RESOLUTION NO. 2018-17
RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS

APPROVING the LINO LAKES
COMPREHENSIVE STORMWATER MANAGEMENT PLAN

Manager Haake offered the following resolution and moved its adoption, seconded by Manager Wagaman:

WHEREAS an area of about 1,280 acres within the Cities of Lino Lakes and Hugo (the "drainage area") presently drains to Peltier Lake through Anoka County Ditch (ACD) 55 and Clearwater Creek, through ACD 72, and overland through natural drainage features.

WHEREAS ACD 55 and ACD 72 are clay tile systems constructed in the early 1900's to serve agricultural lands within the drainage area.

WHEREAS the lands within the drainage area have experienced development and the City of Lino Lakes ("City") wishes to accommodate additional development within this area; however, the capacities of the ACD 55 and ACD 72 systems are inadequate to manage stormwater and flood risk for the level of development that the City wishes to accommodate.

WHEREAS Peltier Lake and the additional lakes constituting the Anoka Chain of Lakes are classified as impaired waterbodies subject to a Total Maximum Daily Load and, further, the Anoka Chain of Lakes is limited for flood storage.

WHEREAS the City has proposed stormwater conveyance infrastructure to supplement and replace the two drainage systems and manage stormwater within the drainage area.

WHEREAS the proposed conveyance system includes stormwater collection and transport infrastructure; stormwater retention in regional basin; gate-controlled basin outlets to limit discharge when flood storage in the Chain of Lakes is limited; and an outlet structure at Peltier Lake.

WHEREAS under District Rule C - Stormwater Management Plans, subsection 5(f), the District may approve a municipal comprehensive stormwater management plan (CSMP) by which development within a defined area may meet the standard of Rule C.7 - Peak Stormwater Runoff Control through an alternative regulatory framework.

WHEREAS on January 8, 2014, the District Board of Managers ("Board") adopted Resolution No. 2014-02 establishing standards for CSMP approval including the following:

- The peak runoff standard must be met in aggregate within the defined subwatershed, with no adverse impacts downstream and/or upstream of individual project sites.
The CSMP must provide that best management practices used to meet the required peak control standards will be constructed and functional prior to, or concurrent with, the construction or reconstruction of impervious surface associated with a proposed project.

WHEREAS on September 23, 2015, the District Board adopted Resolution No. 2015-31 inviting the City to submit a CSMP for District review as a means to jointly manage stormwater and flood risk for the 100-year, 24-hour flood event, within the drainage area and regionally, in a proactive and cooperative way.

WHEREAS the City has submitted a draft final CSMP, dated March 16, 2018, pursuant to which development within the drainage area may comply with the 100-year, 24-hour event peak discharge standard of District Rule C.7 by meeting a discharge standard established by City ordinance and discharging to regional infrastructure constructed, maintained and operated by the City.

WHEREAS the proposed stormwater conveyance infrastructure is subject to District Rule I-Drainage Systems, and pursuant to Rule I.3(c) the City must demonstrate that it "will not adversely impact upstream and/or downstream water quality or quantity."

WHEREAS the District engineer has reviewed the City’s submitted CSMP and the technical work of the City engineer supporting the proposed design of the system conveyance and retention elements.

WHEREAS in a memorandum dated June 18, 2018, the District engineer has assessed the capacity of the proposed conveyance and retention system to meet the Rule I.3(c) “no adverse impact” criterion, which it has defined as the following:

- No damage to structures, buildings or infrastructure from an increase in flooding (increased water surface elevation, velocity or number of days of inundation);
- No property damage or increased maintenance cost from increased erosion, bank failure or accelerated sedimentation;
- No decrease in water quality from an increase in phosphorus or sediment load; and
- No permanent loss of flood storage volume within the Anoka Chain of Lakes during flood peak.

WHEREAS the CSMP defines the scope of expected development within the drainage area, and specifies design parameters to limit peak discharge from each regional basin and basin gate operation parameters in order to meet CSMP standards and the no adverse impact standard of Rule I.3(c).

WHEREAS the District engineer concludes that the CSMP conforms to District Rule C.5(f), and that the proposed stormwater infrastructure will meet the no adverse impact standard of Rule I.3(c), subject to the following terms:
Before submitting a permit application to the District, a developer must submit a proposal first to the City for review of completeness and CSMP compliance. The application must document that the land use and proposed impervious area are consistent with the CSMP, or must address compliance for any divergence.

The City will adopt, and the applicant must meet, a post-development discharge rate standard for the 100-year, 24-hour event of no more than 0.1 cubic feet per second per acre.

A permit applicant must meet all applicable terms of District Rules other than the 100-year peak discharge standard of Rule C.7, including but not limited to:

- Rule C.4(b) regarding modeling of soil compaction.
- District Rule C.6 - Water Quality. If infiltration is determined not feasible, with City permission a regional basin may be used for C.6 compliance, if it has been designed or modified to meet the design criteria of Rule C.9(d).
- Remaining Rule C.7 criteria for the two-year and 10-year, 24-hour events.
- Rules C.5(d) and C.7(b) criterion of no local adverse flood impact between site and regional facility where peak flow is controlled.
- Bounce and inundation standards of Rule C.8.
- Freeboard requirements of Rule C.9(g), with the elevation of the 10-day snowmelt with regional basin gate closed serving as the 100-year stormwater pond elevation for the purpose of freeboard assessment.

Regional ponds downstream from the proposed project must be in place or built concurrently with the development, and sized to accommodate full development of upstream contributing lands assumed under the CSMP.

WHEREAS the Board accepts the District engineer's memorandum and adopts the conclusions therein.

THEREFORE BE IT RESOLVED that the Lino Lakes CSMP is approved subject to the following terms:

1. The City may build, operate and maintain regional retention basins to manage the 100-year, 24-hour event for development within the drainage area. The conveyance and retention system will conform to the following parameters:

   a. Each basin outlet will be controlled by a gate that is operated in a manner that the District finds responds reliably and efficiently to Peltier Lake elevations in accordance with the standards of paragraph 1.b.

   b. Basin outlets will be controlled so that:
(i) When the elevation of Peltier Lake is above 886.2, there is no discharge to the lake; and

(ii) When the elevation of Peltier Lake is below 886.2, discharge to the lake does not exceed 0.1 cubic feet per second per each acre within the drainage area.

c. The basins will provide storage above the outlet (live storage) equal to the 100-year, 10-day snowmelt from the contributing area without overtopping.

2. Development within the drainage area will be deemed to comply with the 100-year, 24-hour peak flow standard if the District finds that there is, or within the permit period will be, a functional regional facility meeting the parameters of paragraph 1, above. A facility is functional when:

a. The City has documented that the facility has been constructed per approved plans, and the facility's as-built capacity;

b. The City's obligation to the District to operate and maintain the facility has been memorialized;

c. The City, by fee or easement, has the perpetual right to operate and maintain the facility; and

d. The facility is current on maintenance.

3. In addition, an application must:

a. Include City affirmation that the proposal conforms to the CSMP or addresses any divergence.

b. Demonstrate that the proposal meets a City ordinance limiting site peak discharge for the 100-year, 24-hour storm event to no more than 0.1 cubic feet per second per acre.

c. Demonstrate no adverse flood impact for the 100-year, 24-hour event upgradient from the regional facility.

4. An applicant independently must demonstrate compliance with all requirements of District Rule C other than the 100-year, 24-hour standard of Rule C.7. If the applicant demonstrates that infiltration is not feasible on-site, Rule C.6 requirements may be met through the use of a regional facility with City permission and provided the facility meets Rule C.9 design criteria.

5. The CSMP applies to impervious surface within the drainage area to a limit of 295.8 acres in the East subwatershed, 317.3 acres in the Central subwatershed,
and 56.8 acres in the Western subwatershed. The City will cooperate with the District to keep accurate accounts as to cumulative development and the use of capacity within regional facilities.

6. If District Rules should be revised to impose a stricter standard for the 100-year, 24-hour peak discharge or its equivalent, an applicant will be required to provide for the added degree of control. However, applicants will not be subject to any such added compliance obligation for applications submitted as complete within 10 years of the date of CSMP approval.

7. If a development within the drainage area proceeds in advance of a functional facility, or if it is designed so as not to drain to the City’s conveyance infrastructure, it must independently meet the 100-year, 24-hour standard of Rule C.7, and the associated no adverse impact standard of Rule C.5(d), including site peak discharge criteria developed by the District engineer for use of ACD 55 and ACD 72...

8. If development within the drainage area is designed so as not to drain to the City’s conveyance infrastructure, the acreage of the drainage area will be reduced accordingly for the purpose of future CSMP implementation.

9. The District as drainage authority will continue to maintain and exercise jurisdiction over ACD 55 and ACD 72. Any element of the City’s regional conveyance infrastructure work that alters or involves one of the public drainage systems will be reviewed under applicable provisions of the drainage code and District Rules. Each system will remain subject to partial or full abandonment, or transfer, pursuant to drainage code procedures.

10. Approval is effective on the City’s submittal of a final CSMP and written confirmation of the District Administrator that the CSMP conforms to the technical specifications on which the June 18, 2018 analysis of the District engineer is based.

The question was on the adoption of the Resolution and there were 5 yeas and 0 nays as follows:

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Upon vote, the Chair declared the Resolution passed. Dated: June 27, 2018

Michael Bradley, Secretary
I, Michael Bradley, Secretary of the Rice Creek Watershed District, do hereby certify that I
have compared the above resolution with the original thereof as the same appears of
record and on file with the District and find the same to be a true and correct transcript
thereof.

IN TESTIMONY WHEREOF, I hereunto set my hand this 27th day of June, 2018.

[Signature]

Michael Bradley, Secretary