



**Ramsey-Washington Metro Watershed District
Minutes of Regular Board Meeting
January 8, 2024**

The Regular Meeting of January 8, 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/ab8JQEAWvQo>. Video time stamps are included after each agenda item in minutes.

PRESENT:

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

ABSENT:

ALSO PRESENT:

Staff:

Tina Carstens, District Administrator
Paige Ahlborg, Assistant Administrator
Nicole Maras, Regulatory Program Manager
Eric Korte, Monitoring Program Manager
Paul Erdmann, Natural Resources Program Manager
Mary Fitzgerald, Regulatory Specialist
Kendra Kloth, Regulatory Technician

Consultants:

Tracey Galowitz, Attorney for District
Brandon Barnes, Barr Engineering

Visitors:

Robbie Latta, Civil Site Group
Glen Olson, CAC

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA (0:14)

Motion: Manager Kramer moved, Manager Karp seconded, to approve the agenda.

Motion carried unanimously.

3. CONSENT AGENDA (0:29)

- A. Approval of Minutes from December 11, 2024
- B. Treasurer's Report and Bill List
- C. Permit Program
 - i. 25-01 Aragon Apartments, St. Paul
 - ii. 25-02 County Road D-Greenbrier Street to County Road D Circle

Manager Gernes asked for more information on the subsurface infiltration design for permit 25-01 Aragon Apartments, St. Paul.

Robbie Latta provided details of the planned design for the subsurface infiltration basin.

President Eisele asked for clarification on the wording 'The applicant is proposing to exceed the linear cost cap for stormwater treatment at the rate applicable to the time of the application, and overall rate requirements for the project are met.' in the application for permit 25-02 County Road D-Greenbrier Street to County Road D Circle.

Nicole Maras explained that the permit had originally been applied for and had a round of review in July of 2023. Nicole stated that comments were provided at that time, noting that the project was well into the design phase. Nicole stated that there had been a delay since the staff last heard from Ramsey County in regard to this project. Nicole explained that when revisions were brought back for review, old calculations had been used. Nicole explained that five months after the permit had been applied for the linear cost cap had been increased. Nicole stated that the phrasing acknowledges that the project had been budgeted for and was into the design phase prior to the linear cost cap increase and that this project would not be required to meet the increased linear cost cap.

Motion: Manager Kramer moved, Manager Karp seconded to approve the consent agenda.

Motion carried unanimously.

4. VISITOR COMMENTS (08:21)

No comments.

5. PERMIT PROGRAM (08:29)

A. Applications – None

B. Permit Program Monthly Memorandum

No comments.

C. 2024 Program Summary Presentation and Discussion

Nicole Maras provided an overview of the 2024 permit program summary. Nicole stated that the previous year's numbers were also included in the memorandum to provide context and identify trends. Nicole went on to review the summary, highlighting the sharp increase in permit applications and completed construction site inspections. Nicole provided more details of the permit program summary, noting an observable increase in the percentage of non-compliant inspections. Nicole stated that the non-compliance in inspections reflected a trend of poor maintenance, with more violations for lack of self-inspection. Nicole provided details of the rules for self-inspection. Nicole stated that there had also been an increase in staff completed inspections noting that it had been the most inspections completed in a field season. Nicole provided general updates on other aspects of the program, including the linear cost cap increase and stormwater impact fund as well as adding an additional permanent staff member.

Manager Gernes questioned if the increase in projects was the cause for the higher numbers or if there had been more efficiency in managing projects due to the additional staff.

Nicole Maras explained that the number of sites stayed relatively similar to previous years but the increase in staff helped in increasing the numbers of inspections completed per site. Nicole stated that there were external factors at play that contribute to such a large amount of activity over previous years.

President Eisele questioned if most violations start off as a verbal warning and questioned if the numbers in the summary showed verbal warnings that had been repaired.

Nicole Maras explained that normal maintenance items will be included on inspections reports as under review. Nicole stated that verbal warnings most often occur when issues are seen in passing, not during an inspection. Nicole stated that verbal warnings can also come from received complaints.

President Eisele stated that he appreciated the quality of inspections that were occurring.

i. Closed Permit BMP Discussion

Nicole Maras provided an introduction to the Regulatory Team Closed Permit BMP Maintenance Program presentation. Nicole stated that the presentation was brought about after questions regarding closed permit BMP inspections, maintenance agreements and similar topics had arisen at the October 2024 meeting. Nicole stated that the presentation will provide a road map of where the program is at now, what barriers are seen for closed permit BMP inspections as well as the future direction the program.

Mary Fitzgerald began the presentation by providing details of the current closed permit BMP program. Mary explained what a closed permit BMP is and provided a timeline for BMP inspections. Mary noted that some of the sites go back to the 1990s, with over 2,022 closed BMP sites to be inspected. Mary continued on to review the closed BMP inspections trends from 2020 to 2024.

Kendra Kloth continued the presentation discussing some of the barriers to completing the BMP inspections and having effective communication with entities that maintain the BMPs. Kendra explained that some of the barriers included prioritization of active construction over closed permit inspections. Kendra explained that this was due to active monitoring needed for active construction. Kendra went on to discuss other constraints which include staff time and communication breakdown with entities required to maintain facilities.

Mary Fitzgerald went on to discuss the constraints of closed BMP inspecting, noting that it would be difficult to inspect all the closed BMPs on an annual basis. Mary stated that one goal would be to consistently reach out with reminders to permit holders whose permit had closed in the last several years with consistent reminders of what needs to be done.

Nicole Maras went on to provide details of maintenance agreements, noting that they are required for all private developments. Nicole noted that the maintenance agreements allow staff to enter a property to inspect the infrastructure as well as complete required maintenance work that had not been done with the ability to bill the property owner for the work. Nicole continued on to discuss operation and maintenance plans, noting that they are required during the permit review process and are developed by the engineer designing the facilities. Nicole stated that the operation and maintenance plans are a site-specific document. Nicole provided more details on the role operation and maintenance plans play in inspections as well as informing property owners of maintenance requirements. Nicole provided more details of the maintenance agreements, noting that they are signed and notarized with the intent that it is recorded against the property. Nicole stated that there has been a discussion about requiring proof of the recording.

Manager Wang requested more information on the requirement to prove recording and asked what security that would give that isn't currently had.

Nicole Maras provided more details on what proof of recording would accomplish as well as some of the constraints of implementing proof of recording.

Manager Kramer stated that the amount of time it can take to process those types of recordings with cities or counties may also be a constraint.

Tracey Galowitz provided details on the property recordings, noting that it is important if an owner in the future would be obligated to complete the maintenance. Tracey provided more details on the importance of recording the agreement.

Tina Carstens stated that there was a high percentage of functioning BMPs, noting that there had not been any egregious noncompliance reported. Tina stated that if staff did need to go to a landowner with a maintenance requirement the agreement would make it possible for staff to access the site as well as perform maintenance if needed.

Manager Kramer stated that he felt that requiring proof of recording solves a problem that didn't need to be solved. Manager Kramer noted that all the legal remedies to do what is needed when it comes to property owners who use public funds whether there is proof of recording or not.

Tracy Galowitz stated that recording the agreement against the property makes it known to everyone who owns that property what is required. Tracey provided more details on the recording process and why it may be important to do so.

Nicole Maras stated that recording before a permit is issued would be challenging but it may be something that could be completed before escrow funds are returned. Nicole provided information on what other watershed districts require for recording.

President Eisele agreed that if it could be done in a way that does not slow down the permit process it would be worth figuring it out.

Mary Fitzgerald went on to discuss the BMP inspection program noting that RWMWD is a leader in closed permit BMP inspections. Mary provided details of BMP presentations that had been given at different workshops and conferences and noted discussions had with metro regulators.

Kendra Kloth continued the presentation by discussing future program goals. Kendra stated that the goals included a robust closed permit BMP system. Kendra reviewed the future goals for enforcement frequency, accountability of owners, annual inspection submittals and coordination with cities. Kendra provided details on how staff intend to achieve the goals outlined in the presentation.

Manager Gernes questioned if it would make sense to have below-ground BMP inspections occur more frequently than the suggested 5-7 years.

Nicole Maras stated that more frequent inspections were something that could be investigated. Nicole stated that the reasoning for the less frequent below-ground BMP inspections was partially due to having recently completed inspections for all below-ground BMPs showing a high percentage of functioning at the time of the inspections. Nicole stated that engineering assistants were also involved in the below-ground BMP inspections, noting there would be a different scheduling coordination and budget than there would be with the above-ground BMP inspections.

President Eisele stated he was appreciative of the discussion and information provided in the presentation.

6. STEWARDSHIP GRANT PROGRAM (1:19:43)

A. Applications – None.

B. Budget Status Update

Paige Ahlborg provided an overview of the stewardship grant budget.

7. ACTION ITEMS - NONE

8. ATTORNEY REPORT (1:20:26)

Tracey Galowitz provided details of the work the attorney's office completed over the last month. This included reviewing contract documents from Fitzgerald Excavating, memorandums of understanding that discussed working with cities on their pond clean outs as well as access agreements for the Fish Creek project. Tracey also provided an update on the Fish Creek easements.

9. BOARD DISCUSSION TOPICS (1:21:28)

President Eisele provided an update on gathering and compiling Manager notes from the Minnesota Watershed Conference and discussed the upcoming Minnesota Watersheds Legislative event.

Tina Carstens provided details of the upcoming Minnesota Watershed Legislative event.

Manager Wang suggested having CAC members and MN Water Stewards attend the second day of the event.

10. NEW REPORTS AND/OR PRESENTATIONS (1:26:46)

A. RWMWD Stormwater Model Update Scope Summary

President Eisele questioned if there are other key areas that may need to be prioritized or if the three locations mentioned in the scope summary had been chosen for a particular reason.

Brandon Barnes provided details on the locations included in the scope summary and explained why those locations were chosen.

11. ADMINISTRATOR'S REPORT (1:32:16)

A. Meetings Attended

No comments

B. Upcoming Meetings and Dates

No comments.

C. Staff Anniversaries

No comments.

D. Board Action Log

No comments.

E. Minnesota Watersheds Updates

No comments.

12. PROJECT AND PROGRAM STATUS REPORTS (1:33:36)

Project Feasibility Studies

A. Street Sweeping

B. Watershed Approach to Retrofit Projects

C. Ames Lake Area Flood Risk Reduction Planning

D. Maplewood Mall 2024 Assessment

Watershed Management Plan Update

E. Stakeholder Engagement

F. Watershed Management Plan Update Scoping

Project Operations

G. Lake Phalen/Keller Creek and Twin Lake Operations Support and Communications

H. Lake-Level Station Maintenance and Rain Gauge Installation

President Eisele asked if it made sense to share how the data collected is used with residents. President Eisele stated that showing the importance of data collection and how that data is used in decision-making could help with people's understanding of the equipment they see.

Capital Improvements

I. Woodbury Target Store Stormwater Retrofits

J. Roosevelt Homes

K. Targeted Retrofit Projects 2024

- L. Stewardship Grant Program
- M. Pioneer Park Stormwater Reuse
- N. Fish Creek Tributary Improvements
- O. Cottage Place Wetland Restoration

Manager Wang questioned if there had been a lot of residence feedback due to the drastic changes after tree removal.

Paige Ahlborg stated that a lot of feedback had been received initially. Paige explained that overall, people had been supportive. After another mailing and an update to the website acknowledging the change while reminding people of the intent and purpose of the work being done, the number of calls had decreased.

- P. County Road C Culvert Replacement
- Q. Kohlman Creek Flood Risk Reduction Projects Final Design
- R. Kohlman Lake Alum Treatment

CIP Project Repair and Maintenance

- S. Routine CIP Inspection and Unplanned Maintenance Identification
- T. 2025 CIP Maintenance and Repairs
- U. Beltline and Battle Creek Storm Sewer Five-Year Inspections and Beltline Detailed Survey
- V. Beltline Mississippi Branch Outfall Replacement Project

Program Updates

- W. Natural Resources Program
- X. Communications and Engagement Program
- Y. Citizen Advisory Committee

13. MANAGER COMMENTS AND NEXT MONTH'S MEETING (1:49:58)

President Eisele reiterated the importance of attending the Legislative event.

14. ADJOURN

Motion: Manager Wang moved, Manager Gernes seconded, to adjourn the meeting at 8:22 p.m. Motion carried unanimously.