



JULY						
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AUGUST						
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RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, July 12, 2023, 9:00 a.m.

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

or via Zoom Meeting:

<https://us06web.zoom.us/j/85817132874?pwd=c3VaUk1iS05aT0JwOTdQVzBQMW5Cdz09>

Meeting ID: 858 1713 2874

Passcode: 173220

Dial by your location +1 312 626 6799 US (Chicago)

Meeting ID: 858 1713 2874

Passcode: 173220

Agenda

CALL TO ORDER

ROLL CALL

SETTING OF THE AGENDA

APPROVAL OF MINUTES: JUNE 28, 2023 REGULAR MEETING

CONSENT AGENDA

The following items will be acted upon without discussion in accordance with the staff recommendation and associated documentation unless a Manager or another interested person requests opportunity for discussion:

Table of Contents-Permit Applications Requiring Board Action

No.	Applicant	Location	Plan Type	Recommendation
23-019	DIY-A Estates LLC	Columbus	Final Site Drainage Plan	CAPROC 7 items

It was moved by Manager _____ and seconded by Manager _____, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated July 3, 2023.

OPEN MIC/PUBLIC COMMENT

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.

ITEMS REQUIRING BOARD ACTION

1. Consider Draft Watershed Management Plan Amendment for Centerville Lake Internal Load Management Project (Matt Kocian)
2. Check Register Dated July 12, 2023, in the Amount of \$74,591.47 Prepared by Redpath and Company

ITEMS FOR DISCUSSION AND INFORMATION

1. Lennar/ACD55 Update Watermark letter sent 5/26/2023 (Terrence Chastan-Davis /Tom Schmidt)
2. MN Watersheds Requests for Resolutions Packet (Nick Tomczik)
3. District Engineer Update and Timeline
4. Administrator Updates
5. Manager's Update

APPROVAL OF MINUTES: JUNE 28, 2023 REGULAR MEETING

DRAFT

For Consideration of Approval at the July 12, 2023 Board Meeting.
Use these minutes only for reference until that time.

REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, June 28, 2023

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota
and

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

Minutes

CALL TO ORDER

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

ROLL CALL

Present: President Michael Bradley, 1st Vice-Pres. John Waller, 2nd Vice-Pres. Steve Wagamon,
Secretary Jess Robertson

Absent: Treasurer Marcie Weinandt (with prior notice)

Staff Present: District Administrator Nick Tomczik, Permit Coordinator/Wetland Specialist Patrick Hughes,
Watershed Technician/Inspector Ali Chalberg, Watershed Technician/Inspector Will Roach,
Technician/Water Resource Specialist Molly Nelson (video-conference), Communications
and Outreach Coordinator Kendra Sommerfeld (video-conference), Watershed
Technician/Water Resource Specialist Anna Grace (video-conference), and Office Manager
Theresa Stasica

Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI); District Attorney
Louis Smith from Smith Partners

Visitors: None

SETTING OF THE AGENDA

***Motion by Manager Bradley, seconded by Manager Wagamon, to approve the agenda as presented.
Motion carried 4-0.***

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the June 12, 2023 Workshop.

Motion by Manager Wagamon, seconded by Manager Robertson, to approve the minutes as presented.

Manager Waller stated that he would be voting against approval of the minutes because he felt they were inadequate with regard to the discussion of the Metro Shooting center situation.

Motion carried 3-1 (Waller opposed).

Minutes of the June 14, 2023 Board of Managers Regular Meeting.

Motion by Manager Wagamon, seconded by Manager Waller, to approve the minutes as presented. Motion carried 4-0.

CONSENT AGENDA

The following items will be acted upon without discussion in accordance with the staff recommendation and associated documentation unless a Manager or another interested person requests opportunity for discussion:

Table of Contents-Permit Applications Requiring Board Action

No.	Applicant	Location	Plan Type	Recommendation
21-099	Headwaters Land Group	Forest Lake	Final Site Drainage Plan Land Development	Amendment CAPROC 15 items

It was moved by Manager Waller and seconded by Manager Robertson, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated June 21, 2023. Motion carried 4-0.

ANNUAL PUBLIC INFORMATION MEETING-DISTRICT'S STORM WATER POLLUTION PREVENTION PROGRAM (SWPPP)

President Bradley called to order the public information meeting on the District's Stormwater Pollution Prevention Program (SWPPP). Watershed Technician/Inspector Chalberg and Watershed Technician/Inspector Roach gave a joint presentation outlining the District's Stormwater Pollution Prevention Program (SWPPP) and noted that unlike previous years, there is no Board action necessary because the 2022 annual MS4 permit reporting obligations will not take place until 2024. She explained that the annual reports for 2022 and 2023 to the MPCA will be submitted through its new e-service, once it goes live, in 2024. Staff reviewed the components of the MS4 General Permit and the SWPPP: Public Education and Outreach; Public Participation/Involvement; Illicit Discharge Detection and Elimination; Construction Site Stormwater Runoff Control; Post-Construction Stormwater Management in New Development and Re-Development; and Pollution Prevention/Good Housekeeping for Municipal Operations. They noted that the new RCWD website is being developed and reviewed the 1 illicit discharge that was reported in 2022 along ACD 55 and noted that the District worked with the municipality and the landowner to resolve the issue. Watershed Technician/Inspector Roach reviewed the active construction sites in the District and noted the amount of violation notices that had been sent out. He explained that the District's MS4Front database has allowed GIS mapping of all BMPs associated with permits from 2013 to present. He noted that 3 of the 5 MS4 District facilities were inspected in 2022. He stated that they also reported on the Total Mass Daily Load (TMDL) and noted that there are several water

bodies in the District that are proposed to be removed from the impaired waters list, including Bald Eagle, White Rock, and Island Lake.

Manager Waller stated that he often hears from many of the cities that the MS4 rules are duplicates or overlapping the District rules and they question why they need to have MS4 permits for things like construction sites and post construction water management. He asked if there was some way that the District could help streamline this process and if all the watershed rules that overlap or duplicate the Districts, were necessary.

District Administrator Tomczik noted that the State is the authority that requires the MS4 permit and determines the jurisdiction and permit requirement. He explained that the District sets the standards for the watershed, which is the basis for the rules it has adopted, which includes the ability for any municipality to adopt its own ordinances that would be equivalent or more restrictive than the District's. He stated that there is a pilot program with the City of Centerville where the District has looked at a single entity providing a site inspection. He stated that this is shared administration with the city, there is a partnership in any enforcement or measures that are taken on site to address problems.

President Bradley suggested that this could be discussed at a future City-County Partner meeting once we see how the pilot program works in order to consider broadening it.

District Administrator Tomczik stated that the District being subject to the State's MS4 program, and the requirement for a permit is a bit concerning because the District's public drainage systems are what are considered a storm sewer being addressed under the permit. He noted that some public drainage systems are also classified as waters of state. This has been brought to the attention of the PCA and have been able to have some good discussions about it. He explained that PCA have referenced the provisions by which the District may apply to be removed from the permit obligation which is a process. He reiterated that the District sets regulatory standards for its jurisdiction regardless of the MS4 requirements, for the benefit of the water resource.

Manager Waller stated that Centerville is one of the cities where he has heard numerous times over the years about this conflict. He stated that when a city takes over those responsibilities, they can include it in the MS4 also and would think that would free up some resources if those overlapping regulatory actions were removed.

President Bradley asked if there was any public comment on this item.

There were no comments.

President Bradley closed this portion of the meeting and moved back into the Board's regular meeting.

OPEN MIC/PUBLIC COMMENT

115 None.

116 **ITEMS REQUIRING BOARD ACTION**

- 117 **1. Check Register Dated June 28, 2023, in the Amount of \$486,986.48 Prepared by Redpath and**
118 **Company**

119 *Motion by Manager Wagamon, seconded by Manager Robertson, to approve check register*
120 *dated June 28, 2023, in the Amount of \$486,986.48 as prepared by Redpath and Company.*
121 *Motion carried 4-0.*
122

123 **ITEMS FOR DISCUSSION AND INFORMATION**

- 124 **1. Staff Reports**

125
126 **2. July Calendar**
127 President Bradley noted that there would be no CAC meeting in July.
128

- 129 **3. Administrator Updates**

130 District Administrator Tomczik noted that Manager Wagamon had asked a question about the
131 Columbus CWPMP when they were discussing ACD 10-22-32 and asked Permit
132 Coordinator/Wetland Specialist Hughes to share his response to those questions.
133

134 Permit Coordinator/Wetland Specialist Hughes stated that he reviewed the Columbus CWPMP
135 report and the language Manager Wagamon referenced is essentially a reorganization of the
136 drainage exemption language in the Wetland Conservation Act (WCA). Staff's reading of the report
137 is that maintenance activities may not require replacement and may be exempt from replacement
138 through WCA, but an improvement would still be subject to replacement.
139

140 District Administrator Tomczik noted that the contractor is proceeding on the ACD 53-62 repair
141 project. He noted that they have submitted a change order to move the substantial completion
142 date to August 4, 2023. He stated that he had attended the Minnesota Watershed's Summer Tour
143 and also noted that the District had met with the City of Birchwood's new engineer regarding the
144 Preibe Lake Outlet Project (PLOP) and are waiting for their comments on the proposed draft
145 memorandum of agreement which will help unify the multiple cities in the District's management
146 of that system. He stated that there has been a bit of movement with Watermark and their
147 modification of ACD 55 where the tile was installed. He stated that the engineers have
148 communicated regarding methods to demonstrate compliance with their obligations.
149

- 150 **4. Managers Update**

151 Manager Waller attended the Watershed Summer Tour.
152

153 President Bradley noted that the District had recently received a letter from City of Columbus,
154 renewing their request for wetland credits. He stated that after staff evaluates the situation, he
155 believes they should bring this back to a workshop for further discussion.
156

157 Manager Waller noted that it is important to remember that the same obligation for Columbus also
158 exists for Forest Lake.
159

160 President Bradley stated that there are about 26 others with the same obligation.
161

162 Manager Wagamon asked for a copy of the letter.
163

164 Manager Robertson noted that she believes it was sent out via e-mail yesterday.
165

166 District Administrator Tomczik stated that the e-mail came from a legal assistant from Larkin
167 Hoffman. He stated that staff can bring whatever they can find to the Board for discussion at a
168 future workshop meeting, but noted that he did not feel that there is not a lot of detail to be
169 discovered. He stated that it appears as though things that were allegedly said, did not make it
170 onto the paper record, but noted that staff will do their best to reconstruct what existed.
171

172 **ADJOURNMENT**

173 ***Motion by Manager Waller, seconded by Manager Robertson, to adjourn the meeting at 9:38 a.m.***

174 ***Motion carried 4-0.***
175

CONSENT AGENDA

The following items will be acted upon without discussion in accordance with the staff recommendation and associated documentation unless a Manager or another interested person requests opportunity for discussion:

Table of Contents-Permit Applications Requiring Board Action

No.	Applicant	Location	Plan Type	Recommendation
23-019	DIY-A Estates LLC	Columbus	Final Site Drainage Plan	CAPROC 7 items

It was moved by Manager _____ and seconded by Manager _____, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated July 3, 2023.

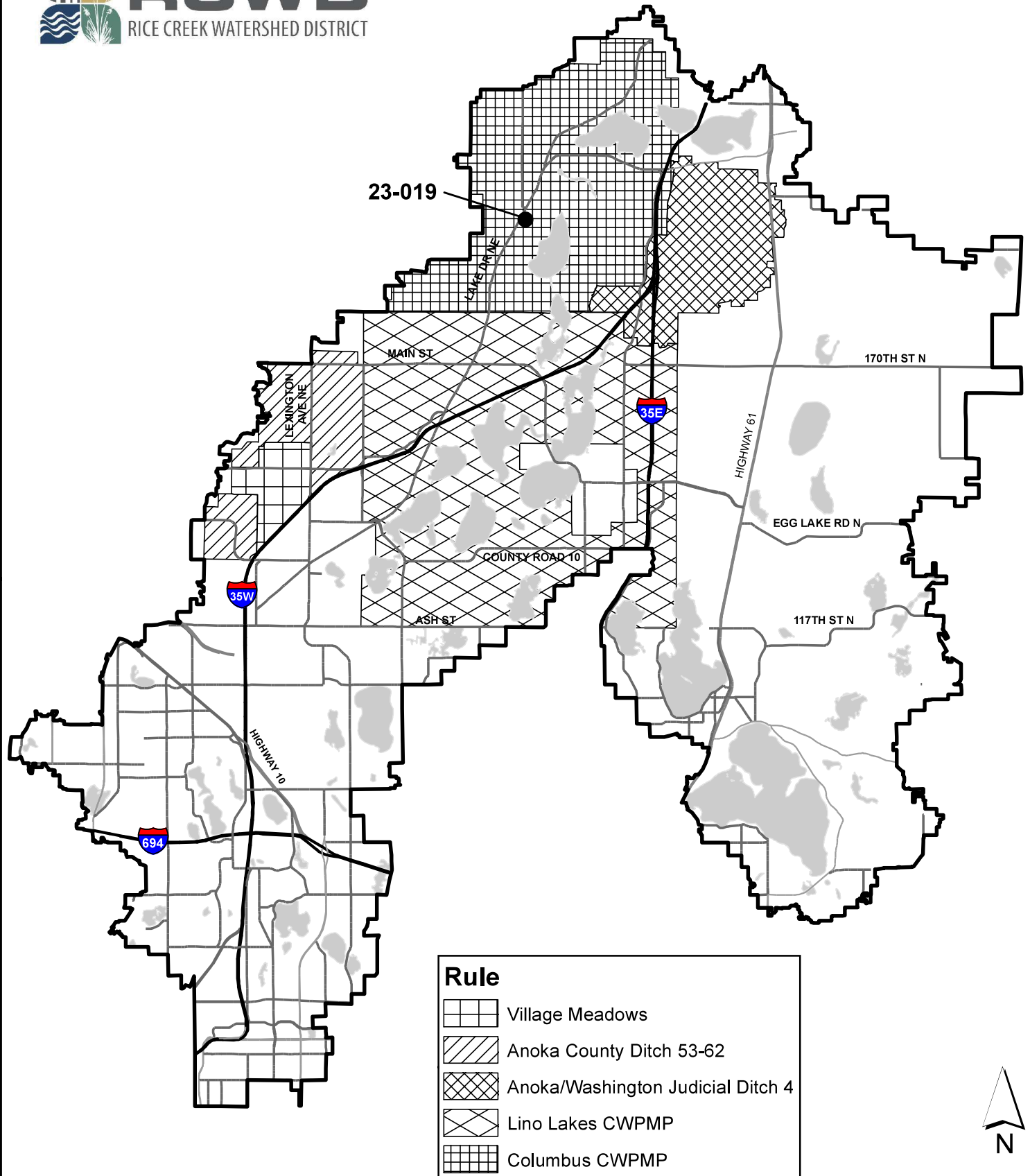
**RICE CREEK WATERSHED DISTRICT
CONSENT AGENDA**

July 12, 2023

It was moved by _____ and seconded by _____
_____ to Approve, Conditionally Approve Pending Receipt
Of Changes, or Deny, the Permit Application noted in the following Table of Contents, in
accordance with the District Engineer's Findings and Recommendations, as contained in
the Engineer's Findings and Recommendations, as contained in the Engineer's Reports
dated July 3, 2023.

TABLE OF CONTENTS

Permit Application Number	<u>Applicant</u>	Page	Recommendation
	Permit Location Map	11	
23-019	DIY – A Estates LLC	12	CAPROC





WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers.

Permit Application Number:

23-019

Permit Application Name:

K&I Autobody and Sales

Applicant/Landowner:

DIY-A Estates LLC
Attn: Ivan Kozhohar
14755 Lake Drive NE
Columbus, MN 55025
612-232-0591
kozhoharivan71@gmail.com

Permit Contact:

EDS Engineering Design and Surveying
Attn: Vladimir Sivriver
6480 Wayzata Blvd
Minneapolis, MN 55426
763-545-2800
vsivriver@edsmn.com

Inspire Architects
Attn: Jeff Hafferman
620 Civic Heights Drive
Suite 109
763-316-5342
jeff@architectmn.com

Project Name: K&I Autobody and Sales

Purpose: FSD – Final Site Drainage; construction of steel building and parking lot.

Site Size: 6.08± acre parcel / 3.55± acres of disturbed area; existing and proposed impervious areas are 0.25± acres and 1.48± acres, respectively

Location: 14755 Lake Drive NE, Columbus, MN

T-R-S: NW ¼, Section 27, T32N, R22W

District Rule: C, D

Recommendation: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items.

Conditions to be Met Before Permit Issuance:

Rule C – Stormwater

1. Provide 1-foot of organic material or sand above the top of the draitile pipe to comply with Rule C.9(c)(3).

Rule D – Erosion and Sediment Control

2. Submit the following information per Rule D.4:
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (h) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).

Administrative

3. Email one final, signed full-sized pdf of the construction plan set. Include a list of changes that have been made since approval by the RCWD Board. Ensure Condition 1 has been met.
4. Submit a copy of the recorded plat or easements establishing drainage or flowage over stormwater management facilities, stormwater conveyances, ponds, wetlands, on-site floodplain up to the 100-year flood elevation, or any other hydrologic feature (if easements are required by the City of Columbus).
5. The applicant must submit a Draft Declaration for Maintenance of Stormwater Management Facilities acceptable to the District for proposed onsite stormwater management and pretreatment features.
6. The applicant must provide an attested copy of any and all signed and notarized legal document(s) from the County Recorder. Applicant may wish to contact the County Recorder to determine recordation requirements prior to recordation.
7. The applicant must submit a surety of \$8,700 along with an original executed escrow agreement acceptable to the District. If the applicant desires an original copy for their records, then two original signed escrow agreements should be submitted. The applicant must provide the first \$5000 in the form of a check and has the option of providing the remainder of the surety amount in the form of a check or a Performance Bond or Letter of Credit. The surety is based on \$2,500 for 3.55 acres of disturbance and \$6,200 for 12,392 CF of storm water treatment.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations:

1. Provide an as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) to the District for verification of compliance with the approved plans before return of the surety.

Exhibits:

1. Revised plan set containing 14 sheets dated 6-30-2023 and received 6-30-2023.
2. Permit application, dated 3-24-2023 and received 3-30-2023.
3. Revised HydroCAD report for the 2-year, 10-year, and 100-year rainfall events for proposed and existing conditions, dated 6-30-2023 and received 6-30-2023.
4. Revised HydroCAD report for the 2-year, 10-year, and 100-year rainfall events for proposed and existing conditions, dated 6-22-2023 and received 6-26-2023.
5. Stormwater Calculations, dated 3-22-2023 and received 3-24-2023, containing narrative, drainage maps, geotechnical report, and HydroCAD report for the 2-year, 10-year, and 100-year rainfall events for proposed and existing conditions.
6. Review file 23-091R

Findings:

1. Description – The project proposes to construct a building and parking lot on a 6.08± acre parcel located in Columbus, MN. The project will increase the impervious area from 0.25± acres to 1.48± acres and disturb 3.55± acres overall. Existing and proposed drainage directions include southwest toward Lake Drive NE, south toward an adjacent property, and southeast into a wetland complex adjacent to Crossways Lake. The site ultimately drains into Crossways Lake, which is the Resource of Concern. The applicant has submitted a \$3,000 application fee for a Rule C permit creating less than 5 acres of new and/or reconstructed impervious surface.

2. Stormwater – The applicant is proposing the BMPs as described below for the project:

Proposed BMP Description	Location	Pretreatment	Volume provided	EOF
Biofiltration basin	Western property line	Grass strip	3,100± cubic feet below the outlet	906.10
Stormwater pond	East of buildings	NURP requirement: 10,324 cubic feet	17,191± cubic feet below the outlet	905.40

Soils on site are primarily silty sand (HSG B) soils, however infiltration is infeasible due to high ground water. Biofiltration and a stormwater pond are acceptable to meet the water quality requirement. 0.98± acres of the new/reconstructed impervious area is treated via the NURP pond. The remaining requirement is 1.69-inches over the remaining new/reconstructed area (0.50± acres) totaling 3,058± cubic feet.

Adequate pre-treatment has been provided for the biofiltration basin. Drawdown is expected within 48-hours using an appropriate rate of 0.45 inches per hour. 6-inches of sand has been provided above the drain tile, which will be increased to 12-inches after incorporating Condition 1. The seasonal high water table is estimated at elevation 903, which provides adequate separation. The pond sizing, and outlets and overflows are consistent with the design criteria of Rule C.9(d). The applicant has treated 89% of the project area. The pond provides the aggregate treatment for the remaining 11% of the project. Additional TSS removal is not practicable. The applicant has met all the Water Quality requirements of Rule C.6 and the design criteria of Rules C.9(c) and C.9(d).

Point of Discharge	2-year (cfs)		10-year (cfs)		100-year (cfs)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
To South	0.2	0.1	0.7	0.2	1.9	0.4
To Lake Drive	0.4	0.4	1.5	1.6	4.7	4.8
To Crossways Lake	0.5	0.6	2.3	2.3	7.6	8.8
Totals	1.1	1.1	4.5	4.1	14.2	14.0

The project is not located within the Flood Management Zone. Increases to Lake Drive area within tolerance of the model. Increase to Crossways Lake is small to a large waterbody, so adverse impacts are not anticipated. The applicant has complied with the rate control requirements of Rule C.7.

The applicant has complied with the freeboard requirements of Rule C.9(g).

3. Wetlands – There are no wetlands located within the project area. However, there is a wetland on the property that will not be impacted by the proposed project. Wetlands were delineated under review file 23-091R with boundary decision, which remains valid, issued on 6-12-2023.
4. Floodplain – The site is not in a regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, sediment control logs, rock construction entrance and rip rap. The project disturbs more than 1 acre; an NPDES permit is required. The SWPPP is located on plan sheet C7. The information listed under the Rule D – Erosion and Sediment Control section above must be submitted. Otherwise, the project complies with RCWD Rule D requirements. The project does not flow to a nutrient impaired water (within 1 mile).
6. Regional Conveyances – Rule G is not applicable.

7. Public Drainage Systems – Rule I is not applicable.
8. Documenting Easements and Maintenance Obligations – Applicant must provide a draft maintenance declaration for approval, and a receipt showing recordation of the approved maintenance declaration and the drainage and flowage easements (if required).
9. Previous Permit Information – One previous permit, 97-131, was found for this site, which was for a building addition.

I assisted in the preparation of this report under the supervision of the District Engineer.



07/03/2023

Nitsa Dereskos, EIT

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.



07/03/2023

Katherine MacDonald, MN Reg. No 44590

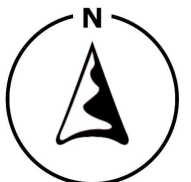


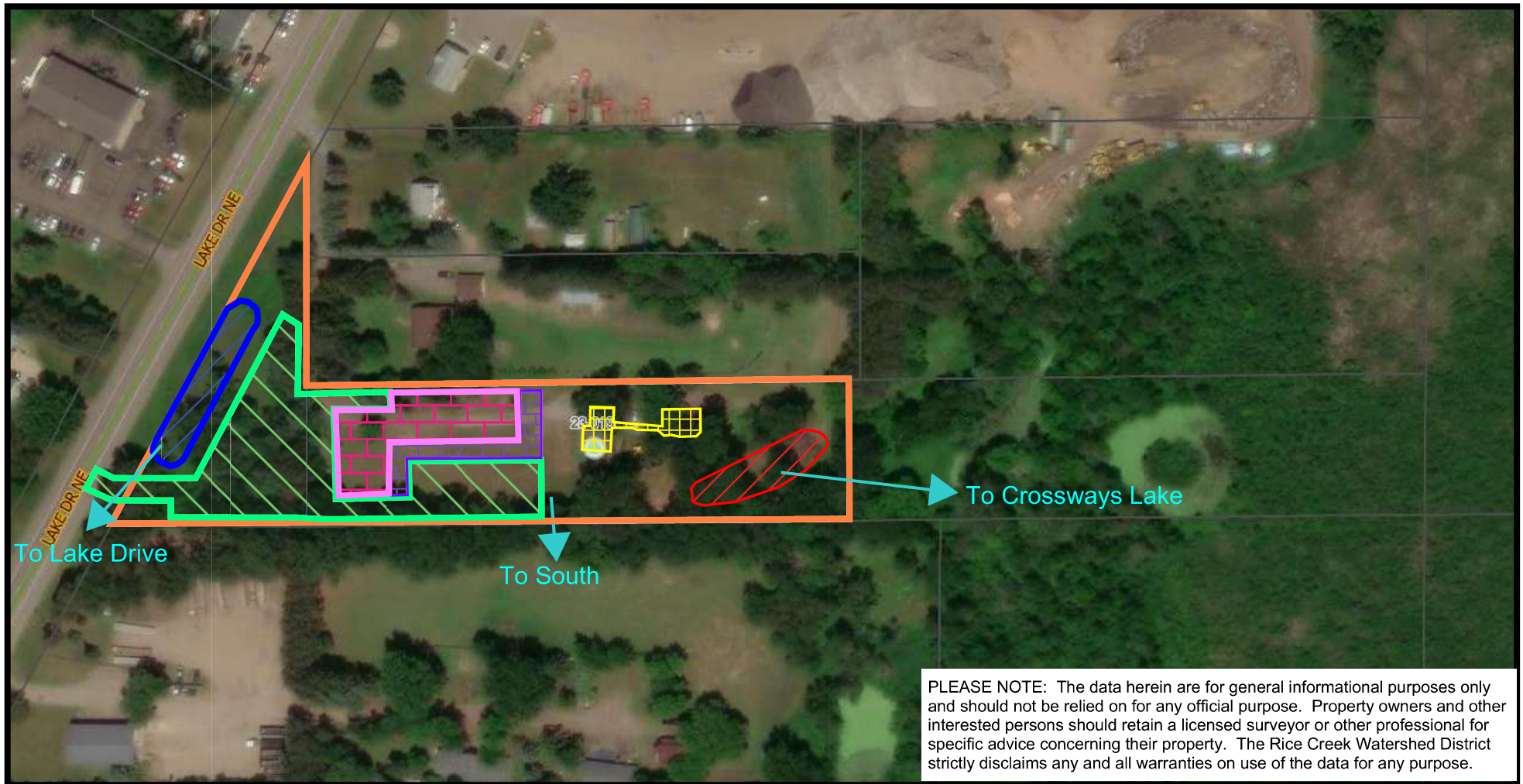
Legend

 District Boundary









 Project Location

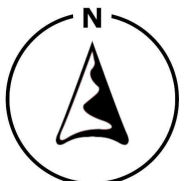
 Public Ditch - Open Channel





Legend

- | | | | |
|--|---|---|---|
|  Stormwater Pond |  Biofiltration Basin |  Bituminous Pavement |  Proposed Building |
|  Project Location |  Existing Building |  Concrete Pavement |  Drainage Arrow |



ITEMS REQUIRING BOARD ACTION

1. Consider Draft Watershed Management Plan Amendment for Centerville Lake Internal Load Management Project (Matt Kocian)

MEMORANDUM

Rice Creek Watershed District



Date: July 3, 2023
To: RCWD Board of Managers
From: Matt Kocian, Lake and Stream Program Manager
Subject: Watershed Management Plan Amendment for Centerville Lake

Introduction

Seeking Board approval for DRAFT Watershed Management Plan Amendment for Centerville Lake

Background

Centerville Lake has been experiencing severe and frequent blue-green algae blooms. The beach at the adjacent Rice Creek Chain of Lakes regional park (Anoka Co Parks) is regularly closed due to health concerns from blue-green algae. Residents frequently express concerns.

Recently completed diagnostic studies¹ suggest the internal phosphorus loading – specifically, sediment-phosphorus release – is a significant driver of algae blooms. Other potential phosphorus sources have been assessed, including backflow loading from Peltier Lake, common carp², and watershed runoff³. Overall, these potential phosphorus sources are minor compared to internal loading.

An alum treatment on Centerville Lake is estimated to cost between \$850,000 and \$1.3 million⁴, depending on the selected dosing option. District staff were directed by the Board to prepare and submit a BWSR Clean Water Fund grant application to partially fund this project. Other sources of funding include District *ad-valorem*, contributions from partners (e.g. City of Centerville, Anoka County), and a new Water Management District for residents of Centerville Lake. At the June 14 Board Meeting, Managers elected to proceed with a Water Management District, voting to “draft language for a Watershed Plan amendment, incorporating a new Water Management District for Centerville Lake, and language supporting an internal nutrient loading management project.”



Blue-green algae in Centerville Lake, 2021

¹ *Internal Load Investigation for Centerville Lake*, Wenck Associates, 2019; *Centerville Lake Phosphorus Dynamics*, Houston Engineering, 2022

² Centerville Lake carp population assessment, Carp Solutions, LLC, 2022

³ *Centerville Lake Subwatershed Assessment*, Anoka Conservation District, 2023

⁴ *Alum Longevity in Centerville Lake*, Barr Engineering, 2023

MEMORANDUM

Rice Creek Watershed District



As the motion suggested, there are two reasons to amend the District's Watershed Management Plan for this project. A new Water Management District clearly requires an amendment. Additionally, by updating language in the District's *Capital Improvement Plan* section of the WMP, the District will improve its chances of securing a Clean Water Fund Grant. It will incorporate new diagnostic studies completed on Centerville Lake and bring the CIP in-line with the District's plan for internal load management. District staff were intending to incorporate these WMP amendments together, as a single amendment. However, after internal discussions and consultation with District legal counsel, it was determined that proceeding with two separate amendments would have strategic value. The two WMP amendments would be:

Now - WMP Amendment 1: Update language in the Anoka Chain of Lakes Water Management Project CIP (WMP Section 4.3.10)

Purpose: This amendment is needed to incorporate new feasibility and diagnostics studies on Centerville Lake, specifically on internal nutrient loading. The existing CIP language references the TMDL Study and Implementation Plan for Centerville Lake. Those documents are outdated (based on data from ~2006), and do not have specific language in internal nutrient loading for Centerville Lake. New studies have identified internal loading on Centerville Lake as being significant; progress on improving water quality in Centerville will not be achieved without addressing internal loading. The WMP amendment will reference the new studies, and clearly identify internal nutrient load reduction on Centerville Lake as being a priority action.

Process: This will proceed as *minor* plan amendment. Process defined in our WMP, and Minn. Rules 8410.0140, subpt 2.

Timeline: **We are asking the Board to consider draft WMP language changes at the July 12, 2023 meeting. The draft language is attached here.** Assuming the Board elects to proceed, and we receive no objections from BWSR and affected parties, we'll ask Board to adopt the amended WMP at the Aug 23 meeting.

Rationale: This will be a *minor WMP amendment*. By proceeding with a *minor* amendment, we ensure that the new language is available to reference in a 2024 BWSR Clean Water Fund grant application. This bolsters our chances for receiving a grant. It also incorporates new information and adds specificity to our WMP, making clear the District's intentions to manage internal loading in Centerville Lake.

Later - WMP Amendment 2: New Water Management District for Centerville Lake (Section 5.3)

Purpose: The amendment would establish a new Water Management District for Centerville Lake, following recent Board directions (see Jun 7 workshop and Jun 14 meeting minutes). The WMP would provide funding for an internal nutrient load reduction project on Centerville Lake.

Process: This will proceed as a regular plan amendment – a more lengthy process. The process is defined by WMP and statute (103B.231, subds 7 and 9).

MEMORANDUM

Rice Creek Watershed District



Timeline: After receiving notice on the aforementioned Clean Water Fund grant application (January 2024), we'll ask Board to accept new WMP language and proceed with amendment. The amendment will go on the 60-day comment period, sent to BWSR, Met Council, and all cities, counties, and conservation districts. RCWD will respond in writing to concerns, A duly noticed public hearing will be held after the 60-day comment period. BWSR has up to 90-days for final review. After all that, RCWD will vote to accept the amendment. This should be no later than August 2024.

Rationale: Given language in the RCWD WMP, it's doubtful that we can/should proceed with a minor amendment; a regular amendment would be more appropriate. By uncoupling this amendment from the other, we don't impede the minor amendment and tighter grant timeline. By waiting until after we know about the CWF grant, we can add more budget specificity in the WMD budget. Even moving at the fastest possible speed, it would be nearly impossible to incorporate new WMD charges into the 2024 budget. With this timeline, 2025 WMD charges will be possible.

Staff Recommendation

Staff recommend approving the draft WMP language attached herein, and incorporating recently completed diagnostic studies on Centerville Lake as a new appendix (Appendix J).

Proposed motion

Manager _____ moves to proceed with an amendment to the District's Watershed Management Plan, incorporating the attached draft language into Section 4.3.10, and incorporating recently completed diagnostic studies as a new appendix. Staff are instructed to begin the *minor* amendment process.

Attachments

Draft WMP Amendment language

DRAFT RCWD WMP Amendment – language changes to Anoka Chain of Lakes Water Management Project *Capital Improvement Project*, Section 4.3.10

4.3.10 Anoka Chain of Lakes Water Management Project

This capital improvement project addresses the issue of degraded water quality in Peltier and Centerville Lakes and the rest of the Chain of Lakes. These lakes are in the cities of Lino Lakes and Centerville in Anoka County. Multiple diagnostic studies have been completed to identify sources of, and solutions for, the water quality degradation. First, Two TMDLs to address excess nutrients in Peltier and Centerville Lakes and the remaining Chain of Lakes were initiated in 2007 and completed in 2013. The TMDL and Implementation Plan documents have identified a number of possible improvement projects for each lake, including, but not limited to, a backflow preventer to ensure a one-way flow of water from Centerville Lake into Peltier Lake. Further, in 2009, Second, the Anoka Conservation District completed a Subwatershed Stormwater Retrofit Assessments for the Rice Lake and Centerville Lake Subwatersheds. This assessment targeted These assessments provided updated and detailed assessments of watershed nutrient loading sources. They also provided lists of cost-effective projects and practices for nutrient load mitigation. Lastly, the District completed a series of diagnostic studies [Appendix J] to explore nutrient loading sources specifically for Centerville Lake. These diagnostic studies found that: 1) watershed nutrient loading was relatively low, and there are few opportunities for additional load reduction, 2) backflow nutrient loading from Peltier to Centerville Lake was very low, 3) the population of common carp was moderate to low, and below the threshold for ecological damage, 4) internal nutrient loading from sediment phosphorus release was high, and 5) inactivating nutrient in the sediment with a chemical binder (e.g. aluminum sulfate) would be effective. Managing internal nutrient loading in Centerville Lake will be necessary to meet water quality goals.

~~cost-effective practices for phosphorus load removal to Rice Lake.~~

In 2017, the District completed a drawdown of Peltier Lake as a pilot project to reduce the abundance of curly-leaf pondweed, an exotic invasive aquatic plant known to contribute to excessive phosphorus levels during the peak summer algae production season. Future drawdowns of Peltier Lake may be a critical component of the capital improvement project.

The RCWD, in conjunction with its project partners, will need to prioritize actions identified in the Implementation Plans and diagnostic studies, and subsequently implement these actions and other regional BMP's including stormwater reuse projects. Specifically for Centerville Lake, sediment-phosphorus must be addressed to meet water quality goals; a project to mitigate sediment phosphorus release in Centerville Lake is a priority. Funding of project components is anticipated to be derived from municipal funding, District-wide ad valorem funding, local funding (for example, via a water management district), and State water quality grants.

Total Estimated Budget: \$2,500,000

ITEMS REQUIRING BOARD ACTION

2. Check Register Dated July 12, 2023, in the Amount of \$74,591.47 Prepared by Redpath and Company

Rice Creek Watershed District
Check Register
June 29, 2023 - July 12, 2023
To Be Approved at the July 12, 2023 Board Meeting

Check #	Date	Payee	Description	Amount
25185	07/12/23	Blue Water Science	Contracted Services	2,400.00
25186	07/12/23	Comcast	Telecommunications	547.60
25187	07/12/23	Instrumental Research	Lab Expense	1,654.00
25188	07/12/23	Iron Mountain	Professional Services	180.00
25189	07/12/23	ODP Business Solutions, LLC.	Office Supplies	151.04
25190	07/12/23	Per Mar Security Systems	Professional Services	350.00
25191	07/12/23	Plaudit Design	Professional Services	10,000.00
25192	07/12/23	Tri-State Bobcat	Construction	2,990.00
25193	07/12/23	U.S. Bank Equipment Finance, Inc.	Equipment Lease	249.98
25194	07/12/23	Zayo Group, LLC	Telecommunications	1,299.49
11316	06/29/23	Thomas & Nancee Bruggeman	Surety Release - #22-033	1,000.00
11317	06/29/23	MTO Properties	Surety Release - #21-117	1,500.00
11318	06/29/23	David Pitzen	Surety Release - #22-012	1,000.00
Payroll	07/15/23	July 15th Payroll (estimate)	July 15th Payroll (estimate)	30,280.69
EFT	07/12/23	Wex Bank	Vehicle Fuel	408.65
EFT	07/12/23	Xcel Energy	Telecommunications	48.23
EFT	07/15/23	Internal Revenue Service	07/15 Federal Withholding (estimate)	11,073.93
EFT	07/15/23	Minnesota Revenue	07/15 State Withholding (estimate)	1,926.00
EFT	07/15/23	Empower Retirement	07/15 Deferred Compensation	955.00
EFT	07/15/23	Empower Retirement	07/15 Roth IRA	265.00
EFT	07/15/23	PERA	07/15 PERA (estimate)	6,311.86
Total				<u>\$74,591.47</u>

ITEMS FOR DISCUSSION AND INFORMATION

1. Lennar/ACD55 Update Watermark letter sent 5/26/2023
(Terrence Chastan-Davis
/Tom Schmidt)

MEMORANDUM

Rice Creek Watershed District



Date: July 3rd, 2023
To: RCWD Board of Managers
From: Tom Schmidt, Public Drainage Inspector
Terrence Chastan-Davis, Technician / Inspector
Subject: RCWD Permit 18-046 / ACD 55 Public Drainage System Authority Order 2017-28

Introduction

Staff is providing an update on Lennar Corporation's Watermark development in Lino Lakes, which required both RCWD Permit and Anoka County Ditch 55 (ACD 55) Main trunk partial abandonment/reroute.

Background

On 5/24/2023, staff presented at the RCWD Board meeting regarding concerns with the construction for ACD 55 abandonment/reroute on Lennar's Watermark development under RCWD permit #18-046 and Board Order Resolution #2017-28. After reviewing an as-built survey of the completed draitile reroute for ACD 55, staff determined deficiencies in the draitile construction where several segment connections appear to be flat, having no grade, and inverted. The Board directed staff to send a compliance letter to Lennar asking for a response to the District's ACD 55 condition concerns by June 30th, 2023. Staff sent the compliance letter on 5/26/2023.

After some initial contact between the District engineer and Lennar, District Staff held a meeting with the District engineer, Lennar, and Lennar's representative engineer on 6/16/2023. At the conclusion of this productive meeting, Lennar's proposed plan forward would be to further investigate draitile invert elevations within segments of concern and ensure the as-built datum is correct. The District engineer and staff support further investigation efforts to ensure all as-built data is correct. After the investigation is completed, Lennar will present findings to the District and work towards updating the District model to determine if the current as-constructed condition diminishes, impacts, flow and capacity of the draitile system. Once the investigation work and model update are complete, Staff and District engineer will determine if the construction is compliant or if Lennar is required to take corrective action.

Staff are providing this update to the Board of Managers for their awareness of the planned actions/approaches to resolve the situation.

Staff Recommendation

Staff recommends Board support staff in continuing to work with Lennar in its reroute and abandonment of ACD 55. If progress is not made, staff will look to the Board for further action.

Request for Board Consensus

Staff request Board consensus to continue working towards ACD 55 drainage compliance with Lennar.

Attachments

RCWD Compliance letter dated 5/26/2023



May 26, 2023

Lennar

Attn: Drew Hageman

Joe Jablonski

Josh Metzger

16305 36th Ave N., Suite 600

Plymouth, MN 55446

Re: Non-Compliance with RCWD Board of Managers Resolution #2017-28 and RCWD Permit #18-046

Dear Mr. Hageman,

RCWD is communicating regarding Lennar's work and information to date identifying non-compliance with RCWD Board of Managers Resolution #2017-28 as it relates to Anoka County Ditch (ACD) 55 Findings & Order, and RCWD Permit #18-046. The current situation was communicated with the RCWD Board of Managers and RCWD requests Lennar's timely response.

Lennar engaged RCWD in 2017 regarding its proposed Watermark development. RCWD was petitioned for a partial abandonment and realignment of ACD 55 under 103.E227. This petition was subsequently ordered under RCWD Board of Manager's Resolution #2017-28. Lennar in parallel applied for RCWD permit under the District's independent authorities 103D.341. RCWD issued Permit 18-046 on 9/10/2018, extended the permit timeframe on 1/31/2020, and the permit expired on 9/10/2021. The responsible party must engage the RCWD to address the expired permit. The order and permit both require the realignment of ACD 55 to provide functional drainage consistent with the petitioner's and applicant's submitted plans.

On September 13, 2022 an as-built survey of the draitile abandonment and realignment of ACD 55 was provided to the District by a representative of Lennar. We reviewed the survey information and found deficiencies in the draitile construction resulting from deviations from the approved plans. Our concerns were communicated via email on September 16th, 2022. In follow-up, we held a meeting on September 27, 2022, to further discuss the as-built concerns with representatives from Lennar, Carlson McCain, Houston Engineering, and RCWD staff. An updated as-built survey of the ACD 55 realignment was submitted to the District on October 22, 2022. The updated as-built survey was reviewed and found again to be non-compliant. RCWD's concerns were communicated via email on October 24, 2022.

Since the as-built survey submission on October 22, 2022, no additional information has been provided to the District to demonstrate compliance by either (1) providing further documentation to show drainage functionality or (2) when a diminished level of drainage functionality is documented, providing a proposed plan to correct the noted deficiencies regarding the ACD 55 draitile realignment. RCWD requests your engagement of RCWD staff and the District's Engineer on your potential methods to demonstrate compliance and any correction to construction *prior to further action*.

During the May 24, 2023 Board of Managers meeting, staff communicated the situation regarding the current condition of the ACD 55 realignment associated with the Watermark development based on the

as-built survey information provided to date. Although this was an informational update, the RCWD Board Managers expressed concern regarding the current condition of ACD 55 and had consensus to further communicate these matters and set a deadline for a definitive response.

Please provide documentation that either demonstrates that the work in place is consistent with the approved ACD 55 realignment plans and provides an identical capacity/function as the originally constructed system or correct the identified segments that have been determined to be out of compliance. RCWD again recommends engagement with RCWD staff and RCWD District Engineer to ensure mutual understanding on any proposed efforts to address the issue. We formally request a response to these matters no later than the end of day **June 30th, 2023**.

Please contact me at 763-398-3080 or phughes@ricecreek.org if you have any questions.

A handwritten signature in black ink, appearing to read 'Patrick Hughes', with a long horizontal flourish extending to the right.

Patrick Hughes
Permit Coordinator/Wetland Specialist

CC: RCWD Board of Managers

ITEMS FOR DISCUSSION AND INFORMATION

2. MN Watersheds Requests for Resolutions Packet (Nick Tomczik)

MEMORANDUM

Rice Creek Watershed District

Date: July 5, 2023
To: RCWD Board of Managers
From: Nick Tomczik, Administrator
Subject: MAWD 2023 Request for Resolutions

Introduction

The RCWD Board of Managers traditionally directs staff on a legislative strategy to support District priorities through MAWD's resolution process, and participation in the annual MAWD legislative activities. The first step is the MAWD resolution process.

Background

MAWD's resolution process provides members with the opportunity to propose resolutions to support (or oppose) legislative efforts and establish MAWD's priorities. MAWD's 2023 Request for MAWD Resolutions and guidance document are attached with this memo.

Staff will work on any draft resolutions and present to the Board for discussion at future district board meetings. Staff would submit any RCWD proposed resolutions to MAWD staff by the September 1, 2023, deadline.

There are multiple existing active MAWD resolutions and a list of existing MAWD resolutions that will sunset on December 31, 2023 unless they are re-proposed by a MAWD member and approved by the MAWD membership through the resolution process. Information on all these resolutions are in the MAWD packet.

Request for Board Direction

Staff requests Board direction on what, if any, topics and proposed resolutions should be prepared for consideration by the MAWD membership. These proposed resolutions should align with RCWD priorities. If the Board reaches consensus, the MAWD resolution document(s) would be presented for discussion at a future workshop and consideration at a future board meeting.

Attachments

MAWD's 2023 Request for MAWD Resolutions

MEMORANDUM



DATE: July 1, 2023
TO: Minnesota Watersheds Members
FROM: Linda Vavra and Jamie Beyer, Resolutions Committee Co-Chairs
RE: **2023 REQUEST FOR MINNESOTA WATERSHEDS RESOLUTIONS**

It is that time of year for Minnesota Watersheds members to submit their policy recommendations through our resolutions process. This is YOUR organization and policy statements start with YOU! Here are the next steps and timeline:

- | | |
|----------------------------|--|
| July / August | Members write, discuss, and approve resolutions at your WD/WMO meetings. The more detail you can provide, the easier it will be for the committee to make a recommendation. |
| September 1 | Administrators submit resolutions and background information documents to Jan Voit, Executive Director at jvoit@mnwatersheds.com by September 1 . If more time is needed, please contact her so the Resolutions Committee is aware that another resolution may be submitted. The latest possible date to submit a resolution is 60 days before the annual meeting (October 1). We ask that resolutions be submitted according to the described timeframe to ensure distribution to members for discussion by your boards in November.

NOTE: If all the requested information is not included, the Resolution will NOT be accepted. |
| September / October | The Resolutions Committee will review the resolutions, gather more information, or ask for further clarification when deemed necessary; work with the submitting watersheds to combine similar resolutions; reject resolutions already active; discuss and make recommendations to the membership on the passage of resolutions. |
| October 31 | Resolutions (with committee feedback) will be emailed to each organization by October 31 .

NOTE: If possible, please hold a regional meeting to discuss the Resolutions BEFORE the annual conference. |
| November | Members should discuss the resolutions at their November meetings and decide who will be voting on their behalf at the annual meeting (2 voting members and 1 alternate are to be designated per watershed organization) |
| December 3 | Delegates discuss and vote on resolutions at the annual resolutions hearing. Please be prepared to present and defend your resolution. |
| December / January | The Legislative Committee will review existing and new resolutions and make a recommendation to the Minnesota Watersheds Board of Directors for the 2024 legislative platform. |
| January 2024 | Minnesota Watersheds Board of Directors will finalize the 2024 legislative platform. |
| February 12, 2024 | First day of the 2 nd half of 93 rd legislative biennium. |

NOTE: Resolutions passed by the membership will remain Minnesota Watersheds policy for five years after which they will sunset. If a member wishes to keep the resolution active, it must be resubmitted and passed again by the membership. Enclosed with this memorandum are the active resolutions and those that will sunset on 12/31/23. If you have questions, Please feel free to contact co-chairs at lvavra@fedtel.net or 320-760-1774, bds wd@runestone.net or 701-866-2725, or our Executive Director at jvoit@mnwatersheds.com or 507-822-0921.

THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!

Background Information

2023 Minnesota Watersheds Resolution

Proposing Watershed: _____

Contact Name: _____

Phone Number: _____

Email Address: _____

Resolution Title: _____

Background that led to the submission of this resolution:

Describe the problem you wish to solve and provide enough background information to understand the factors that led to the issue. Attach statutory or regulatory documents that may be helpful.

Ideas for how this issue could be solved:

Describe potential solutions for the problem. Provide references to statutes or rules if applicable.

Efforts to solve the problem:

Document the efforts you have taken to try to solve the issue. For example: have you spoken to state agency staff, legislators, county commissioners, etc.? If so, what was their response?

Anticipated support or opposition:

Who would be willing to partner with our watershed or state association on the issue? Who may be opposed to our efforts? (Ex. other local units of government, special interest groups, political parties, etc.)?

This issue: (check all that apply)

_____ Applies only to our district
_____ Applies only to 1 or 2 regions
_____ Applies to the entire state

_____ Requires legislative action
_____ Requires state agency advocacy
_____ Impacts Minnesota Watersheds bylaws or MOPP
(MOPP = Manual of Policies and Procedures)

Active Minnesota Watersheds Resolutions

December 2, 2022



FINANCE

2021-01A: Support SWCD Capacity Fund Sources

Minnesota Watersheds supports SWCD capacity funds to come from county and state general funds.

2021-01B: Support Clean Water Funds for Implementation, Not Capacity

Minnesota Watersheds supports Clean Water Funds being used for implementation and not for capacity.

2021-02: Support Capacity Funding for Watershed Districts

Minnesota Watersheds supports capacity base funding resources directed to non-metro watershed district who request this assistance, to implement the activities as outlined in approved watershed district watershed management plans or comprehensive watershed management plans.

2019-08: Heron Lake Watershed District General Operating Levy Adjustment

Minnesota Watersheds supports an increase in Heron Lake Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-09: Shell Rock River Watershed District General Operating Levy Adjustment

Minnesota Watersheds supports an increase in Shell Rock River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-10: Pelican River Watershed District General Operating Levy Adjustment

Minnesota Watersheds supports an increase in Pelican River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2019-11: Buffalo Red River Watershed District General Operating Levy Adjustment

Minnesota Watersheds supports an increase in Buffalo Red River Watershed District's general operating levy cap from \$250,000 to an amount not to exceed \$500,000.

2017-05 Middle Fork Crow River Watershed District General Operating Levy Adjustment

Minnesota Watersheds supports the efforts of Middle Fork Crow River Watershed District to draft and advance special legislation affecting a change in its general fund levy cap.

URBAN STORMWATER

2022-01 Support Creation of a Stormwater Reuse Task Force

Minnesota Watersheds supports administratively or legislatively including at least one Minnesota Watersheds member on the Minnesota Department of Health's workgroup to move forward, prioritize, and implement the recommendations of the interagency report on reuse of stormwater and rainwater in Minnesota.

2022-02 Support Limited Liability for Certified Commercial Salt Applicators

Minnesota Watersheds supports enactment of state law that provides limited liability protection to commercial salt applicators and property owners using salt applicators who are certified through the established state salt-applicator certification program and follow best management practices.

WATER QUANTITY, DRAINAGE, AND FLOOD CONTROL

2022-03: Seek Increased Support and Participation for the Minnesota Drainage Work Group (DWG)

- Minnesota Watersheds communications increase awareness of the DWG (meeting dates and links, topics, minutes, reports) amongst members.
- Minnesota Watersheds training opportunities strongly encourage participation in the DWG by watershed staff and board managers (for watersheds that serve as ditch authorities or work on drainage projects) – for e.g., add agenda space for DWG member updates, host a DWG meeting as part of a regular event.
- In preparation for Minnesota Watersheds member legislative visits, staff add a standing reminder for watershed drainage authorities to inform legislators on the existence, purpose, and outcomes of the DWG, and reinforce the legitimacy of the DWG as a multi-faceted problem-solving body.
- During Minnesota Watersheds staff Board of Water and Soil Resources (BWSR) visits, regularly seek updates on how facilitation of the DWG is leading to improvements for member drainage authorities and convey this information to members.

2022-05: Obtain Stable Funding for Flood Damage Reduction and Natural Resources Enhancement Projects

Minnesota Watersheds supports collaborating with the Red River Watershed Management Board and state agencies to seek funding from the Minnesota Legislature to provide stable sources of funding through existing or potentially new programs that provide flood damage reduction and/or natural resources enhancements. A suggested sustainable level of funding is \$30 million per year for the next 10 years.

2021-05: Support Crop Insurance to Include Crop Losses Within Impoundment Areas

Minnesota Watersheds supports expansion of Federal Multi-Peril Crop Insurance to include crop losses within impoundment areas.

2020-04 Support Temporary Water Storage on DNR Wetlands during Major Flood Events

Minnesota Watersheds supports the temporary storage of water on existing DNR-controlled wetlands in the times of major flood events.

2019-02: Add a Classification for Public Drainage Systems that are Artificial Watercourses

Minnesota Watersheds supports removal of the default Class 2 categorization for public drainage systems that are artificial watercourses and supports a default Class 7 categorization for public drainage systems that are artificial watercourses.

2019-03 Support for Managing Water Flows in the Minnesota River Basin Through Increased Water Storage and Other Strategies and Practices

Minnesota Watersheds supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and Minnesota Watersheds supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

2019-04: Clarify County Financing Obligations and/or Authorize Watershed District General Obligation Bonding for Public Drainage Projects

Minnesota Watersheds supports legislation to achieve one or both of the following:

- a) To clarify that an affected county must finance a watershed district drainage project on project establishment and request of the watershed district; and
- b) To authorize watershed districts to finance drainage project establishment and construction by issuance of bonds payable from assessments and backed by the full faith and credit of the watershed district; and further provide for adequate tax levy authority to assure the watershed district's credit capacity.

WATER QUALITY, LAKES, WETLANDS, RIVERS, AND STREAMS

2022-06: Limit Wake Boat Activities

Minnesota Watersheds supports working with the Minnesota Department of Natural Resources (DNR) to utilize the research findings from the St. Anthony Falls Laboratory and seek legislation to achieve one or more of the following:

- Limit lakes and areas of lakes in which wake boats may operate;
- Require new and existing wake boats to be able to completely drain and decontaminate their ballast tanks; and
- Providing funding for additional research on the effects of wake boats on aquatic systems.

2020-03 Soil Health Goal for Metropolitan Watershed Management Plans

Minnesota Watersheds supports amending Minnesota Rule 8410.0080 to include a goal for soil health in watershed management plans and ten-year plan amendments.

2019-07 Chinese Mystery Snail Designation Change and Research Needs

Minnesota Watersheds supports Chinese Mystery Snail prevention and control research and to change the Chinese Mystery Snail designated status in Minnesota as a regulated species to a prohibited species.

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of Aquatic Invasive Species (AIS)

Minnesota Watersheds supports legislation granting to watershed districts, independently or under DNR oversight, the authority, after public hearing and technical findings, to impose a public access quarantine, for a defined period of time in conjunction with determining and instituting an AIS management response to an infestation.

WATERSHED MANAGEMENT AND OPERATIONS

2022-04: Clarification of Watershed District Project Establishment with Government Aid or as Part of a Plan

Minnesota Watersheds supports working with BWSR to clarify Minnesota Statutes § 103D.605, Subd. 5.

2021-03: Support Increased Flexibility in Open Meeting Law

- Minnesota Watersheds supports changes to the Open Meeting Law to provide greater flexibility in the use of interactive technology by allowing members to participate remotely in a nonpublic location that is not noticed, up to three times in a calendar year per manager.
- Minnesota Watersheds supports allowing public participation from a remote location by interactive technology, or alternatively from the regular meeting location where interactive technology will be made available for each meeting, unless otherwise noticed under Minnesota Statutes Section 13D.021.
- Minnesota Watersheds supports changes to the Open Meeting Law requiring watershed districts to prepare and publish procedures for conducting public meetings using interactive technology.

2021-06: Support 60-day Review Required for State Agencies on Policy Changes

Minnesota Watersheds supports requiring state agencies to provide a meaningful, not less than 60-day review and comment period from affected local units of government on new or amended water management policies, programs, or initiatives with a response to those comments required prior to adoption.

2021-07: Support Metro Watershed-based Implementation Funding (WBIF) for Approves 103B Plans Only

Minnesota Watersheds supports BWSR distribution of metro WBIF among the 23 watershed management organizations with state-approved comprehensive, multi-year 103B watershed management plans. Those plans implement multijurisdictional priorities at a watershed scale and facilitate funding projects of any eligible local government unit (including soil and water conservation districts, counties, cities, and townships).

AGENCY RELATIONS

2019-01 Streamline the DNR permitting process

Minnesota Watersheds supports legislation, rules, and/or agency policies to streamline the DNR permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in the DNR reacting more quickly to serious, changing climate conditions.

REGULATIONS

2020-01 Appealing Public Water Designations

Minnesota Watersheds supports legislation that would provide landowners with a more formal process to appeal decisions made by the DNR regarding the designation of public waters including the right to fair representation in a process such as a contested case proceeding which would allow landowners an option to give oral arguments or provide expert witnesses for their case.

2019-05 Watershed District Membership on Wetland Technical Evaluation Panels

Minnesota Watersheds supports legislation to allow technical representatives of watershed districts to be official members of wetland technical evaluation panels.

2019-06: Oppose Legislation that Forces Spending on Political Boundaries

Minnesota Watersheds opposes legislation that establishes spending requirements or restricts watershed district spending by political regions or boundaries.

NATURAL RESOURCES

No resolutions currently in this category.

Resolutions to Sunset

Effective December 31, 2023

It should be noted that in July of 2022, the sunseting deadline was extended for resolutions expiring in 2017 by two years due to the pandemic and its influence on lobbying efforts. **All 2017 resolutions will have a sunset date of 2024.**

2018-02 Increase the \$250k General Fund Tax Levy Limit

Minnesota Watersheds supports legislation to increase or remove the \$250,000 general fund ad valorem tax levy limit set in MN statute 103D.905 Subd. 3. If the limit is raised to a new dollar amount, Minnesota Watersheds supports an inflationary adjustment be added to statute.

2018-03 Require Timely Appointments to the BWSR Board

Minnesota Watersheds supports legislation that requires the Governor to make BWSR board appointments within 90 days of a vacancy or board member term expiration.

2018-04 Require Watershed District Permits for the DNR

Minnesota Watersheds supports an amendment to the MN Statute § 103D.315, Subd. 5, to include the MN Department of Natural Resources as a state agency required to get permits from watershed districts when applicable.

2018-06 Ensure Timely Updates to Wildlife Management Area (WMA) Plans

Minnesota Watersheds supports that WMA operation and maintenance plans and/or management plans are either drafted or brought current in a timely fashion, with input from local governmental entities, to ensure their consideration in future One Watershed, One Plan efforts.

2018-08 Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems

Minnesota Watersheds supports legislation modeled after House File 2687 and Senate File 2419 of the ninetieth legislature (2017-2018) reinforcing that the DNR cannot restrict existing rights to maintain and repair 103E public drainage systems.

2018-09 Clean Water Council Appointments

Minnesota Watersheds may ask the representative of the Clean Water Council to resign when they lose their direct association to a watershed district; and that Minnesota Watersheds will recommend to the Governor's office that managers and/or administrators in good standing with Minnesota Watersheds be appointed to the Clean Water Council.

ITEMS FOR DISCUSSION AND INFORMATION

3. District Engineer Update and Timeline



District Engineer - Monthly Project Report June 2023 Rice Creek Watershed District



Date Prepared:
Prepared by:

29-Jun-23
M. Sikkink & C. Otterness

Project Name	Task Order Manager	Estimated Budget	Cost to Date	Remaining Budget	Project Complete / Transfer Funds?	Estimated Progress Based on Work Completed	Percentage of Budget Utilized	Within Budget? (Y/N)	District Billed for Exceedence of Budget? (Y/N)	Initial Target Completion Date	Items of Interest / Concern
Anoka County Ditch 53-62 Main Trunk Repair Design and Construction	Chris Otterness	\$111,900	\$91,359	\$20,541	N	80.0%	81.6%	Y	N/A	31-Dec-22	Tree clearing is nearing completion. Outfall stabilization, ditch excavation, and stabilization will continue through July
MS4Front Annual Subscription and Implementation Services	Brian Fischer	\$16,000	\$1,790	\$14,211	N	50.0%	11.2%	Y	N/A	31-Dec-23	Additional implementation efforts have been completed by HEI at District staff request.
GIS and Ditch Records Maintenance	Brian Fischer	\$16,000	\$9,961	\$6,039	N	50.0%	62.3%	Y	N/A	31-Dec-23	HEI completes updates to various GIS layers utilized in MS4Front and DrainageDB.
Climate Change and Floodplain Resiliency	Bret Zimmerman	\$84,182	\$88,373	(\$4,191)	Y	100.0%	105.0%	Y	N	30-Jun-23	HEI has completed a final report which has been submitted to the MPCA to close out the project. The report will be presented to the Board at a future workshop
Ramsey County Ditch 4 Repair Report	Chris Otterness	\$35,000	\$19,668	\$15,332	N	70.0%	56.2%	Y	N/A	1-Oct-22	RCWD staff has reviewed the preliminary report. HEI will present the report to the Board at a future workshop
AWJD 3 Branches 1, 2, and 4 Engineering Design and Bidding	Chris Otterness	\$54,000	\$27,089	\$26,911	N	50.0%	50.2%	Y	N/A	31-Dec-22	Project has been awarded. Work is anticipated to begin in mid- to late fall
Hansen Park FEMA LOMR Modeling Support	Chris Otterness	\$9,800	\$8,403	\$1,397	N	85.0%	85.7%	Y	N/A	31-Oct-22	HEI is continuing to prepare modeling products for use by the City of New Brighton in a FEMA submittal.
RCD 2, 3, & 5 Basic Water Management Project	Joe Lewis	\$167,500	\$108,812	\$58,688	N	65.0%	65.0%	Y	N/A	2-May-23	Preliminary plans for all three sites are continuing in development.
Centerville FEMA LOMR Modeling Support	Bret Zimmerman	\$16,900	\$23,178	(\$6,278)	N	95.0%	137.1%	N	N	31-Jan-23	HEI is reviewing comments provided by FEMA on the initial submittal
Centerville Lake WMD Alternative Assessment Methods	Chris Otterness	\$8,500	\$8,661	(\$161)	Y	100.0%	101.9%	Y	N/A	28-Feb-23	The final memorandum was presented to the Board at the June board workshop
2023 District Wide Modeling Program Annual Updates	Bret Zimmerman	\$22,500	\$1,719	\$20,781	N	8.0%	7.6%	Y	N/A	1-Jul-23	HEI staff is beginning to aggregate system modifications that have occurred since the last update.
RCD 1 Records Reestablishment	Adam Nies	\$27,500	\$3,987	\$23,513	N	15.0%	14.5%	Y	N/A	31-Dec-23	Initial survey of the ditch has been completed.
2023 Permit Program Compliance Audit of Level 2 Cities	Chris Otterness	\$27,500	\$16,069	\$11,431	N	60.0%	58.4%	Y	N/A	31-Dec-23	HEI staff has completed an initial review of the submitted permits. After RCWD staff input, findings will be discussed with the Cities.
RCWD Boundary Petition Assistance	Chris Otterness	\$16,500	\$5,283	\$11,218	N	30.0%	32.0%	Y	N/A	1-Mar-24	HEI has begun preparing a revised boundary based on City/WMO comments
ACD 53-62 Branches 5 & 6 Repair Report	Adam Nies	\$82,200	\$2,657	\$79,543	N	3.0%	3.2%	Y	N/A	30-Apr-23	HEI has begun identifying pertinent issues for review under the repair report.

Values in red are either potential budget concerns or changes in schedule.

The "overage" for those projects shown as "over budget" is not billed to the District. The cost to date column reflects HEI's actual internal cost. Projects are considered within budget if $\pm 5\%$.

**District Engineer
Monthly Progress Report (Actual & Estimated Progress)
Through June 2023**

