ROLL CALL


Absent: None.

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Office Manager Theresa Stasica, Technical Specialist/Permit Reviewer Chris Buntjer.

Consultants: District Engineer Mark Deutschman Houston Engineering, Inc. (HEI); District Attorney Chuck Holtman from Smith Partners.

Visitors: Todd McLouth, Dan Smart

CALL TO ORDER

President Preiner called the meeting to order, a quorum being present, at 9:00 a.m.

SETTING OF THE AGENDA

District Administrator Belfiori added item 4 under items for discussion: Update on Army Corp of Engineers (COE) permitting on ACD 53-62 Branch 1, Lateral 1.

Motion by Manager Haake, seconded by Manager Ogata, to adopt the agenda as amended. Motion carried 5-0.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the May 12, 2014, Board of Managers Meeting Workshop Meeting. Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as presented. Motion carried 5-0.

Minutes of the May 14, 2014, Board of Managers Regular Meeting. Motion by Manager Wagamon, seconded by Manager Ogata, to approve the minutes as amended. Motion carried 5-0.

CONSENT AGENDA

The following applications have been reviewed by the District Engineer and Staff and will be acted upon without discussion in accordance with the Engineer’s Recommendation unless a Manager or the Applicant or another interested person requests opportunity for discussion:
Manager Haake noted both this permit and permit 14-040 were done in an area where the City did some funding and were of concern for the City. She asked for an update on these two permits. Technical Specialist/Permit Reviewer Chris Buntjer responded this permit is one where they were proposing to disturb approximately 14 acres. He noted they had purchased some additional land adjacent to their site and wanted to expand their facility. He indicated they would be adding gravel pads for their asphalt recycling on site and this would be additional areas for their stockpiles.

Manager Haake stated she had a concern with asphalt and the run off with the ponding. She indicated the City Council had a concern with what they have been doing on this site. Technical Specialist/Permit Reviewer Buntjer pointed out the parcels they were intending to develop. He noted the majority of the site would drain into Rush Lake and the existing site would continue to drain into Long Lake through some wetland and the Rice Creek. He indicated they were providing three different infiltration basins, which would provide treatment on the site.

Manager Haake asked when they were doing asphalt production and storing everything, was the RCWD responsible to check out what they were doing and where things were being stored, or was it the City’s responsibility. Technical Specialist/Permit Reviewer Buntjer stated they had an NPDES permit for the industrial stormwater with the Minnesota Pollution Control Agency so the Agency would be responsible for that.

Manager Haake asked if there were existing basins. Technical Specialist/Permit Reviewer Buntjer responded there was an existing vegetated swale for the area draining to Long Lake and they were not intending on adding additional impervious surface within the drainage area of Long Lake. He indicated all three of the infiltration basins being provided would flow into Rush Lake. He noted there was riprap overflows on those basins, but otherwise they had grassed areas between the basins and the lake. He believed Rush Lake was a tier 2 or 3 lake (Rush Lake has been confirmed to be a Tier IV lake).

Permit Coordinator/Wetland Specialist Tomczik noted they were handed out a new engineer’s report for the site prior to the meeting, which outlines the process the District uses in its review of sites of nearby contamination.

Manager Haake noted they used to have a Board Member here that was from White Bear Lake and there used to be a lot of people who would show up at the meeting because this was a tier 1 lake. She asked what they have done along the street reconstruction. Technical Specialist/Permit Reviewer Buntjer showed the streets being reconstructed. He noted the majority of the area would flow into White Bear Lake with a small portion receiving sewer and curb and gutter, which currently drains to the VLAEMO would also be flowing into White Bear Lake. He indicated there were five large underground infiltration systems, which the flow would go into. He noted there was not much right away and the streets were narrow and that was why they were going with the underground route.

Permit Coordinator/Wetland Specialist Tomczik noted this permit also had the use of stormwater credits with the District. Credits and debits were realized under the old rule being replaced with the opportunity in the current rule to
have a comprehensive plan. He noted the township still had a number of credits to be used. He indicated that under the District’s stormwater rule, the credits may be used anywhere within the township.

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<td>14-034</td>
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<td>Street &amp; Utility Const.</td>
<td>CAPROC 5 items</td>
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<td>Final Site Drainage</td>
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<td>Land Development</td>
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<td>14-040</td>
<td>City of New Brighton</td>
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<td>Street &amp; Utility Const</td>
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Manager Haake noted this permit also flowed into Rush Lake and asked for further explanation. She asked if Rush Lake was supposed to clean out everything. She noted this whole quadrant has a lot of developed areas. She asked what the overall plan was. Permit Coordinator/Wetland Specialist Tomczik responded that site had regional basins in place from the mass grading that took place previously so as each project came in for development, they would look to utilize those basins and if they were consistent with the requirements, they were welcome to do that.

Technical Specialist/Permit Reviewer Buntjer stated this would be an extension of Central Park Boulevard to the east side of Old B. It would be draining to existing ponds in the area before it went into Rush Lake.

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<td>14-045</td>
<td>Lightnet</td>
<td>Fridley</td>
<td>Fiber Optic Installation</td>
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District Administrator Belfiori stated he had had a conversation with President Preiner and asked if the Board would be willing to tweak the method for the Consent. He stated when the packet went out they could include the list of the consent items and then if a Manager had questions on certain permits they wanted to talk about those permits could be moved to the discussion area and staff would be ready for a more comprehensive review. He indicated this would allow Houston to also be prepared for any questions.

President Preiner stated this would also allow for the proper people to be present at the meeting for any questions.

Manager Haake recommended this be added to a workshop meeting for discussion. District Administrator Belfiori responded it could be added to a future workshop for discussion.

Manager Waller stated they had been working for years on back permits and what was the status of this. He asked if there had been any progress made. District Administrator Belfiori responded the inspecting staff right now was focusing on the site reviews and in the wintertime, they have made progress. He did not have specific numbers, but he anticipated staff would continue working on the back permits during the off construction season. He stated he would give a full update to the Board at a future workshop meeting. He stated it was a priority for staff when the in field workload was less in the winter months.
Motion by Manager Ogata, seconded by Manager Wagamon, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD staff and District Engineer's Findings and Recommendations, dated May 15, 16, 20, 21, 2014. Motion carried 5-0.

OPEN MIKE – LIMIT 12 MINUTES. Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

There were no comments made at Open Mike.

ITEMS REQUIRING BOARD ACTION
1. Consider Check Register dated 05/28/2014, in the amount of $306,444.80, prepared by HLB Tautges Redpath.

   Motion by Manager Wagamon, seconded by Manager Haake, to approve check register dated May 29, 2014 in the amount of $306,444.80, prepared by HLB Tautges Redpath. Motion carried 5-0.

ITEMS FOR DISCUSSION AND INFORMATION
1. Discussion and update on Targeted Watershed Demonstration project workplan (Kyle Axtell)

   District Administrator Belfiori stated on May 14, staff provided the Managers with a high-level summary of the work plan components for the project. Since that time, staff has worked to build out a final draft work plan timeline, and measurable goal statement as required by the Board of Water and Soil Resources (BWSR).

   He stated they had a very productive discussion at the City of New Brighton last night and they unanimously passed the resolution of intent. He indicated staff would be presenting at the City of Saint Anthony City Council meeting on June 10 and would be in attendance at Roseville on June 9. He anticipated on June 11 at the regular Board meeting they would have significant elements to discuss including the final draft workplan, which needed to be submitted by BWSR on June 13.

   Manager Waller asked under measurable goal statements if there would be some testing done and not just modeling so they knew about the phosphorus and once they quantified the problem, they had newer management programs that would improve the quality of water for phosphorus treatment so they could show the before and after. He asked how this would be accomplished. District Administrator Belfiori responded they would be doing that. He stated they have monitoring stations locations and from that information, they have a standard benchmark related to the historic related numbers as well as sediment information from the USGS so they had a good framework for where pollutants are at today. He stated they would be setting up budgets for the work moving forward so they can evaluate the success of the program based on future monitoring. He indicated they had initial estimates for the projects as to how much sediment and phosphorus will be taken out. He stated it would take a number of years to set up the statistically valid sampling size from the monitoring information collected. He indicated reports will be provided to the state and others with this information.

   Manager Waller noted this would not be based solely on models, but would be based on field data collected and analyzed over the years. District Administrator Belfiori responded that was correct. He indicated they had set rough estimates based on some modeling, but moving forward in future years they would have actual physical monitoring that would make the data more specific as they moved on.
2. Discussion regarding 8/27/14 Board of Water and Soil Resource (BWSR) Board tour and possible rescheduling of 8/27/14 RCWD Board meeting.

District Administrator Belfiori stated that the BWSR Board was planning a tour on August 27 and that the tour involved touring some RCWD District projects. He noted this tour would conflict with the existing 8/27 RCWD Board meeting. He indicated if this tour did occur, it would be necessary to rescheduled the 8/27 Board meeting so staff and the Managers could attend the tour.

Manager Haake stated she had attended the BWSR tours before and it was definitely something staff and managers should attend. She recommended the meeting be scheduled on the 25th or the 28th.

Manager Waller asked if the 27th was a firm date. District Administrator Belfiori responded that it was his understand that the date was firm, but the tour sites might change.

President Preiner stated the 26th would be a better date for her. Upon further discussion, the board reached consensus that staff should pursue the 26th to reschedule the board meeting. District Administrator Belfiori stated he would check to see if the 26th would work.

Manager Ogata asked if the Managers would do the morning tour and then reconvene in the afternoon.

Manager Haake stated she intended on staying all day as this was a bus tour.

District Administrator Belfiori stated he did not know if the bus would account for staff and Managers but he would check with BWSR.

3. Discussion on setting time/date and location for public hearing for the reestablishment and correction of drainage system record for Anoka-Ramsey Judicial Ditch

District Administrator Belfiori stated on May 20, 2014 the District held a public information meeting at the Mounts View Community Center regarding the As-Constructed and Subsequently Improved Condition of Anoka/Ramsey Judicial Ditch 1 (ARJD1). At the meeting, staff and consultants presented the history of the public drainage system, the Engineer’s determination of the As-Constructed and Subsequently Improved Condition (ACSIC), and the planned consequence of events leading to a repair to the public drainage system. After the presentation, staff and consultants met with attendees to discuss specific issues related to the alignment, profile, and function of the system. During these discussions, the attendees provided no comments regarding the ACSIC presented on the plan and profile drawings. He indicated there have been no modifications to the determined ACSIC, and the profiles included with the May 3, 2013 ARJD1 Historical Review are current and still valid. He asked if they wanted this at a regular board meeting or did they want it at the Mounds View location.

Manager Haake stated when they have done this before they have tried to do it at the locality. Manager Ogata responded in the past that was the case when there has been some controversy, but if there was no controversy, they did not hold it locally. He stated based on the tenor of the meeting, he did not believe it was necessary to have an evening meeting. Upon further discussion, the board reached consensus that the public hearing could be scheduled during an upcoming regular Board meeting.

District Administrator Belfiori stated staff would pick one of the July regular Board meeting dates and hold the public hearing at a regular Board meeting.
District Engineer Deutschman stated the goal for this system was to get this process to final board consideration of the as-constructed, but it would probably not go through a full repair report for the entire system.

4. Update on Army Corp of Engineers permitting on ACD 53-62 Branch 1, Lateral 1

District Administrator Belfiori stated they have recently received information from the Army Corp of Engineers (ACOE) that would seem to indicate that they would require the bank credits for the Brown’s Preserve be approved by the ACOE before any mitigation use could be utilized for ACD 53-62 Branch 1 repair project. He indicated this meant there was a potential for timing uncertainties for the construction of the realignment.

Permit Coordinator/Wetland Specialist Tomczik stated staff had prepared a draft Mitigation Banking Instrument (MBI) and one of the comments on the draft 53-62 application was the Brown’s Preserve was not a ACOE eligible wetland bank at this point. He stated they will offer to either use the Brown’s Preserve bank provided it was in place or they would buy the credits from a different bank, which would be an additional cost to the District. He indicated it might be $15,000 or more. He noted they were working with the ACOE on approval and working with Mr. Hair on his conservation easement.

President Preiner asked how many credits the $15,000 would be. Permit Coordinator/Wetland Specialist Tomczik responded it would be .23 acres.

District Engineer Deutschman stated this was an example of where things to him did not make common sense. The District is proposing to move the public ditch (open channel) that currently goes through the center of a wetland to avoid the impact associated with repair. He indicated repair of a public drainage system to the as built condition through the wetland is exempt from ACOE authorization, but because the District is moving the ditch, the much smaller wetland impact is no longer exempt and the District is being required to provide compensatory mitigation. He stated this exact same thing happened on Brown’s Preserve previously. He stated the District might want to consider drafting a letter to the ACOE asking them to provide some regulatory flexibility. He believed it was wise to look for the credits and purchase them.

Manager Ogata asked if they needed a Resolution. District Administrator Belfiori stated once they located the credits and if they needed a Resolution, staff would prepare a Resolution.

Manager Ogata recommended a letter be sent to the ACOE asking them why they were applying the rule this way.

Manager Waller noted they had a time schedule they had to adhere to and not be delayed by a letter. Manager Ogata agreed and stated it would be best to handle this as two separate issues. Upon further discussion, the board reached consensus that staff should draft this letter.

5. Staff Reports
There were no comments.

5. June Calendar
There were no comments.

6. Manager’s Update
There were no comments.
ADJOURNMENT

Motion by Manager Ogata, seconded by Manager Wagamon, to adjourn the meeting at 9:44 a.m. Motion carried 5-0.