



**Ramsey-Washington Metro Watershed District  
Minutes of Regular Board Meeting  
January 3, 2024**

The Regular Meeting of January 3, 2024, 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/FAVI8abRHR4>. Video time stamps included after each agenda item in minutes.

**PRESENT:**

Val Eisele, President  
Matt Kramer, Treasurer  
Ben Karp, Secretary  
Mark Gernes, Manager

**ABSENT:**

Dr. Pam Skinner, Vice President

**ALSO PRESENT:**

Tina Carstens, District Administrator  
Nicole Maras, Permit Coordinator  
Tracey Galowitz, Attorney for District  
Dave Vlasin, Watershed Project Coordinator  
Mary Fitzgerald, District Inspector  
Brad Lindeman, Barr Engineering

Paige Ahlborg, Project Manager  
Kristin Seaman, City of Woodbury  
Eric Lund, Barr Engineering  
Lyndsey Flaten, Water Monitoring Technician  
Pat Williamson, Natural resources Specialist

**1. CALL TO ORDER**

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

**2. APPROVAL OF AGENDA (01:05)**

Motion: Manager Kramer moved, Manager Gernes seconded, to approve the agenda as presented. Motion carried unanimously.

**3. CONSENT AGENDA (01:20)**

- A. Approval of Minutes from December 13, 2023
- B. Treasurer's Report and Bill List
- C. Permit Program
  - i. 24-01 Pioneer Park Stormwater Reuse, Little Canada
  - ii. 24-02 Mister Car Wash, Maplewood
  - iii. 24-04 Reuter Walton Rice-Demont Apartments, Little Canada
  - iv. 24-06 Marly's Center for Early Education, Oakdale

Manager Gernes asked for more information on what type of wetland is involved in permit 24-01 Pioneer Park Stormwater Reuse and how the water fluctuations would affect that wetland.

Nicole Mara stated that she could look into the delineation report to get the exact type of wetland but thought it was a type 3 shallow marsh based on what she saw during her visit to the site. Nicole confirmed that the foot of bounce was approved by BWSR.

Manager Gernes asked if the wetland type could be added to permit applications in the future.

Nicole Maras stated that she could work on adding that information moving forward.

Motion: Manager Gernes moved, Manager Kramer seconded, to approve the consent agenda as presented. Motion carried unanimously.

#### **4. VISITOR COMMENTS (4:41)**

No comments.

#### **5. PERMIT PROGRAM (5:19)**

##### A. Applications

##### Permit #24-03 Woodbury Bielenberg-Currell SIP, Woodbury

Nicole Maras stated that this permit was not included on the consent agenda due to the variance request for a wetland buffer disturbance. Nicole provided information on why this variance request is included and stated that staff are recommending approval.

Manager Gernes asked if there were any stormwater collection points along the sloped trail that would discharge into the wetland.

Nicole Maras stated that there is not a collection point in this location but there is a filtration basin that's proposed to treat impervious area from the street and sidewalk. Nicole stated there is no space to add an additional basin without further disturbing the wetland buffer and that is why it was proposed to slope the sidewalk towards the vegetative buffer on the west side.

President Eisele stated that he appreciated the effort to slope the trail towards the road and that they did their best within the constraints of the location.

Nicole Maras stated that the rules prohibit a direct discharge of impervious without treatment and that is part of the reason for this solution.

President Eisele questioned if the road floods during heavy rain.

Kristen Seaman stated that she was not aware of any flooding of the road and confirmed the existence of an additional stormwater pond in the area. Kristen described the flow of water through the filtration basin into the stormwater pond. Kristen stated that there is plenty of storage and bounce capacity before water goes to the wetland.

Motion: Manger Kramer moved, Manager Gernes seconded to approve permit #24-03 with special provisions and variance. Motion carried unanimously.

##### Permit #24-05 3M Granada Soil Remediation, Oakdale

Nicole Maras provided information on the proposed permit and stated that it was not included in the consent agenda due to the request for variance for wetland and buffer disturbance. Nicole stated that this project involves cleaning

contaminated soil from a wetland so avoidance is not feasible. Nicole stated that there was a small wetland not included on the map due to that wetland being deemed incidental. Nicole provided more information on the overall plan.

Manager Karp asked for more information on the replacement of wetland soils and if the method being used is a general best practice and questioned if compost materials were looked at.

Eric Lund stated that wetland ecologists were included on the design of what needed to be done to provide stability in the location as well as providing growth medium for vegetation establishment. Eric gave more information on the how the soils will be used to promote vegetation growth.

Manager Gernes asked for more information on precautions or actions that will be taken during the completion of the work during the winter. Manager Gernes questioned if grading will be difficult with frozen soil.

Eric Lund stated that winter construction was chosen to minimize the amount of liquid present during excavation and detailed how it helps keep nuisance conditions from spreading to nearby neighborhoods. Eric stated that restoring the grade will be challenging. Eric provided information on steps taken to mitigate problems with frozen soil.

Nicole Maras stated that it is standard practice to do wetland and pond cleanouts during the winter to minimize the disturbance to existing vegetation. Nicole stated that this site will be inspected throughout construction and stated that any concerns about the prepping of the site would be addressed prior to seeding.

Manager Gernes asked if the seeding would happen in non-frozen conditions and asked if at that time adjustments could be made to any grading issues.

Eric Lund stated that it would be possible to fix and grading issues at that time and that maintenance and repairs would be made until permit conditions are met.

Nicole Maras stated that an escrow will be collected and that the permit would not be closed if the site is in a substandard condition.

President Eisele questioned if the permit and temporary buffer disturbance were only for the north part of the wetland. President Eisele asked if more contamination is found during the project if the permit could be expanded to other parts of the wetland.

Eric Lund stated the contaminated areas were chosen through multiple lines of evidence. Eric stated that the clean up plan is to remove as much as possible and stepping out if needed. The design was made to include all areas of suspected contamination but there is the possibility of needing to extend the area covered in the permit.

Motion: Manager Karp moved, Manager Gernes seconded, to approve permit #24-05 with special provisions and variance request.

#### B. Monthly Enforcement Report

During November, 10 notices were sent to address: install/maintain inlet protection (2), contain liquid/solid wastes (2), install/maintain construction entrance (1), stabilize exposed soils (1), sweep streets (2), repair erosion (1), remove discharged sediment (1), improve dewatering methods (1), and maintain temporary sediment basin (1).

Nicole Maras gave an overview of the enforcement report and an overview of the permitting work completed in 2023. Nicole also provided insight into the 2023 internship.

### C. 2023 Permit Program Summary

Nicole Maras provided information on what is provided in the 2023 permit program summary report. Nicole gave insight into the trends she observed based on the information in the report.

Manager Gernes stated that he noticed the number of violations were higher in 2023 than in previous years. Manager Gernes asked for more information on what may have caused this increase.

Nicole Maras stated that it seemed that there were more violations due to site maintenance not being completed but the sites were not considered non-compliant. Nicole stated that the lack of maintenance may be due to complacency with the lack of rain.

Mary Fitzgerald explained the strategy she uses when giving violations and how that has changed from previous years. Mary continued to explain that she also noticed complacency with not completing mundane action items. Mary stated that these violations were not enough to issue non-compliance and that the violations were issued to disrupt the complacency seen at the sites during periods without rain. Mary stated that the violations were not causing problems due to the lack of rain but wanted to make sure that if rain were to occur that there would not be off site impacts.

Manager Gernes stated that he saw a common issue was installing and maintaining perimeter control. Manager Gernes questioned if this was something that was more frequent in 2023 or if there are other specific violations that were up.

Nicole Maras stated that perimeter control and inlet protection are the most frequent violations due to the maintenance needed. Nicole reiterated that these things were not being done in a timely manner in 2023. Nicole stated the fifth most common violation a lack of onsite inspections, which is considered an admin task related to maintenance. Nicole stated that the site contractors are required to inspect their own sites weekly. Nicole continued to explain that when the same maintenance issues are seen over multiple permit inspections contractor inspection logs are requested to see why things are getting missed. Nicole stated this is a change from previous years.

Mary Fitzgerald reiterated that perimeter control is one of the most frequently seen violations. Mary stated that this could be due to the length of materials needing to be maintained. Mary explained some of the issues she has seen frequently when it comes to perimeter control, including silt fence slouching or biologs that are missing or needing replacement. Mary reiterated that the issues are not extreme and are due to a lack of maintenance.

President Eisele questioned if the lack of self-inspection can be attributed to a dry season and if there is a way to stress the importance of self-regulation in the future.

Nicole Maras stated that it is required by that state so it is not just a good faith effort. Nicole stated that they do not always have access to the personnel needed and tend to look more closely once repeat items are getting missed. Nicole provided information on how the self-inspection reports may differ from what is being seen on site. Nicole explained that the self-inspections need to be done by trained personnel. Nicole stated that the lack of maintenance observed caused an increase in requesting self-inspection reports which lead to finding deficiencies.

President Eisele asked if there are plans for permitting internships in the future.

Mary Fitzgerald stated there are plans for another BMP intern in 2024. Mary stated that there may be an opportunity for future interns to help with construction stormwater inspections to give the interns additional experience. Mary explained that this is being added based on feedback from the 2023 intern.

Nicole Maras stated that there will be some large complex projects in the upcoming year that will take a considerable amount of time to inspect, follow up, and report writing. Nicole explained that some of the smaller less difficult sites would be a good start for interns to inspect.

President Eisele expressed strong support of the internships.

## **6. STEWARDSHIP GRANT PROGRAM (34:21)**

### **A. Applications**

#### **24-01 CS Woodbury Central Park Heated Sidewalks**

Paige Ahlborg provided information on the proposed project and how it came to be. Paige stated that the permit was approved last month. Paige reviewed some of the questions that had been asked previously by the Board and reviewed the answers that were given by the City of Woodbury. Paige explained that the city is familiar with these systems, the operation and maintenance needs as they have used them in other locations. Paige explained the proposed cost of the project and that this is in a priority area so it is eligible for 100% coverage up to \$100,000 and added that the city would also be seeing a considerable cost for this project.

Kristen Seaman provided additional information on the city's use of this type of system at the city hall and how that has grown to expand to other areas. Kristen stated that the initial system is getting older but has been working well. Kristen explained that there were issues that were noticed that pushed them to expand the systems. Kristen stated that she appreciates the consideration and that she believes it is a good system for long term chloride reduction. Kristen explained that with the volume of traffic at this location it will also help to educate the public on smart salt use and alternative options available.

Manager Kramer stated that although he will vote yes, he will do so reluctantly. Manager Kramer stated that his reluctancy comes from the lack of metrics demonstrating return on investment for taxpayer dollars. Manager Kramer continued to explain that he strongly believes that larger investments should provide a measurable chloride reduction. Manager Kramer stated that he understands that this information is not available yet but, in the future, he would like information that quantifies return on investment. Manager Kramer suggested there should be a before and after to show the level of chloride reduction.

Tina Carstens stated that a way of measuring would be to get estimates from the city on what how much salt they've used in the past and by how much this will be reduced with the new system installed. Tina went on to state the impact on the lake will be incremental due to this being one parcel in a large subwatershed. Tina explained that it is a start and can be expanded to other areas. Tina explained that there are some measures of reduction in use based on smart salting trainings and explained what information cities use to estimate their reduced chloride use. Tina stated that this information could be found in the cities MS4 reporting for chloride use and a reduction would be seen there based on the changes. Tina continued to explain that the actual impact on the lake would not be measured through a monitoring program.

President Eisele agreed that he also would like to make sure there is a return on investment. President Eisele stated that he has seen claims of benefit from this type of system in other cities where it is in use and would be voting yes due to the benefits stated by those cities. President Eisele stated that he is also concerned about the return on investment from a watershed standpoint. President Eisele asked if a monitoring strategy would come forward as part of this project or if it is something that is in the works.

Tina Carstens explained there is not a monitoring strategy from a water quality monitoring standpoint but stated that a chloride reduction could be seen through the city's reporting.

Kristen Seaman stated that a program to measure the reduction is not currently developed but she likes the idea of having a way to know what the reduction is. Kristen stated that she can not speak to the specifics of the implementation of a monitoring program would look like without having more information. Kristen stated they would have to work through what that would look like with comparing milder winters with more severe winters.

President Eisele stated that the stewardship grant is improving impaired waters but there are a lot of secondary benefits which he is comfortable with but still questions the outcome. President Eisele stated that if this type of sidewalk

treatment has a good effect then a different conversation should be had in regards to funding allocation but at this time he remains skeptical.

Kristen Seaman explained that she appreciates the responses. Kristen explained that the public works department of Woodbury has been working to reduce their salt use and implement new techniques and technologies learned through training. Kristen stated that she believes that this is valuable to fund and build partnerships around, similar to what has been done with street sweeping and other successful BMP projects.

Manager Gernes questioned the phrasing in the overview that stated the design takes melt run off into account. Manager Gernes expressed concern that the melt run off could cause issues in other areas.

Kristen Seaman explained that with their previous experience at the city hall where melting was taking place the run off slip hazard moved and refroze which caused issues. Kristen stated when looking at this project they looked into where the melting run off will refreeze and that was taken into consideration when planning.

Manager Gernes wanted confirmation that they expanding the extent of the heating element instead of adding a slope or directing the water to a catch in non-tread area.

Kristen Seaman explained that the parking lots are a replacement project and not reconstruction so the grade will not be changed and there is not enough space to add catch basin and doing so would expand the scope of the project. Kristen stated that the eastern side of the lot will have reconstruction which will add geothermal and underground filtration basin as well as pervious pavers. Kristen reiterated that this project will help with chloride and improve safety.

Manager Karp stated that he agrees that we have to start somewhere and that he would like staff to look into how these projects are looked at in the future. Manager Karp proposed a phasing plan to take a site to a low or no salt facility as infrastructure is updated.

Tina Carstens agreed that it would be useful to look holistically at the entire site and that implementing different phases as improvements are made.

President Eisele stated that he appreciates the effort to implement multiple techniques to reduce chloride and gathering data to see the reduction happening from the combined efforts.

Tina Carstens stated that data can be pulled from MS4 reporting and seasonal reporting can also be looked into to see the impact of the projects have on salt use reduction.

Motion: Manager Gernes moved, Manager Kramer seconded, to grant approve application 24-01 CS. Motion carried unanimously.

B. Budget Status Update

Paige Ahlborg gave an overview of the budget status.

**7. ACTION ITEMS (53:47) - None**

**8. ATTORNEY REPORT (53:55)**

Tracy Galowitz reviewed items being worked on including reviewing contractor documents, reviewing an agreement for Arlington Pond, and reviewing Fitzgerald Excavating CIP documents. Tracy stated that there is a more serious concern with the Halo development permit. Tracy stated that the concern is that the person the permit was granted to is not the one performing the work. Tracy explained that she will be sending the documents for a transfer of the permit and that if they do not respond a cease and desist could be brought to the board next month.

President Eisele asked if the communication had been sent recently.

Tracy Galowitz stated that this has been ongoing since early November. Tracey stated that there has been minimal communication with the contractor and she has had trouble getting documents signed by the person taking over. Tracy stated that she feels they are not being transparent and that is why she is considering escalating the situation.

Nicole Maras provided some additional background on the situation and how it relates to the permit.

President Eisele requested clarification on who the contractor is and the information he has seen in regards to other issues that the contractor has been reported to have.

Tracey stated she would not be able to comment on that as she didn't have that information.

Manager Karp asked if there are additional activities taking place that were not permitted.

Nicole Maras stated that the project has not changed but confirmed that since this is a residential development with multiple lots there could be additional builders on the site. Nicole stated the District would need to be able to enforce erosion and sediment control and the builders would need separate permits if the developer did not want to take the responsibility for the builder's work. Nicole stated that since only the developer is listed on the permit getting responses on the enforcement reports has been difficult. Nicole stated that there is more clarification needed from the developer for who is responsible for different aspects of the project and the remaining work that needs to be done.

President Eisele asked what would prevent a cease and desist order right away instead of waiting until the beginning of February.

Tracey Galowitz stated that the February date is given due to the cost of litigation, making sure the Board is comfortable with the enforcement as well as giving the developer a last opportunity to provide transparency and sign the documents. Tracey explains the cease and desist does have tight timelines and once the process is started it is hard to turn back.

President Eisele agreed with using diplomacy but given the issues a cease and desist may need to be done.

Tina Carstens stated that the violations have been mostly minor maintenance issues.

Mary Fitzgerald confirmed that the mass grading is completed and the site has been stabilized and that the noncompliance comes from lack of inspection records, lack of having a certified inspector on site as well as minor maintenance issues. Mary stated that the site is well contained and that the future filtration basin is also being used as a temporary filtration basin so any runoff is going directly to that.

Tracey Galowitz stated that if something does go wrong immediate action will be needed and she will keep pursuing the cease and desist so that the District can be aggressive if needed.

Tina Carstens stated that with Spring around the corner the District does not want to be stuck in a position where larger issues arise.

President Eisele agreed that this is the right course of action.

## **9. BOARD DISCUSSION TOPICS (1:03:19)**

### Lake Shoreline Conditions

President Eisele gave an overview of a paper written in July 2023 that was discussed at the Minnesota Watershed conference. President Eisele explained the paper was written about the correlation of shoreline health and water

quality. President Eisele wanted to discuss potential directives to give to staff in regards to the information learned from this paper.

Manager Gernes agreed that looking into the condition of the shoreline would be worth considering.

President Eisele discussed how this could be incorporated into the upcoming watershed management plan update.

Tina Carstens explained that shoreline assessments have been done and that this information can be put together so that the board can see what the current state of the shorelines within the District.

Manager Karp agreed that this would be good information to see and discussed how having an urban area may impact the amount of water running through shorelines versus stormwater conveyance systems.

Tina Carstens stated that the District would look into quantifying how shoreline restoration contributes to a healthy ecosystem.

The board submitted a formal request for staff to gather more information.

Tina Carstens stated that staff will work on getting this information together to share with the board.

Manager Gernes discussed the opportunities to look into pervious surfaces for parking lots as well as reducing parking spaces for new projects. Manager Gernes stated that funds have been used for retrofit projects to update parking lots and questioned if it would be worthwhile to find new ways to implement these options.

Tina Carstens stated that both are looked at through the targeted retrofit program as well as the stewardship grant program. Tina continued to explain that impervious surface reduction has always been a component of those programs.

Paige Ahlborg agreed that the District is always trying to promote a decrease in impervious surfaces. Paige Highlighted prior projects where this work has been done.

Nicole Maras stated that incentivizing impervious surface reduction has been something discussed in regards to permitting and that it could be something that is looked into with future rule changes.

Manager Gernes reiterated that he is thinking this should be something looked into as new construction is happening.

Tina Carstens stated that a lot of the projects the District works on are improvements or renovations of existing development. Tina agreed that in the cases of new development this would be a good strategy to look into.

Manager Karp asked to have more information provided on how the District could provide incentives and how that would work with city codes.

The board requested to have information presented on reducing parking spaces and impervious surfaces and how it can be implemented in future projects and how incentives can be applied.

Tina Carstens confirmed that data could be compiled for the Board to discuss.

## **10. NEW REPORTS AND/OR PRESENTATIONS (1:19:48)**

### **A. Approach to Cost Estimating on RWMWD Projects**

Brad Lindeman gave an overview of the process that is used when estimating the cost of District projects.



President Eisele questioned if there could be opportunities lost by over estimating and how that relates to the budget planning.

Brad Lindaman stated that he did not believe that the current process causes any limitations.

Tina Carstens confirmed that the current budgeting process has been able to cover all of the programs effectively. Tina continued to give more detail on how the cost estimates are used in budgeting. Tina explained that the current process does provide opportunity and that left-over funds are carried over which helps with the levy. Tina provided more information on how emergency projects like the belt line repair can be covered based on the current process.

Manager Gernes stated that he understands that low bids are going to happen occasionally and he does not see a need to account for low bids with future projects.

President Eisele questioned what the strategy is when a low bid is received and there are additional funds leftover. President Eisele asked if the left-over funds from a low bid can be reallocated to other projects.

Tina Carstens confirmed that reallocating the funds can be done and provided information on how that is currently processed.

Manager Karp stated that he would feel more comfortable with the left-over funds being discussed during the beginning and end of year budget discussions and that moving money around to allocate to new projects mid-year may cause issues when unplanned projects arise. Manager Karp stated that he is comfortable with the current process.

## **11. ADMINISTRATOR'S REPORT (1:33:50)**

### A. Meetings Attended

No comments.

### B. Upcoming Meetings and Dates

Tina Carstens reviewed the upcoming meetings and dates.

### C. Board Action Log and Updates

No comments.

### D. Minnesota Watersheds Updates

No comments.

## **12. PROJECT AND PROGRAM STATUS REPORTS (1:36:32)**

### *Project Feasibility Studies*

- A. Kohlman Creek Flood Risk Feasibility Study
- B. Improvements to Phalen Village
- C. Ames Lake Area Flood Risk Reduction Planning Study
- D. Resiliency Study for Non-Beltline Tributary Areas
- E. Owasso Basin/North Start Estates Improvements

President Eisele asked if there is any feedback from St. Paul Water as to what is going on with this project.

Brad Lindeman explained that there was not support given when looking at using St. Paul Water's property. Brad stated that the District can continue to offer ideas and explain how it would impact their conduits that run through the property. Brad continued to explain that St. Paul Water is uncertain of the process and time it would take for them to review the proposed project. Brad went on to provide more information on what has been discussed with North Star Estates in regards to them hiring their own engineer.

President Eisele questioned what is causing the current delays.

Brad Lindeman stated that he feels the parties involved are being cautious of the situation and the potential impact the project would have but he does not see it as being a permanent road block.

Dave Vlasin stated that he believes all parties involved are doing their due diligence and he believes the project will be completed once they have reviewed all of the information.

President Eisele stated that he sees there will be a lot of benefit gained from this project.

F. Street Sweeping

*Research Projects*

G. Kohlman Lake Aquatic Plants Management Effects Study

H. Shallow Lake Aeration Study

*Project Operations*

I. Lake Level Station Maintenance and Rain Gauge Installation

*Capital Improvements*

J. Woodbury Target Store Stormwater Retrofit Project

K. Roosevelt Homes

L. Stewardship Grant Program

M. Arbogast Stormwater Filtration BMP

Brad Lindeman provided more information on the non-compliance based on the specifications of the concrete samples. Brad provided more information on the typical testing procedures and what differed during this round of testing and explained that there is a meeting scheduled with the contractor. Brad stated that Barr is not concerned about the overall strength of the structure. Brad provided more information on the testing results and stated that because the testing shows 97% to 98% compliance that the remaining percentage should be withheld from the total fee based on the non-compliance with the spec.

President Eisele asked if that would be brought to the board as a formal motion.

Brad Lindeman stated that it would most likely be brought back as a change order.

N. Pioneer Park Stormwater Reuse

O. Fish Creek Tributary Improvements

P. County Road C Culvert Project

*CIP Project Repair and Maintenance*

Q. Routine CIP Inspections and Unplanned Maintenance Identification

R. Beltline Mississippi Branch Outfall Replacement Project

S. 2024 CIP Maintenance and Repairs Project

*Program Updates*

T. Natural Resources Program

U. Public Involvement and Education Program

V. Communications and Outreach Program

**13. MANAGER COMMENTS AND NEXT MONTH'S MEETING (1:50:44)**

No additional comments.

**14. ADJOURN**

Motion: Manager Skinner moved, Manager Gernes seconded, to adjourn the meeting at 8:21 p.m. Motion carried unanimously.