



**Ramsey-Washington Metro Watershed District
Minutes of Regular Board Meeting
January 4, 2023**

The Regular Meeting of January 4, 2023, was held virtually only and included only informational and discussion items. A video recording of the meeting can be found at https://youtu.be/Rx_IHHO8Rpo. Video time stamps included after each agenda item in minutes.

PRESENT:

Larry Swope, President
Dianne Ward, Vice President
Dr. Pam Skinner, Secretary
Val Eisele, Treasurer
Matt Kramer, Manager

ABSENT:

ALSO PRESENT:

Tina Carstens, District Administrator
Tracey Galowitz, Attorney for District
Nicole Soderholm, Permit Inspector
Eric Korte, Water Monitoring Coordinator
Dave Vlasin, Project Coordinator

Paige Ahlborg, Project Manager
Brandon Barnes, Barr Engineering
Bill Bartodziej, Natural Resources Technician

1. CALL TO ORDER

The meeting was called to order by President Swope at 6:30 p.m. He noted that this meeting is being held virtually because of the weather and a regular in person meeting would be held on January 18, 2023 to complete any action items as no actions will be taken tonight.

2. APPROVAL OF AGENDA (1:55)

No comments.

3. CONSENT AGENDA

- A. Approval of Minutes from December 7, 2022
- B. Treasurer's Report and Bill List
- C. Permit Program
 - i. 23-01 – Phalen Village – Maryland/Prosperity, St. Paul

Manager Ward referenced the minutes and noted on page seven, relating to the public art comments there should be clarification as to the cap as she believed there were two different caps. She noted that should also be clarified in the budget status update.

President Swope asked for details on a Woodbury project for \$100,000. Paige Ahlborg replied that was the tree trenches at the Woodbury City Hall.

4. VISITOR COMMENTS (4:07)

No comments.

5. PERMIT PROGRAM (4:08)

A. Applications – See Consent Agenda

B. Monthly Enforcement Report

During December zero notices were sent.

C. 2022 Permit Program Summary

Manager Ward noticed the number of noncompliant permits increased and asked if that was due to more frequent inspections because of the additional staff was added. Nicole Soderholm replied that they have not determined the reason, but staff has discussed that increase as well. She noted that a lot of the noncompliance was on publicly owned sites and perhaps the District needs to work with the public partners more. She stated that it was a dry year so there were not as many environmental impacts but noted that staff did notice an apathy about compliance. She stated that it is something staff will discuss in the coming year and if this trend continues, they can make adjustments to address it.

Manager Eisele asked the difference between noncompliance and a violation. Nicole Soderholm provided additional details on the difference. Manager Eisele asked for more information on “variance approved” language that appears on some reports. Nicole Soderholm provided additional details and noted that after recent discussions on variances she went back through the records to determine how many variances were approved during the past three years. She noted a total of five variances approved in 2022, advising that only one of those had permanent impacts.

6. STEWARDSHIP GRANT PROGRAM (12:30)

A. Applications - None

B. Budget Status Update

President Swope noted the maximum of \$50,000 per year for public art within the program. He commented that the street sweeping was \$128,000 noting that it was allocated but has not come out of the funds. He stated that he would like to see those reflected in the table to better track those expenses. Paige Ahlborg stated that once funds are allocated, they are shown in the table even though they may not be paid out yet. Tina Carstens commented that she wanted to show that expense and perhaps a column is added to show when the Board approves distribution of the funds.

Manager Ward asked if staff anticipates that all of the street sweeping funds would be spent. Paige Ahlborg believed that those funds would be used.

7. ACTION ITEMS - NONE

8. ATTORNEY REPORT (15:44)

Tracey Galowitz summarized the activity that legal counsel has been involved with during the past month.

9. BOARD ISSUES, POLICIES, AND OPERATION (FOR DISCUSSION AT MEETING) (16:25)

A. Board Action Log: Additions, Deletions

President Swope noted that a few things had been added to the log since the last meeting.

Manager Ward asked where the land acquisition policy is being tracked. Tina Carstens noted that is being tracked in the Administrator’s Report.

B. Adopt-A-Drain Incentives

President Swope noted that the Board discussed this potential at the last meeting. He asked if this would be added to the Board list or whether it would be appropriate for the CAC to discuss this concept. Tina Carstens stated that staff is planning to meet and discuss this concept, but the meeting had been delayed because of weather. She noted that once staff discusses this, it will be brought back to the Board for continued discussion. It was determined that this item should be added to the action log.

10. NEW REPORTS AND/OR PRESENTATIONS (23:18)

A. Flood Risk Reduction Feasibility Studies

- i. Phalen Village
- ii. Ames Lake
- iii. County Ditch 17

Brandon Barnes identified the locations of the three different studies he will be discussing tonight. He began with the Phalen Village study and displayed the pre-feasibility study 100-year inundation extents within the study area. He summarized the information learned from the data collection and reviewed the alternatives that were evaluated for the east outlet. He indicated the existence of a previously unidentified culvert from the west wetland that when included in the model removed two habitable structures from the flood risk in a 100-year event. This left one habitable structure at risk. He stated that he and Paige Ahlborg met with city staff multiple times during this process and discussed the elements that the District could be involved with as well as those that would fall under a street improvement project. He noted that there is a planned street improvement project for 2024 and they determined that staff would provide the city with different options and let the city choose the option that it would prefer as the city would be responsible for ongoing maintenance and it would become a part of the city's stormwater system. He commented that this is a great opportunity to collaborate with Maplewood as the city is working to complete its feasibility study for the street improvement project in 2023. He stated that the city would then select drainage improvements that mitigate flood risk in the area and also align with the City's goals for the street improvement project. He stated that construction of a drainage improvements and street improvements could happen in one project, during the city's street improvement project in 2024.

Manager Ward asked why the east wetland home was not surveyed. Brandon Barnes stated that they sent requests to property owners to access the property in order to collect the survey data. He noted that some property owners provided that authorization, some did not, and some did not reply. He explained that they only collected the data from properties that they received permission from. If permission was not provided LiDAR data was used to estimate the ground elevation near the building. As part of the study, RWMWD and Barr staff spoke with city staff about known flooding issues in this area. Manager Ward stated that she believes it would be premature to move forward without the survey data as this only impacts one home. She stated that perhaps one more attempt should be made to request access and if that permission is not provided, the District should move on and alert the property owner that they are on their own. Brandon Barnes stated that the city has other considerations for implementing storm sewer modifications. Manager Ward stated that if the city wants to move forward without a survey, that cost should fall to the city.

President Swope asked if it had been considered to add active pumping. He recognized that the desire would be to have something passive but asked if that could be a potential alternative. Brandon Barnes replied that concept was not considered for this location because it would introduce a maintenance burden for the city. He stated that because they identified passive options that could be feasible, they would not consider an active option.

Manager Eisele stated that he likes option five but asked if the city would be open to covering that entire expense. Brandon Barnes stated that in the last discussions with the city, they did identify that options three through five would be things the city would fund through its street improvement project. He stated that the role of the District would be to help the city understand the regional stormwater and how the modifications would change that. He stated that once the city completes its feasibility study, it will determine which option best fits with its goals.

Brandon Barnes moved to the Ames Lake area, noting that he would consider this to be a pre-feasibility study. He displayed the study location and noted that this is an area with higher concentration of flood prone structures. He explained that they identified 11 of the highest potential parcels that could be used for regional flood risk reduction and then talked to the property owners to identify constraints. He noted that through that screening process, the number of potential parcels was reduced to two parcels. He stated that they then reviewed concept level modifications that could potentially occur on those two parcels. He stated that the next steps would be to continue to review concepts for those two parcels through a detailed feasibility study, noting that they would do that in cooperation with the property owner, which is the Saint Paul Housing and Redevelopment Authority (HRA).

Manager Eisele asked if other concepts were considered further north, beyond the Ames Lake area. Brandon Barnes commented that this area is a topographic depression and therefore water tends to drain to this area as a low spot. He stated that when they reviewed these sites, they considered the size of a project that would be needed to reduce flood-risk near Ames Lake. He commented that as you move away from the area of concern, the storage volume that would be needed becomes greater and less efficient. He stated that because there is a willing property owner in the vicinity of where they are trying to reduce flood risk that provides a great opportunity that could be really beneficial for this area and would also be an efficient way to address flood risk in the area.

Brandon Barnes moved to the County Ditch 17 study, identifying the location, and summarizing the data collection and review. He stated that Barr and RWMWD staff had a number of meetings with Maplewood to discuss different options and determined that conveyance alone would not meet the requirements of the District rules and therefore conveyance would need to be combined with storage. He identified different sites that were considered for storage along with different options that were considered. In addition to system-scale modifications, the team also considered emergency response plans, which include temporary placement of sandbags to prevent flood impacts to structures and site-scale modifications, which include grading or drainage improvements on individual parcels. He noted that emergency response plans or site-scale modifications would come down to whether a private property owner would want to be involved. He stated that historically the city takes the lead on discussions with homeowners. During discussions with Maplewood, the city was open to leading discussions with property owners, but requested that the District provide support for those conversations. He noted that the next steps would be to have those conversations with property owners.

President Swope asked if the property owners are aware that they have a flood risk. Brandon Barnes commented that some property owners are aware, and some are not. President Swope asked if flood insurance is discussed at these meetings with property owners. Brandon Barnes confirmed that is a part of the discussion.

Manager Eisele stated that he is not a huge fan of alternative four, noting the amount of work that it would take to place 4,000 sandbags in an emergency situation. He stated that a berm would have an impact to one of those homes. He asked if creation of a pond west of White Bear Avenue would provide a solution and how that cost would compare to other alternatives. Brandon Barnes noted that the pond would be alternative three, noting that minor changes could be made without disturbing Frost Avenue but essentially the cost for option three would be \$1,900,000. Manager Eisele recognized that the next step would be to have discussions with the homeowners. Brandon Barnes stated that as they have discussions with homeowners, they would be able to refine elements included in site-scale modification and the number of sandbags that would be needed. He stated that the study identifies a very conservative estimate and once they have discussions with homeowners, they will determine whether they would continue down that path. He confirmed that alternative four would impact use of some properties and those property owners could choose to say they are not interested. Manager Eisele asked if there was discussion with the city that pushed towards alternative four. Brandon Barnes commented that Frost Avenue was reconstructed within the last few years and cost-share funds were used for that project. He noted that if that road were disturbed there would be additional costs and utility impacts. He explained the different things that were considered, such as avoiding yards and moving the necessary amount of water.

President Swope asked if these homes have a history of flooding. Brandon Barnes replied that the city was aware of drainage concerns for the home to the south but was not aware of flood damage to the homes. He stated that the next step would be to pass this information to Maplewood, and they would schedule times to share the information with property owners to determine if there is interest in formalizing an emergency response plan or pursuing modifications to site specific locations. He noted that the homeowners may also choose to accept the information and choose to do nothing.

Manager Ward asked if District staff would be present at these homeowner meetings or whether it would be the city taking the lead. She asked if the conversations would be documented related to liability if the homeowner chooses to do nothing. Tracey Galowitz stated that every real estate transfer involves looking to see if a home is in the floodplain and whether flood insurance is required. She provided additional details on liability. She stated that the role of the District is to identify the issue and ways it could be solved, but not to solve the issue itself. Tina Carstens stated that following the discussions they could send a follow up letter to summarize the information that was shared and the outcome of the meeting.

Tracey Galowitz provided an example in the past where the District suggested that a wall be constructed to mitigate flood risk, but the property owner chose not to do so because it would impact their view of the water.

President Swope asked if these properties are considered to be in a floodplain and whether the District definition is the same as FEMA. Tracey Galowitz commented that she was unsure and explained the search that is done by a title company. Brandon Barnes commented that not all the properties identified as flood prone by the District are shown on the FEMA floodplain map. He commented that the District modeling was shared with the MNDNR for the purposes of updating the flood maps, but because FEMA guidelines determine which areas of inundation are shown on the FEMA maps, not everything shared will show up on the FEMA flood maps.

Tracey Galowitz commented that some of these conversations will be difficult as this information would then be known by the homeowners and there could be liability if they were to sell the property without disclosing the information.

Manager Ward stated that she likes the suggestion of a follow up letter to have that documentation recorded. Tina Carstens stated that staff can work on a template for that. She noted that they will also receive input from the different cities as to what they would want in the letter.

B. Lake Emily Targeted Retrofit Projects

Brandon Barnes provided background information noting that these would be 30 percent design documents and noted that they would recommend to proceed with the underground chamber option as it would provide a more efficient option at a lower cost per pound of phosphorus removal. He stated that if authorized by the Board, staff would prepare plans to 75 percent design at which time input would be gained from the city and Board. He stated that they would anticipate to bid the project in April, should it move forward, with construction completed in 2023.

C. Double Driveway Pond and Fish Creek Improvements Scope Summary

Brandon Barnes stated that this scope summary looks for additional improvements to the pond and creek tributary to the pond, at the time of the required sediment removal, or following that sediment removal. He stated that if an EAW were required that would extend the project schedule.

Manager Eisele asked if these changes would reduce the amount of dredging needed in the future, as he noticed that dredging has occurred in the past. Brandon Barnes replied that would be the driver for the bank stabilization as that could help to prevent the sediment from loading into the pond.

Tina Carstens stated that the funds have been allocated for this but typically the Board still provides approval to move forward, and it was noted that this could also come back to the Board on the 18th for action.

11. ADMINISTRATOR'S REPORT (1:35:28)

A. Meetings Attended

No comments.

B. Upcoming Meetings and Dates

Tina Carstens noted that she updated the calendar with meeting dates. She also noted personnel changes at Metro MAWD.

12. PROJECT AND PROGRAM STATUS REPORTS (1:38:21)

Project Feasibility Studies

- 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. South Metro Mississippi River TSS TMDL

Research Projects

- K. Kohlman Permeable Weir Test System
- L. Shallow Lake Aeration Study

Capital Improvements

- M. Target Store Stormwater Retrofit Projects
- N. Targeted Retrofit Projects
- O. Stewardship Grant Program Support
- P. Lake Emily Subwatershed Regional BMP
- Q. Pioneer Park Stormwater Reuse

CIP Project Repair and Maintenance

- R. Beltline and Battle Creek Inspection
- S. 2023 CIP Maintenance and Repair Project

Program Updates

- T. Natural Resources Program
- U. Public Involvement and Education Program
- V. Communications Program and Website
- W. Citizen Advisory Committee Program

Manager Eisele asked if any of the concepts discussed for County Ditch 17 could have an impact on Item C. Brandon Barnes stated that project looks at the sizing of ponds to provide storage within Goodrich to not increase flows into County Ditch 17. He confirmed that those staff teams have worked in coordination as both studies progress.

Manager Eisele referenced Item G, noting that one of the options could be land acquisition. He asked if those considerations are being integrated into the land acquisition policy that is being created. Tina Carstens commented that there are different reasons for acquisition that could lead to different paths that are taken. She stated that flood risk could have different criteria than natural habitat preservation.

Manager Eisele referenced Item M and asked if those were meant to be shared with the Board. Paige Ahlborg stated that staff has not seen that information as of yet and noted that she will meet with Barr Engineering next week. Tina Carstens commented that should state shared with staff rather than shared with the Board.

President Swope commented that he enjoyed the memorandum from Bill Bartodziej and thanked him for sharing. Bill Bartodziej stated that he appreciated the opportunity to share the data and complete this type of project. He believed that the restoration would be a benefit to the watershed.

13. MANAGER COMMENTS AND NEXT MONTH'S MEETING (1:43:44)

A. Board Action Log

No comments.

President Swope stated that staff will prepare some actions to consider at the regular meeting on January 18, 2023 to wrap up the discussions tonight.

Tracey Galowitz asked if the minutes from this meeting would be available prior to the January 18, 2023 meeting as that would provide the discussion that was completed tonight that supports the actions that will be taken. Tina Carstens confirmed that the draft minutes will be available prior to that meeting.

14. ADJOURN

The meeting was adjourned at 8:15 p.m.