



APPROVED

RCWD BOARD OF MANAGERS WORKSHOP

Monday, October 9, 2023

Rice Creek Watershed District Conference Room
4325 Pheasant Ridge Drive NE, Suite 611, Blaine, Minnesota

And

Meeting also conducted by alternative means
(teleconference or video-teleconference) from remote location

The Board convened the workshop at 9:03 a.m.

Attendance: Board members Mike Bradley, John Waller, Jess Robertson, Marcie Weinandt, Steve Wagamon

Absent:

Staff: Administrator Nick Tomczik, Public Drainage Inspector Tom Schmidt, Technical Field Assistant Abel Green, Public Drainage Inspector Ashlee Ricci, Communication & Outreach Coordinator Kendra Sommerfeld (video-conference), Permit Coordinator/Wetland Specialist Patrick Hughes, Office Manager Theresa Stasica

Consultants: District Engineer Chris Otterness-Houston Engineering, Inc., District Engineer Adam Nies (video conference)-Houston Engineering, Inc., Attorney John Kolb-Rinke Noonan

Visitors: Council Member Janet Hegland, City of Columbus; Mayor Jesse Preiner, City of Columbus; Administrator Elizabeth Mursko, City of Columbus, Perry Wagamon; City Engineer Kevin Bittner, City of Columbus

Communication – Manager Wagamon

Manager Wagamon stated he was made aware of a communication from DNR to RCWD that was shared by the City of Columbus, yet the Board was not given it and was unable to respond to the City and landowners' questions. He stated that he thinks anything of substance should be given to the Board before the public knows, so that the Board can answer questions. Administrator Tomczik responded that the Board's direction to staff was to engage DNR and come back to the Board with a position. At the time of the DNR communication, the DNR's communication did not address the District's inquiry and a position was not available; and further added that staff are available to speak with Board members or the public regarding any questions. Manager Waller stated the Board will discuss this more at their next workshop.

Anoka County Ditch (ACD) 10-22-32 Alternative 4 Feasibility

Staff gave a brief overview of the District's work to date on ACD 10-22-32 north of Pine Street. Staff and consultants updated the Board on their progress with the Board's June 14, 2023 motion for staff to develop maintenance Alternative #4[(As Constructed Subsequently Improved Condition (ACSIC) Option] for ACD 10-22-32 north of Pine Street by: Identifying and quantifying regulatory requirements; Assessing the feasibility of the proposed alternative in light of the

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BOARD OF
MANAGERS

Jess Robertson
Anoka County

Steven P. Wagamon
Anoka County

Michael J. Bradley
Ramsey County

Marcie Weinandt
Ramsey County

John J. Waller
Washington County

regulatory requirements; and engaging with municipal partners, DNR, and other regulatory land use and road authorities as necessary to evaluate the feasibility of maintenance Alternative #4.

Manager Bradley requested that staff be assertive to the DNR on RCWD's position on likely extent of impacts resulting from Alternative #4.

City Administrator Mursko asked if there was an entitlement to drainage since the date of the ditch precedes the Wetland Conservation Act. Attorney Kolb explained the historical background of the Wetland Conservation Act (WCA) and Public Waters law, noting that there are exemptions in WCA for some, but not all, repairs, but DNR's Public Waters administration has taken a different approach. Attorney Kolb further clarified that the Public Waters law is the controlling regulation at the 137th and Jodrell culverts.

Manager Wagamon stated that Jodrell is backing up all the water and it's not just on one landowner. Manager Wagamon further added that he feels that none of these solutions address the original flooding concern that was brought to him and Coon Creek caused the problem by installing Jodrell.

City Engineer Bittner stated that it seemed the DNR's September 11th response didn't address Jodrell as a controlling culvert and asked if there would be more flexibility for lowering it. Engineer Otterness clarified that the public water basin is divided by Jodrell Street and currently the DNR has focused on the lowering of 137th Ave which will impact the western basin, because it would have to be lowered first to make any headway. Once 137th is lowered, then Jodrell St would be considered as the control for the eastern basin.

Mr. (Perry) Wagamon indicated that Alternative #4 does not address his concern, and rather that the cause of observed flooding is Jodrell Street, which acts like a dam.

The Board discussed staff's work to date and by majority consensus directed staff to continue with the Board's June 14, 2023 motion as planned.

Ramsey County Ditch (RCD) 4 Repair Charge Memo

District Engineer Nies provided a presentation on the charge memo and reviewed the Board's past practice of ad valorem vs. water management district collections. The Board will review and decide at the meeting on Wednesday November 8th.

2023 Minnesota Watersheds Resolutions – RCWD Voting Discussion

Communications and Outreach Specialist Sommerfeld informed the Board that MN Watersheds distributed its annual meeting materials which have been provided in workshop packet. The Board discussed MN Watersheds' proposed bylaw change, draft legislative platform, delegates, and the six proposed resolutions. The Board will take action on these items at their Wednesday meeting.

Administrator Updates

Administrator Tomczik updates:

- Regulatory compliance update, no response from Chris Stowe
- ACD 53-62 Main Trunk repair completed; meeting with City of Circle Pines scheduled to discuss its concerns on sediment basin maintenance
- RCWD letter recently sent to the City of Mahtomedi regarding District programs to assist in monitoring and improving the water quality of Lost Lake
- Washington County Commissioners WMO Budget workshop is on November 7th following their regular 9 a.m. meeting

The workshop was adjourned at 11:53 a.m.