Ward suggested West Vadnais Lake and the Ponds of Battle Creek be added to the action log.

Tina Carstens stated that those items are already ongoing, and it was her understanding that the action log is meant to track future items.

President Swope believed that the land acquisition policy should be added to the log as it will continue to be worked on but is not front and center. Tina Carstens noted that she has included that item on her ongoing list under the Administrator’s Report.

President Swope commented that he would like to see the lake level integration page on the list. Tina Carstens clarified that is not a Board action, but a staff action and is tracked in the communications program report each month.

B. West Vadnais Lake Next Steps

President Swope asked if there is an update prior to the Board making a motion to authorize the Administrator to move ahead. Tina Carstens stated that she met with BWSR today and they went through the petition process with her. She stated that she will bring a petition forward to the Board for action, but the Board could make a motion to direct staff to move forward with that petition process.

Motion: Manager Eisele moved, Manager Ward seconded, to authorize the Administrator to move forward with the petition process.

Further discussion: Tina Carstens reviewed the steps that would be completed in the petition process.

Manager Eisele asked who would make the public notice. Tina Carstens replied that BWSR would release the public notice. She noted that preapprovals have already been gained from the cities and watershed and therefore BWSR does not anticipate that this would be controversial.

Manager Ward asked how often boundary changes are considered by BWSR. Tina Carstens replied that only a few changes are done per year.

A roll call vote was performed:

| | |
|-----------------|-----|
| Manager Eisele | aye |
| Manager Kramer | aye |
| Manager Ward | aye |
| President Swope | aye |

Motion carried unanimously.

C. Ponds of Battle Creek Golf Course Update and Land Acquisition and Use Policy

Tina Carstens noted that she has not spoken with anyone about the Ponds of Battle Creek since the last meeting. She stated that staff is still researching data for the potential policy.

Manager Eisele stated that really likes the wetland rules and comparison and contrast pieces. He asked if the land use policy would be influenced by any of those policies. Tina Carstens stated that there is a lot that could come from each of those processes.

D. Letter from LEAP Tour Participant and Fall Board Tour Ideas

President Swope commented that the letter was excellently written. He stated that perhaps this would be a good opportunity to see some of these projects. He suggested that the Board provide suggestions of places they would like to see on a Board tour. He suggested Aldrich Arena, the Beltline, completed Target retrofit sites, and the Keller and Phalen weirs.

Tina Carstens provided background information on previous Board tours and sites that were visited. She noted that typically some of the larger project sites are chosen as well as some of the LEAP sites. She recognized that there is a time constraint and not every site can be visited.

Manager Eisele stated that he drove past a few permit sites and found it informative.

President Swope agreed that it is helpful to see what project sites actually look like.

Tina Carstens stated that typically the tour would be held in September and welcomed the Board to send in any requests.

President Swope asked the number of people that went on the LEAP tour. Tina Carstens estimated 20 to 25 people.

10. NEW REPORTS AND/OR PRESENTATIONS (44:23)

A. Wetland Management Roles of Other Watershed Management Organizations

Manager Eisele asked if staff looked at the types of projects that came from enforcement of policies from other organizations. Greg Williams, Barr Engineering, stated that he looked at the CIP to determine the projects slated to be completed but did not follow up to determine if the actual projects were completed. He noted that within the CIP the projects are called wetland restoration and provided additional details noting that the majority of those projects aimed to reduce phosphorus loading downstream.

President Swope commented that this is a great report. He stated that he was struck by certain factors that would support a more robust policy. He stated that it appears different tips can be gained from each entity to help craft a policy.

Manager Eisele stated that this made him consider what made the entity create a unique policy for wetlands and whether there are the same triggers within this district.

President Swope commented that he believes that the District would also have its own unique characteristics to take into consideration when developing a policy. He noted that part of this would be management of existing wetlands as well as what could be done proactively going forward.

Tina Carstens stated that restoration sites do not qualify for BWSR banking but could qualify under different District standards.

President Swope commented that he would prefer to see restoration of wetlands in the District boundaries rather than the purchase of credits outside of the District. Tina Carstens noted that the BWSR and WCA requirements would still need to be met as well.

Tina Carstens asked for input from the Board on what would be helpful to include or items that may be of more interest.

President Swope stated that he would be more interested in hydrological change as well as bounce and inundation standards.

Greg Williams stated that hydrological standards related to bounce and inundation are applicable at the time of development review and intended to mitigate the impact to development downstream. He explained that a permitted project would need to demonstrate that their project would not increase the water surface elevation for an unreasonable amount of time or increase runoff. He provided additional details on the standards used by other water management entities.

Manager Eisele stated that there has been some wetland flooding and did not see anything that stood out for flood reduction in a policy outside of the permitting requirements. Greg Williams stated that the regulations would apply whether or not there is floodplain mapped. He stated that there is a section that references how managed water bodies are defined but did not find anything in terms of policy related to water quantity concerns for wetlands that would arise under natural conditions and not as an impact of a new permit. He stated that the RWMWD plan includes a statement that when those water bodies are defined, they will be managed differently than other managed water bodies but the plan is not specific on how those activities are different.

Tina Carstens referenced Capitol Region that has very few wetlands and therefore their rules are very stringent.

Manager Eisele acknowledged that motivation was part of his question as to how the policies are developed by other entities. Tina Carstens noted that different entities function differently because of the size or classification (WMO versus District).

Greg Williams agreed with the statement related to Capitol Region noting that they prioritize sites based on the preservation of the limited wetlands as well as the history of the wetlands for sites that have potential for restoration. He noted that even if it is not included in the CIP for an entity, most have identified sites that could have restoration opportunities.

Brad Lindaman asked if those districts are being more opportunistic or whether funding had been allocated through their CIP program. Greg Williams stated that only two organizations had detailed projects within their CIP, noting that one of the project benefits was more to address local flooding. He commented that most were opportunistic, and the policies left the opportunity open without funding allocated.

Tina Carstens stated that staff spoke with Capitol Region in their creek daylighting project and wetland restoration projects, noting that the intention is to bring back some of the lost acreage within that watershed.

Nicole Soderholm commented that Capitol Region is a very urban area and bringing back these natural spaces is part of their equity and engagement process. She stated that watershed looks very different, as RWMWD has hundreds of wetlands whereas Capitol Region is a very different landscape.

President Swope asked if the workshop would be the next step in this process. Greg Williams confirmed that would be the next step in the scope summary.

B. 2023 Budget Planning Discussion

Tina Carstens provided a summary of the information included in the Board packet. She noted that staff starts high with their projections and then solicits the input of the Board in order to make desired refinements. She noted that as the process moves forward there will be more solid numbers for carryover on items and how that impacts the proposed budget and levy. She stated that if there were any significant changes as a result of this discussion,

she would make those and then send the proposed budget to the cities in order to receive comments and feedback prior to the September meeting at which time the Board would consider a preliminary budget and levy to be certified to the County.

President Swope asked the status of the proposed levy with this draft budget. Tina Carstens replied that the levy is proposed at a 12 percent increase at this time.

President Swope recognized that with inflation, it would be hard to avoid a levy increase but noted that he would prefer a target of five to eight percent for the levy. He was unsure if that would be high enough for the needs of the District. Tina Carstens stated that in discussions with other entities, it does sound like the range is currently between five to ten percent.

Manager Ward referenced some items that need to be planned for in order to ensure costs are covered. She suggested that the Double Driveway project come from contingency funds. She stated that the Board currently does not have a land acquisition policy but may have a one-time opportunity. Tina Carstens confirmed that project could be funded through the contingency fund, and it would still leave a healthy balance.

Manager Eisele asked how the incorporation of West Vadnais would impact the budget and whether that has been planned for. Tina Carstens confirmed that has been budgeted for noting that the funds for that lake would come from the lakes/TMDL line item.

Manager Eisele asked if there is a purposeful way wetland items can be planned for, noting the previous agenda item discussion. Tina Carstens stated that there is a wetland restoration project fund with a balance of \$500,000 which would be enough to move forward.

President Swope commented that it would seem the money in the budget for West Vadnais is not for cleaning it up. Tina Carstens confirmed that to be true, noting that the funds allocated in the budget would be used to determine what should be done. She explained the process that would be followed in order to develop an implementation plan.

Brad Lindaman provided additional details on the Double Driveway project, which would potentially be linked to another project that would occur in that area to increase the benefit.

President Swope stated that he noticed the 694 project was not listed. Tina Carstens noted that if that project were to move forward it would not be for another two years. Brad Lindaman provided additional details and noted that project is not guaranteed.

President Swope referenced a resiliency study and asked for additional details. Tina Carstens noted that would look at areas not tributary to the Beltline. She noted that about 75 percent of the district was covered in the Beltline study, and this would provide similar data for the remainder of the district.

President Swope referenced debt items and asked when those would be paid off. Tina Carstens stated that the Beltline from 2016 was a 20 year note but advised that the Maplewood Mall item had a shorter term and should be paid off in the next few years.

Manager Eisele suggested splitting the cost of the Double Driveway, using half of the funding from contingency. Tina Carstens replied that she does not have an issue with moving the double driveway project to be funded through contingency.

Manager Ward suggested putting an item in the budget for land acquisition. Tina Carstens stated that she would be unsure how to reflect that item in the budget. Manager Ward was also unsure. Tina Carstens stated that it

would be hard to place a budget number in for the potential levy without having the item in the District plan. Manager Ward suggested using only a portion of contingency funds for the Double Driveway project and leaving the remainder in that fund that could be used for things such as land acquisition.

Manager Eisele agreed there are a lot of variables for land acquisition such as the type of acquisition and whether there are other partners involved.

Tina Carstens recognized that there have been discussions about a certain property but would be uncomfortable putting that in the budget. She stated that perhaps staff could develop a ballpark figure, but for the purposes of going to the cities and counties for comment those entities do not go into depth into the pots of money used. She noted that they focus more on projects and project areas. She stated that in her September presentation she will show the impact to homes as a result of different levy percentages, noting that there are only small differences.

11. ADMINISTRATOR'S REPORT (1:36:30)

A. Meetings Attended

No comments.

B. Upcoming Meetings and Dates

Tina Carstens highlighted upcoming meetings and MAWD events and meetings.

C. Ongoing Project Update

No comments.

D. West Vadnais Lake Boundary Change Update

No comments.

E. MAWD Summer Tour Information

Tina Carstens noted that she will be attending and can provide a report to the Board.

12. PROJECT AND PROGRAM STATUS REPORTS (1:41:30)

- A. Interim Emergency Response Planning
- B. Kohlman Creek Flood Risk Feasibility Study
- C. Kohlman Creek/Wakefield Lake Diversion Feasibility Study
- D. County Ditch 17 Improvements Feasibility Study
- E. Phalen Village Feasibility Study
- F. Ames Lake Area Flood Risk Reduction Planning Study
- G. Owasso Basin/North Star Estates Improvements
- H. Double Driveway Pond Optimization Study
- I. Carver Ponds Improvement Study
- J. Lake Emily Subwatershed Regional BMP
- K. South Metro Mississippi River TSS TMDL
- L. Annual Water Quality Report Assistance
- M. Special Project BMP Monitoring
- N. Kohlman Permeable Weir Test System
- O. Shallow Lake Aeration Study
- P. Target Store Stormwater Retrofit Projects
- Q. Targeted Retrofit Projects
- R. Stewardship Grant Program – Street Sweeping
- S. Woodbury Target Stormwater Retrofits
- T. Beltline Five Year Inspection
- U. District Inspection Standardization

- V. CIP Maintenance and Repair Project 2022
- W. Natural Resources Program Update
- X. Public Involvement and Education Program Update
- Y. Communications Program and Website Redesign Update

Manager Eisele asked when the meeting would be held with the city related to North Star Estates. Brad Lindaman stated that meeting has not yet been scheduled but stated that staff is prepared to have that meeting.

President Swope referenced Item A and asked for input on the response of the cities. Tina Carstens replied that there is a lot that goes on with the emergency response plans that the cities are unsure of. She stated that the City Councils need to define the responsibilities of the city. She stated that the District has helped to provide materials (bags and sand) but has not helped pay for manpower. She stated that the emergency response plans are not deployed that often but recognizes that staffing is always a concern for emergency response.

President Swope referenced Item D and asked how storage would be added. Tina Carstens believed that refers to the Goodrich Golf Course area. Brad Lindaman provided additional details, noting that concepts for additional storage will be put into the model to evaluate those options.

President Swope commented that Item K seems to be long-term. Tina Carstens stated that staff has the data, it will just be a matter of putting that together.

President Swope asked if the annual water quality report would be done at the next meeting. Brad Lindaman confirmed that would be presented in the next few months.

President Swope commented that he was pleased to see the CIP project completed on time. He referenced Item O and asked if the diffusers have promoted algae growth. Bill Bartodziej explained the purpose of the diffusers and how those function, noting that algae growth has not been experienced.

13. MANAGER COMMENTS AND NEXT MONTH'S MEETING (1:48:48)

A. Board Action Log

President Swope commented that he attended the metro chapter of the Minnesota Association of Watershed Districts meeting online and noted some stormwater contingency items that were discussed. He stated that it was also mentioned that BWSR was short staffed.

Tina Carstens stated that MAWA will meet at the summer tour and will provide comments as a group about the MAWD Strategic Plan.

14. ADJOURN

Motion: Manager Kramer moved, Manager Eisele seconded, to adjourn the meeting at 8:23 p.m. Motion carried unanimously.