



REGULAR MEETING OF THE RCWD BOARD OF MANAGERS
Wednesday, March 27, 2024

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

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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 (via electronic means), Secretary Jess Robertson, and Treasurer Marcie Weinandt

Absent: None

Staff Present: District Administrator Nick Tomczik, Regulatory Manager Patrick Hughes, Lake and Stream Manager Matt Kocian, and Office Manager Theresa Stasica

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

Visitors via (video-conference): 2nd Vice-Pres. Steve Wagamon; Peter Olson

President Bradley noted that due to weather conditions, Manager Wagamon was not able to physically make it to the meeting but would be following along on-line, but would not be voting, since he is not present.

SETTING OF THE AGENDA

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

READING OF THE MINUTES AND THEIR APPROVAL

**Minutes of the March 11, 2024, Workshop and March 13, 2024, Board of Managers Regular Meeting.
Motion by Manager Robertson, seconded by Manager Waller, to approve the minutes as presented.
Motion carried 4-0.**

BOARD OF MANAGERS	Jess Robertson Anoka County	Steven P. Wagamon Anoka County	Michael J. Bradley Ramsey County	Marcie Weinandt Ramsey County	John J. Waller Washington County
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32 **CONSENT AGENDA**

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

35 **Table of Contents-Permit Applications Requiring Board Action**

36	No.	Applicant	Location	Plan Type	Recommendation
37	23-010	PGA Investments, LLC	Forest Lake	Final Site Drainage Wetland Alteration	CAPROC 11 items
39	24-004	MVN, LLC	Columbus	Final Site Drainage	CAPROC 8 items
41	24-005	Lariat Companies, Inc.	Lino Lakes	Final Site Drainage	CAPROC 7 items

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43 *It was moved by Manager Waller and seconded by Manager Bradley, to approve the consent agenda as*
44 *outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings and*
45 *Recommendations, dated March 19 & 20, 2024.*

46
47 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

48	No.	Applicant	Location	Plan Type	Recommendation
49	23-079	Anoka County	Lino Lakes	Final Site Drainage Wetland Alteration Floodplain Alteration	VARIANCE REQUEST CAPROC 12 items

52 Regulatory Manager Hughes gave a brief overview of the variance request from Anoka County Parks for
53 reconstruction of a 7,000-foot-long park roadway and explained that it did not technically meet the
54 District’s definition of a public linear roadway. He stated that they are requesting a variance from Rule C.6(e)
55 to treat 74% of the proposed impervious surface rather than the required 85% due to the length of the
56 roadway and the practical difficulty in raising portions of the roadway to direct surface water because of
57 wetlands and public waters.

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59 *It was moved by Manager Robertson and seconded by Manager Weinandt, to Approve the Variance*
60 *request for variance application 23-079 as outlined in accordance with RCWD District Engineer’s Variance*
61 *Technical memorandum, dated March 20, 2024. Motion carried 4-0.*

62 *It was moved by Manager Waller and seconded by Manager Weinandt, to Approve Permit 23-079 as*
63 *outlined in the RCWD District Engineer’s Findings and Recommendations, dated March 20, 2024.*
64 *Motion carried 4-0.*

65 **OPEN MIC/PUBLIC COMMENT**

66 None

67 **ITEMS REQUIRING BOARD ACTION**

68 **1. Houston Engineering Task Order 2024-002 - 2024 Rule Revisions Technical Support**
69 Regulatory Manager Hughes stated that at the recent Workshop meeting, staff had given a
70 presentation summarizing the goals of a rule revision, the success of the rule revision that was done
71 in 2020, and a sample of what they will be reviewing and proposing. He explained that this Task

72 Order is for assistance in the rule revision process from Houston Engineering including assessment
73 of potential changes, draft rule language, guidance documents, and implementation.

74
75 Manager Weinandt asked if what is being proposed would have an effect on any of the CAPROC and
76 variance items that they had just approved.

77
78 Regulatory Manager Hughes stated that there is currently a list of about 30 to 40 items that they
79 want to take a look at and one of them is the definition of a public linear project.

80
81 Manager Waller noted that at the workshop he noted that he was concerned with the extent of the
82 rules and the possibility of having them be a bit more brief or minimized and allow the cities to take
83 over those situations. He explained that this thought process was that the resources the District
84 expends for rules could be channeled more towards the maintenance of the stormwater conveyance
85 system which is the District's primary purpose.

86
87 President Bradley noted that this opinion may not be held by the rest of the Board. He asked what
88 the District would do to involve their partners, such as the cities that are affected by the rules.

89
90 District Administrator Tomczik explained that staff has a number of engagements with city staff
91 regarding the rules and will continue gathering input and materials from those avenues. He noted
92 that there would also be the public comment period where further comments can be heard.

93
94 Regulatory Manager Hughes stated that they are also considering an early comment period this time
95 around which would begin in a few weeks so it could also be brought up during the city/county
96 partner meeting. He stated that would mean that they could get early feedback before they even
97 draft any new language for the rules.

98
99 Manager Waller read aloud an example of one of the rules that he feels could be simplified and
100 should be the cities focus because it did not fall within the bounds of the District's primary focus,
101 related to disturbance and the differing requirements from the District as compared to the State.

102
103 District Administrator Tomczik referenced the Watershed Management Plan and noted that the
104 District's rule for erosion control is 10,000 sq. ft. to prevent sediment from entering the surface
105 waters. He stated that the District has expended large amounts of money to excavate sediment,
106 for example the Long Lake Sediment Basin, so the rule is both prevention and correction of past
107 practices.

108
109 President Bradley stated that it sounds as though he is implying that if the District changes it, it may
110 have a negative consequence on the ditches.

111
112 District Administrator Tomczik confirmed that is the District's approach, to date, in order to prevent
113 erosion and sedimentation from occurring.

115 Manager Waller stated that he felt that rule really applies to the cities and they are the ones in
116 charge of that. He stated that he was not certain that all of the rules have been effective, if the
117 District is going to contain the sediment away from the stormwater system.

118
119 District Administrator Tomczik noted that the District’s governance is to address the surface waters
120 and they have developed the ‘three-legged stool’ with the Watershed Management Plan and the
121 rules are a major component of addressing sedimentation. He stated that the District sets the
122 standard by which work is undertaken to achieve those goals/rules. The municipalities have the
123 opportunity, within the Watershed Management Plan, to take up that regulatory effort on their
124 own.

125
126 Manager Waller stated that the Watershed Management Plan is a flexible document and it can
127 change.

128
129 Manager Robertson stated that she does not have a problem with rule and regulatory revisions, but
130 her fundamental philosophy on rules is that she does not like them because in most cases they are
131 one size fits all. She stated that because of that it does not always allow the District the flexibility
132 to be a good partner. She noted that rules should be a tool and asked that through this process they
133 find an undertone of flexibility even though there will be certain instances where there needs to be
134 a hard ‘yes’ or ‘no’. She noted that she liked structure, but not rules.

135
136 Manager Waller called the question.

137
138 ***Motion by Manager Waller, seconded by Manager Bradley, to authorize the Board President to***
139 ***execute the HEI Task Order 2024-002 for technical support in administering the 2024 rule and***
140 ***regulatory program revision in an amount not to exceed \$36,000. Motion carried 4-0.***
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142 **2. Centerville Lake Alum Project – Release Request for Quotes**

143 Lake and Stream Manager Kocian gave a presentation regarding the grant the District was awarded
144 from Clean Water Funds to complete the Centerville Lake Alum Project. He reminded them that the
145 District had hired Barr Engineering to act as project engineer for this project. He outlined the
146 proposed timeline and explained that they were moving through this quickly due to the grant
147 window. He noted that Barr had developed project specifications and were preparing to release a
148 Request for Quotes (RFQ) for alum applicator services. He reviewed some of the key components
149 of the project that would be going on as part of the RFQ process and explained that they were
150 proposing to do the first alum application in May of 2024. All of the areas deeper than 10 feet would
151 receive alum at the same dosage. He reviewed the primary access route, staging area, and barge
152 launch area, as well as alternate locations. He reviewed details from the cost estimate to mobilize
153 and apply the alum and the amount the District had budgeted for this work, including a 5%
154 contingency. He briefly reviewed the draft specifications for the RFQ and alum applicator
155 qualifications.

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157 ***Motion by Manager Bradley, seconded by Manager Weinandt, to direct Barr, on advice of counsel,***
158 ***to release the Request for Quotes for the Centerville Lake Alum Project.***

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Manager Waller stated that the phrase Lake and Stream Manager Kocian had used in his presentation was that the specification for the alum treatment are to be 'food quality'.

Lake and Stream Manager Kocian clarified that he had not lifted that directly from the specifications but has heard it referred to that in the past. He stated that the specifications require that the alum 'must meet the American Waterworks Standards for Aluminum Sulfate Application'.

Manager Waller stated that he is not always a big fan of chemical treatments, but when the words used are 'food quality' it tells him that it will be a dosage that is safe and he just wanted to emphasize that point.

Manager Weinandt stated that she wanted to highlight the fact that this project is a direct result of a competitive Clean Water Funds grant which is in addition to the Watershed Based Implementation Funding that the Clean Water Council/BWSR appropriates to each watershed. She commended Lake and Stream Manager Kocian and other staff members for working on this grant. She noted that there will be a public meeting on this on April 11, 2024.

Motion carried 4-0.

Lake and Stream Manager Kocian stated that notice of the public meeting had been mailed out to all residents of the lake and it is also being promoted on District social media, so they are hoping for a good turnout.

3. Check Register Dated March 27, 2024, in the Amount of \$326,434.98 and March Interim Financial Statements Prepared by Redpath and Company

Manager Weinandt stated she had reviewed the check register and March Interim Financial Statements.

Motion by Manager Weinandt, seconded by Manager Bradley, to approve check register dated March 27, 2024, in the Amount of \$326,434.98 and March Interim Financial Statements Prepared by Redpath and Company. Motion carried 4-0.

ITEMS FOR DISCUSSION AND INFORMATION

1. Staff Reports

Manager Weinandt noted that she had seen the Iron Enhanced Sand Filters (IESF) mentioned in a few of the staff reports and asked how they were doing.

District Administrator Tomczik explained that there are 3 IESF in the District, one in cooperation with the City of Roseville. He noted that for the one in White Bear Lake Township they will be looking to install pumps and bring them up online for the season, the Roseville IESF had a cracked pipe, and the one at Hanson Park as well to be up on line as well as undergoing usual maintenance items.

Manager Weinandt stated that this reinforces that the District facilities need continual inspection and maintenance.

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2. April 2024 Calendar

District Administrator Tomczik highlighted the upcoming meetings and noted that he would be gone on April 8, 2024, for the Board Workshop meeting and planned to have Lake and Stream Manager Kocian cover that meeting in his absence.

President Bradley noted that he would be absent for the April 24, 2024, Board meeting.

3. Administrator Updates

District Administrator Tomczik updated the Board on the Priebe Lake Outlet Project (PLOP) and Halls Marsh. He explained that staff had met with Birchwood Village representatives and had a good discussion with them and reviewed the District operations of maintenance of the system and how important it is that it be a coordinated effort. He stated that they covered the resource elements that Birchwood Village has an interest in at Halls Marsh and how the District may work with them. He stated that the Board directed exploration of Alternative 4 for the ACD 10-22-32 project and explained that each component of this alternative had independent utility and the Pine Street culvert would be their first work being the downstream section. He noted that landowners have expressed interest in that work and will continue to move this forward and would come back to the Board with a Wetland Conservation Act replacement plan and so will be ready to complete that work when a contractor is available. He explained that discussions are continuing with the DNR regarding their criteria in determination of what constitutes an ‘impact’ in its public waters. He noted that the District is continuing to move ahead in filling its open positions. He stated that the District had received a petition regarding RCD 2,3,5,/I35W mitigation project and noted the legislative funding efforts and referenced SF #4337 and HF #4944. He stated that he will give a short presentation at the Capital Investment Committee on April 3, 2024, at 1:00 p.m. He noted that the time will be very limited, including time for questions.

Manager Weinandt asked where things stood with the Ramsey County border revision.

District Administrator Tomczik stated that things continue with the Ramsey County border and explained that, at this point, they have solidified the mapping and packet of information. He stated that they will ask each of the communities to prepare and submit to the District its consensus with the proposed boundary and are currently working to get those letters back from the cities.

District Engineer Otterness noted that they did not have a specific timeline for getting the letters back. He stated that ultimately the District cannot move forward until they get the concurrence from the cities and the adjoining watershed management organizations.

4. Managers Update

Manager Waller attended the Watershed meeting last week and felt it was a good meeting and noted that he believes that both entities came away feeling like they were on the same team. He noted that there is a study being done at the University of Minnesota regarding wetlands and how they function, so he thinks there is an opportunity to find out a bit more information and perhaps participate in this type of study.

248 Manager Weinandt stated that there will be an audit meeting on April 2, 2024, to go review the
249 draft audit.

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251 **ADJOURNMENT**

252 ***Motion by Manager Robertson, seconded by Manager Waller, to adjourn the meeting at 9:50 a.m.***

253 ***Motion carried 4-0.***

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