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RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, May 8, 2024, 9:00 a.m.

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

or via Zoom Meeting:

<https://us06web.zoom.us/j/84645678076?pwd=ikyoVrt82f98lkf2kQvBCncbCLFkX9.1>

Meeting ID: 846 4567 8076

Passcode: 679483

+1 312 626 6799 US (Chicago)

Meeting ID: 846 4567 8076

Passcode: 679483

Agenda

CALL TO ORDER

ROLL CALL

SETTING OF THE AGENDA

APPROVAL OF MINUTES: APRIL 24, 2024, 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
24-016	Great Grace Assembly of God Church	Blaine	Final Site Drainage Plan Land Development Public/Private Drainage System Wetland Alteration Floodplain Alteration	CAPROC 12 items
24-019	Headwaters Land Group, LLC	Forest Lake	Final Site Drainage Land Development Floodplain Alteration	CAPROC 8 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 April 29, 2024.

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. Career Enhancement Options, Inc. Services Agreement Amendment (Nick Tomczik)
2. Check Register Dated May 8, 2024, in the Amount of \$145,469.19 Prepared by Redpath and Company

ITEMS FOR DISCUSSION AND INFORMATION

1. Anoka County Ditch 10-22-32 Wetland Replacement Plan at Pine Street (Tom Schmidt)
2. District Engineer Update and Timeline
3. Administrator Updates
4. Manager's Update

**APPROVAL OF MINUTES: APRIL 24, 2024, REGULAR
MEETING**

DRAFT

1
2 For Consideration of Approval at the May 8, 2024 Board Meeting.
3 Use these minutes only for reference until that time.
4

REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, April 24, 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

CALL TO ORDER

Vice-Pres. John Waller called the meeting to order, a quorum being present, at 9:00 a.m.

ROLL CALL

Present: 1st Vice-Pres. John Waller, 2nd Vice-Pres. Steve Wagamon, Secretary Jess Robertson, and
Treasurer Marcie Weinandt

Absent: President Michael Bradley (with prior notice)

Staff Present: District Administrator Nick Tomczik, Regulatory Manager Patrick Hughes, Communications
& Outreach Manager Kendra Sommerfeld, Lake & 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

Visitors: None

SETTING OF THE AGENDA

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

READING OF THE MINUTES AND THEIR APPROVAL

*Minutes of the April 8, 2024, Workshop and April 10, 2024, Board of Managers Regular Meeting. Motion
by Manager Robertson, seconded by Manager Weinandt, to approve the minutes as presented. Motion
carried 4-0.*

34 **CONSENT AGENDA**

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

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

38 No.	Applicant	Location	Plan Type	Recommendation
39 24-015	Fiji Cube, LLC	Lino Lakes	Final Site Drainage Plan	CAPROC 7 items
40				
41 24-017	City of Forest Lake	Forest Lake	Final Site Drainage	CAPROC 4 items

42

43 ***Motion by Manager Wagamon and seconded by Manager Weinandt, 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 April 16, 2024. Motion carried 4-0.***

46 **PERMIT APPLICATION REQUIRING BOARD ACTION**

47 No.	Applicant	Location	Plan Type	Recommendation
48 24-009	City of Lino Lakes	Lino Lakes	Final Site Drainage Plan	VARIANCE REQUEST
49			Floodplain Alteration	CAPROC 10 items

50

51 Regulatory Manager Hughes gave a brief overview of the variance request.

52

53 District Engineer Otterness offered to give a brief explanation of the rationale for this action. He explained
54 that this was a unique case, that is after the fact, because the lot split has already gone through. He stated
55 that right now, the way the rules are written, a one acre or greater lot split triggers all the requirements
56 under Rule C, which would also engage the requirements to provide easements under the CWPMP. He
57 noted that the landowner that sold the property to the City of Lino Lakes did not want to provide easements
58 on his property. He explained that the risk to the District was low because if the property develops in the
59 future they will have to provide those easements on the property at that time.

60

61 Manager Weinandt asked if this would have been something that the District would have seen before the
62 property purchase and split, or if it was just a matter of timing.

63

64 District Engineer Otterness stated that the City was required to get a Rule C permit before doing a
65 subdivision, which they were not aware of. This is why the subdivision occurred prior to them obtaining the
66 permit.

67

68 Manager Weinandt asked how the City was notified that they needed to come in for a variance.

69

70 District Engineer Otterness explained that they had to come in for a permit for the site plan component of
71 the project, which is when District staff learned of the land subdivision that had already occurred.

72

73 Regulatory Manager Hughes clarified that the City of Lino Lakes was not ‘required’ to submit a variance
74 request, but were requesting it because it would likely be a challenge for them to go back to the private
75 land owner at this point and encumber more of the property with the easement.

76
77 ***Motion by Manager Wagamon and seconded by Manager Waller, to Approve the Variance request for***
78 ***variance application 24-009 as outlined in accordance with RCWD District Engineer’s Variance Technical***
79 ***memorandum, dated April 17, 2024. Motion carried 4-0.***

80
81 ***Motion by Manager Wagamon and seconded by Manager Robertson, to CAPROC permit 24-009 as***
82 ***outlined in the RCWD District Engineer’s Findings and Recommendations, dated April 17, 2024. Motion***
83 ***carried 4-0.***

84 **OPEN MIC/PUBLIC COMMENT**

85 None

86 **ITEMS REQUIRING BOARD ACTION**

87 **1. RCWD Annual Report Approval**

88 Communications & Outreach Manager Sommerfeld presented a draft of the 2023 RCWD Annual
89 Report. She stated that if the Board did not have any changes or suggestions, the report was ready
90 to go.

91
92 Manager Weinandt stated that she felt Communications & Outreach Manager Sommerfeld did a
93 very nice job with the report and noted that it was always nice to see all the work that has been
94 done in the District. She asked if there would be a figures list in the document for when the figures
95 are identified, for example, Figure 1.

96
97 Communications & Outreach Manager Sommerfeld stated that she could create a reference at the
98 end of the document.

99
100 Manager Weinandt stated that she would like to see that because some of these places are being
101 referred too differently than she was used to. She suggested that perhaps they could also find a
102 way to identify it on the map, so people could identify where these things are actually located. She
103 asked if there was anything in the report about the District’s bonding request or any of the flooding
104 in the New Brighton area.

105
106 Communications & Outreach Manager Sommerfeld stated that she did not have much of that
107 included in the Annual Report because the District had done a lot of that work in 2024 so it would
108 be included in next year’s report.

109
110 ***Motion by Manager Weinandt, seconded by Manager Robertson, to approve the 2023 Annual***
111 ***Report with any necessary formatting and non-substantive changes and authorize submission to***

112 ***the Board of Water and Soil Resources and other required recipients by the deadline. Motion***
113 ***carried 4-0.***

114
115

116 **2. Curlyleaf Pondweed Management Agreements**

117 Lake & Stream Manager Kocian stated that the District has been working on this program for over
118 10 years, but has been managing curlyleaf pondweed and invasive species for more than 20 years.
119 He explained that the District manages curlyleaf pondweed because it is an invasive species that has
120 an impact on water quality. He noted that curlyleaf pondweed has an odd growing cycle because it
121 begins growing in the fall and survives under the ice of the winter months which means it has a
122 competitive advantage over native plant species in the spring, then, dies over the summer and its
123 decomposition is what leads to the impacts on water quality. He explained that for the last 10 years
124 the District has been running this program with a 50/50 cost share with lake associations or home
125 owners groups. He stated that this year he was seeking approval of expenditures up to \$20,000, but
126 noted that after reimbursement, the Districts actual costs should be somewhere in the \$8,000 to
127 \$10,000 range. He noted that several of lake associations are working with DNR grants in 2024, and
128 therefore not partnering with the District. Also, curlyleaf pondweed is down in some lakes in 2024.
129 For those reasons, District costs are down in 2024, well below the budget of \$50,000.

130
131
132

Manager Wagamon referenced page 103 of the packet and asked what a ‘monotypic area’ would be.

133
134
135

Lake & Stream Manager Kocian explained that monotypic area implied that there was a single species – in this case, curlyleaf pondweed.

136
137
138

Motion by Manager Robertson, seconded by Manager Wagamon, to authorize the Administrator to enter into cost-share agreements with lake associations for curlyleaf pondweed treatments in 2024. Motion carried 4-0.

139
140
141

Motion by Manager Robertson, seconded by Manager Weinandt, to authorize the Administrator to enter into professional services agreements with Lake Management, Inc. for herbicide treatment of curlyleaf pondweed with the total costs not to exceed \$20,000. Motion carried 4-0.

142
143
144
145

146 **3. Centerville Lake Alum Project Contractor Selection**

147 Lake & Stream Manager Kocian stated they were seeking authorization for an agreement with an
148 alum applicator and access agreements with cooperators. He reminded the Board that the District
149 had received Clean Water Fund dollars to do an alum treatment on Centerville Lake. He explained
150 that the District had hired Barr Engineering as the project engineer who had released the Request
151 for Quotes in March to three applicators, and noted that the District received just one quote back
152 from Solitude Lake Management. He noted that this company was formerly known as HAB Aquatic

153 Solutions who had done the alum treatment on Bald Eagle Lake in 2014 and 2016. He stated that
154 many of the alum treatments throughout Minnesota have been done by this group. He noted that
155 Solitude's quote came in about \$64,000 under budget and includes applications for both 2024 and
156 2026, which is the entirety of the project. He gave a brief overview of the two access agreements.
157 Manager Weinandt stated that she thought it was great that there was such a good turnout at the
158 public information meeting.

159
160 Manager Robertson asked if the total not to exceed amount included contingencies.

161
162 Lake & Stream Manager Kocian stated that the motion does include a contingency and noted that
163 instead of using a percentage, they are suggesting a dollar amount.

164
165 Manager Wagamon asked why the other two companies had not submitted a quote.

166
167 Lake & Stream Manager Kocian explained that there are just not many companies that do this type
168 of work, especially at this scale. He stated that the other two companies that had received the
169 Request for Quotes, are equipped to do alum treatments, but on smaller ponds, such as those on a
170 golf course. He explained that despite the lack of competition there does not appear to be any
171 indication of price increases and stated that Solitude Lake Management's references are all very
172 solid.

173
174 1st Vice-Pres. Waller stated that since the District would be working with Barr Engineering, he would
175 assume that they will see Joe Bischoff at some point and noted that he has a long history of working
176 with the District, so he felt they were in pretty good hands with this project.

177
178 **Manager Wagamon, seconded by Manager Robertson, to authorize the Administrator, on advice**
179 **of counsel, to enter into an agreement with Solitude Lake Management, Inc. for the Centerville**
180 **Lake Alum Project, for an amount not to exceed \$957,312.50. The Administrator is further**
181 **authorized to approve contract amendments not to exceed \$64,434.50. Motion carried 4-0.**

182
183 **Manager Wagamon, seconded by Manager Robertson, to authorize the Administrator, on advice**
184 **of counsel, to execute access agreements with Anoka County and St. Paul Regional Water Services**
185 **for the Centerville Lake Alum Project. Motion carried 4-0.**

186
187 Manager Weinandt asked for an update on the carp programs.

188
189 Lake & Stream Manager Kocian stated that they are fully ready when the carp decide to start
190 migrating up Rice Creek, which they have not done so far. He noted that with the warmer
191 temperatures and rain, they expect the carp will begin migrating soon.

192
193

194 **4. Check Register Dated April 24, 2024, in the Amount of \$309,611.20 and April Interim Financial**
 195 **Statements Prepared by Redpath and Company**
 196 Manager Weinandt referenced page 124 of the packet and pointed out that the District has surety
 197 reimbursements from 2013 and 2017, which she believes were the result of looking into the historic
 198 records.

199
 200 Regulatory Manager Hughes clarified that the payment from 2013 was not directly related to the
 201 unresolved permit efforts and was just something the developer had to address.

202
 203 ***Motion by Manager Weinandt, seconded by Manager Robertson, to approve check register Dated***
 204 ***April 24, 2024, in the Amount of \$309,611.20 and April Interim Financial Statements Prepared by***
 205 ***Redpath and Company. Motion carried 4-0.***
 206

207 **ITEMS FOR DISCUSSION AND INFORMATION**

208 **1. Staff Reports**

209
 210 **2. May Calendar**

211
 212 **3. Administrator Updates**

213 District Administrator Tomczik stated that the District was out inspecting and monitoring ACD 53-
 214 62 for the vegetation establishment. He stated that the first closure was this past Friday for their
 215 Project Manager position and they are currently reviewing applications. He stated that for the I35W
 216 flood mitigation project, the District had shared the bill informational materials, that were
 217 developed by Communications & Outreach Manager Sommerfield, with Minnesota Watersheds
 218 who, in turn, shared it with their lobbyists. He stated that HF #4944 now has authors of
 219 Representatives Feist, Mueller, and Fischer, and SF #4337 has been referred to capital investment
 220 but does not yet have a scheduled hearing. He noted that Senator Marty’s office has expressed
 221 interest so they have passed along the relevant materials and welcome any questions that he may
 222 have. He stated that Minnesota Watersheds had sent out a survey regarding human resource
 223 matters, current challenges/needs at watershed and noted that he appreciated their support. He
 224 stated that the Annual Conference would be moving to Grand View Lodge and the Minnesota
 225 Watershed Summer Tour would be held on June 25-27, 2024. He reminded the Board that the City-
 226 County Partner meeting will be held later today from 1:00 to 3:00 p.m. at the New Brighton
 227 Community Center in Room #224.
 228

229 **4. Managers Update**

230 Manager Weinandt stated that she had attended an interesting meeting with Metro MN
 231 Watersheds and noted that BWSR and MN Watersheds Director Voigt were also in the office last
 232 week for a visit.
 233

234 Manager Wagamon stated that he would not be able to attend the City-County meeting later today.

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Manager Robertson stated that following Board direction from their workshop, she and Manager Wagamon met with the City of Circle Pines to go through the unanswered questions that the District has regarding their intent. She explained that they had asked the City of Circle Pines to provide a formal memo to the District clearly stating what their concerns are, their next steps, and identifying their intent to handle the outstanding invoice.

1st Vice Pres. Waller stated that he attended the legislature last week and met with Senator Housley and talked to her about the bill and also spoke with Representatives Anderson and Fischer about it. He stated that he was at the Metro MN Watersheds meeting and spoke with the lobbyists and gave a brief overview of some of their topics of discussion. He stated that the Board voted two meetings ago on looking at the rules and he brought up at the last meeting regarding things such as overlap. He stated that District Attorney Smith had reminded him to look at the watershed management plan, which he did. He referenced the plan and read aloud a section related to rule revisions related to overlapping.

ADJOURNMENT

***Motion by Manager Robertson, seconded by Manager Wagamon, to adjourn the meeting at 9:38 a.m.
Motion carried 4-0.***

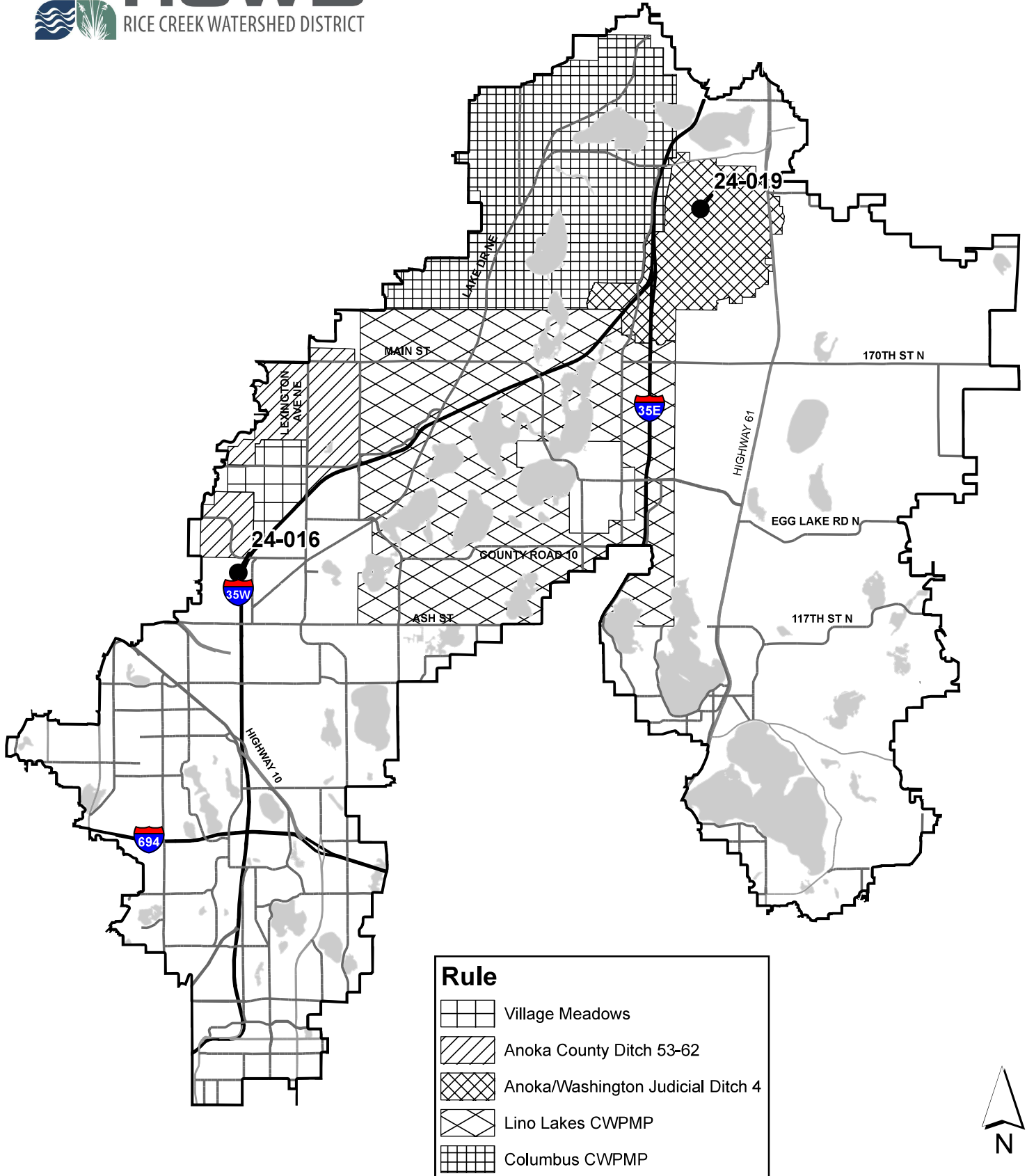
CONSENT AGENDA

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:

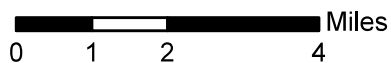
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24-019	Headwaters Land Group, LLC	Forest Lake	Final Site Drainage Land Development Floodplain Alteration	CAPROC 8 items

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 April 29, 2024.



Permit Reviews
05/08/2024 Agenda





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:

24-016

Permit Application Name:

Boulder Villas

Applicant/Landowner:

Great Grace Assembly of God Church
Attn: Louis Oppong-Kyekyeku
2625 Central Ave NE
Minneapolis, MN 55418
Ph: 612-788-4205
greatgraceag@gmail.com

Permit Contact:

Plowe Engineering, Inc.
Attn: Adam Ginkel
6776 Lake Drive STE 110
Lino Lake, MN 55014
Ph: 651-361-9182
adam@plowe.com

Boulder Contracting LLC
Attn: Brian Jansen
16522 Wake St NE
Ham Lake, MN 55304
Ph: 612-369-2746
Brian@BoulderContractingLLC.com

Project Name: Boulder Villas

Purpose: FSD – Final Site Drainage, LD – Land Development, PDS – Public/Private Drainage System, WA – Wetland Alteration, FA – Floodplain Alteration; Detached single-family villas with private streets.

Site Size: 4.84± acre parcel / 3.40 ± acres of disturbed area; existing and proposed impervious areas are 0.00 ± acres and 1.12 ± acres, respectively

Location: On the corner of 93rd Ave NE and West 35W Service Road in Blaine, MN.

T-R-S: NE ¼, Section 34, T31N, R23W

District Rule: C, D, E, F, I

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 D – Erosion and Sediment Control

1. 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).

Rule F – Wetland Alteration

2. Applicant must provide shape file of wetland boundaries; a condition of approval of the type and boundary delineation.

Rule I – Drainage Systems

3. Applicant must provide an easement that includes the channel and the area on each side of the channel within 20 feet of top of bank specifying and encompassing a District right of maintenance access for the public drainage system. Wherever work occurs within the easement a maintenance pathway must be provided along the top of ditch bank (20-foot width, no more that 10% sideslope (perpendicular to the ditch), no more than 5:1 longitudinal slope (parallel to the ditch)).
4. The maintenance responsibility for the crossing must be memorialized in a document executed by the property owner in a form acceptable to the District and filed for record on the deed.
5. Applicant must submit a plan to maintain the flow ARJD-1 during construction activities. Plan must also include contingency plan for larger storm events.
6. Applicant must submit a copy of the final dewatering plan.

Administrative

7. 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. Final plans must include the following:
 - Applicant to modify outlet pipe so as to not be an impedence to ditch maintenance or cause erosion.
 - Provide additional protection measures/details at the sanitary crossing of ARDJ-1 to ensure the pipe is not damaged.
8. The applicant has been notified that permit costs have exceeded \$7,500. The applicant is responsible for permit review costs in excess of \$9,000 and must pay any remaining balance due. Contact the District after all other conditions have been addressed for the final amount.
9. 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 Blaine).
10. 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.
11. 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.
12. The applicant must submit a cash surety of \$13,800 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 \$2,000 for 3.4 acres of disturbance, \$5,600 for 11,183 CF of storm water treatment, \$ 6,200 for 825 CY of floodplain mitigation.

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.
2. Provide an as-built survey and computation of the floodplain fill and mitigation storage areas and volume for verification of compliance with the approved plans before return of the surety.
3. Provide an as-built survey of wetland boundaries, quantifying the wetland impact area for verification of compliance with the approved plans
4. Provide an as-built survey of all pipe sizes and invert elevations of culverts on ARJD1 on both Br 1 and the Main Trunk to verify location and elevation with the approved plans.
5. The applicant must submit a record drawing of the installed subsurface utility crossing.

Exhibits:

1. Plan set containing 11 sheets dated 4-19-2024 and received 4-19-2024.
2. Stormwater Calculations, dated 4-19-2024 and received 4-19-2024, containing narrative, drainage maps, HydroCAD report for the 2-year, 10-year, and 100-year rainfall events for proposed and existing conditions.
3. Soil Borings Report dated 10-10-2016 and received 3-15-2024.
4. Revised floodplain calculations (on sheet C1.1), received 4-26-2024.
5. WCA exemption application, signed 03-08-2024 and received 03-11-2024.
6. TEP comment, received 04-23-2024.
7. Review files 16-106R, 23-036R, 23-172R.

Findings:

1. **Description** – The project proposes to construct detached single-family homes with private streets on a 4.84± acre parcel located on the corner of 93rd Ave NE and West 35W Service Road. The project will increase the impervious area from 0.00± acres to 1.12± acres and disturb 3.40± acres overall. The project drains south to ARJD 1 Br 1 which intersect the Main Trunk at the south portion of the property. ARJD 1 Main Trunk flows into Rice Creek and then to Long 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	NURP requirement	Volume provided	EOF
Pond A	Southeastern property line	4,689± CF	8,450± cubic feet below the outlet	906.3
Pond B	Northwestern property line	3,427± CF	7,470± cubic feet below the outlet	906.3
Pond C	Southwestern property line	3,067±CF	6,025± cubic feet below the outlet	906.4

Soils on site are a mix of HSG A/B and D consisting of silty clay mix with sand and sandy top soil with fine sands below. The water table is near or at the surface. Thus, infiltration is not considered feasible and stormwater ponds is acceptable to meet the water quality requirement. Per Rule C.6(c)(1), the Water Quality requirement is 2.2-inches over the new/reconstructed area (1.12± acres), however NURP sizing criteria governs.

The pond sizing, and outlets and overflows are consistent with the design criteria of Rule C.9(d). The applicant has treated 88.3% of the project area. Additional TSS removal is not practicable. The applicant has met all the Water Quality requirements of Rule C.6 and the design criteria of Rule C.9(d).

Point of Discharge	2-year (cfs)		10-year (cfs)		100-year (cfs)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
To ARJD 1	0.7	0.6	2.3	1.7	7.4	5.0
Totals		0.6		1.7		5.0
80% Existing	0.5		1.9		5.9	

The project is located within the Flood Management Zone. The slight increase in rate to ARJD 1 is within tolerance of the model. 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 – A wetland delineation was completed as part of a property subdivision under permit file #07-040. This application was never approved and no impacts were proposed at that time. The property was delineated for wetlands again under review file #16-106R with a boundary decision issued on 11-04-2016 which has expired. More recently, a boundary/type application was submitted under review file #23-172R. This boundary decision was issued on 11-02-2023 and remains valid at the time of this permit application.

The project proposes 1,903 ft² of permanent wetland impact associated with the grading for new single-family home lots. The LGU finds that the proposed impacts qualify for de minimis exemption under MN 8420.0420 Subpart 8 (type 1/2 wetland, non-shoreland, 50-80% county). A notice of decision was issued on 05-06-2024.

4. Floodplain – The regulatory floodplain elevations on site are 906.0 (west) and 905.7 (east). The applicant has placed 825 cubic yards of fill, off-set by 867 cubic yards of mitigation in compliance with Rule E.
5. Erosion Control – Proposed erosion control methods include silt fence, bio-rolls, rip-rap with geo-fabric, erosion control blanket, rock construction entrance, inlet protection and rip rap. The project disturbs more than 1 acre; an NPDES permit is required. The SWPPP is located on plan sheet 7. 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 – Both the Main Trunk and Branch 1 of Anoka Ramsey Judicial Ditch (ARJD) are located on the property, at the southeast and southwest property lines respectively. The applicant is proposing a sanitary crossing 4-5 feet below the Main Truck, which is in a culvert at that location. The crossing owner will remain responsible should the crossing at any time be found to be an obstruction or subject to future modification or replacement under the drainage law. The final plans must provide measures to protect the culvert. The applicant must provide a declaration of maintenance for the crossing, as well as an easement granting the District the right of maintenance.

A dewatering plan must also be submitted. Otherwise, the project is in compliance with Rule I requirements.

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 – Under review file 23-172R a wetland delineation was completed for the parcel. Previous permit applications for the site which were never issued include 07-040, and 16-105.

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

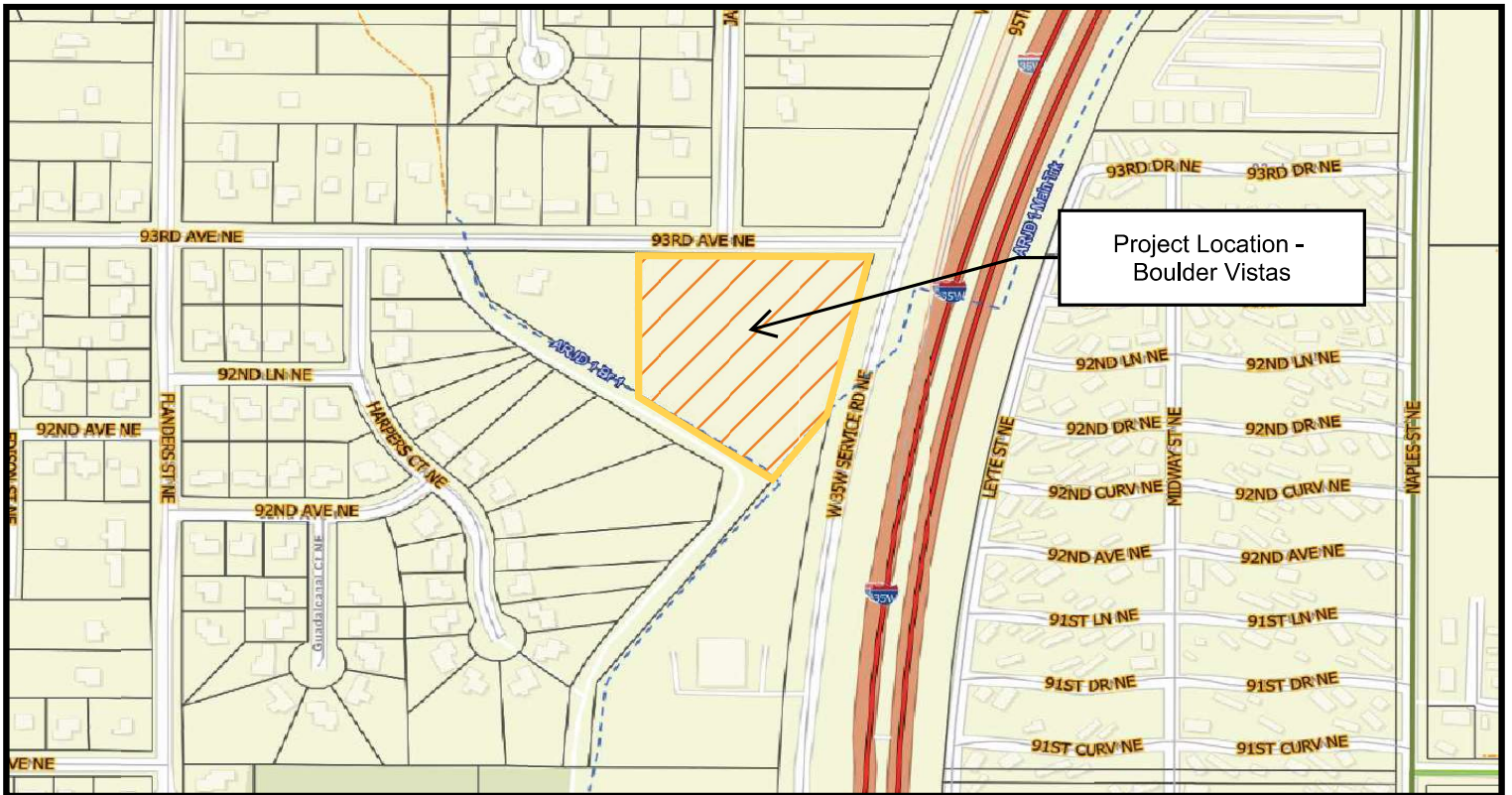
 04/29/2024

Christina Traner

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.


 4/29/2024

Katherine MacDonald, MN Reg. No 44590



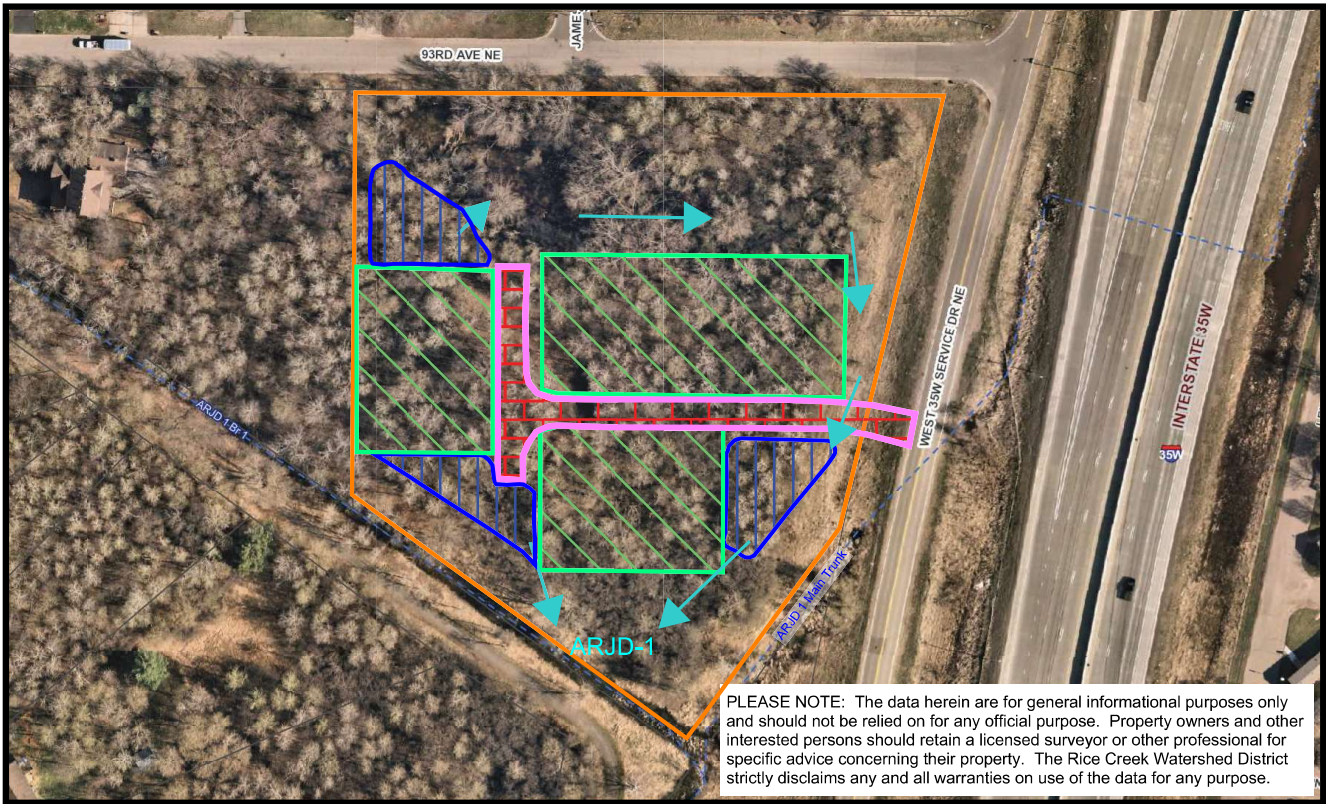
Legend

 Project Location

 Public Ditch - Open Channel






 Private Ditch





PLEASE NOTE: The data herein are for general informational purposes only and should not be relied on for any official purpose. Property owners and other interested persons should retain a licensed surveyor or other professional for specific advice concerning their property. The Rice Creek Watershed District strictly disclaims any and all warranties on use of the data for any purpose.

Legend

- | | | |
|--|---|--|
|  Single family lots |  Private Streets | |
|  Project Location |  Pond |  Drainage Arrow |





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:

24-019

Permit Application Name:

Hidden Creek Phase 2

Applicant/Landowner:

Headwaters Land Group, LLC
Attn: John Dobbs
6995 55th Street N
Oakdale, MN 55128
Ph: 612-747-1463
ejohndobbs@gmail.com

Permit Contact:

Widseth, Smith, Nolting & Associates, Inc.
Attn: Timothy Houle
6641 Lake Blvd P.O. Box 37
Forest Lake, MN 55025
Ph: 218-316-3646
Fx: 651-464-4822
tim.m.houle@widseth.com

Project Name: Hidden Creek Phase 2

Purpose: FSD – Final Site Drainage, LD – Land Development, FA – Floodplain Alteration; Phase 2 of the Hidden Creek project in Forest Lake.

Site Size: Multiple parcels totaling 130± acres / 26.6± acres of disturbed area; existing and proposed impervious areas are 0 ± acres and 14.67± acres, respectively

Location: South of Enfield Ave N. and West of Headwaters Parkway, Forest Lake

T-R-S: NW and NE ¼, Section 30, T32N, R21W

District Rule: C, D, E, I

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 D – Erosion and Sediment Control

1. 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. Verify if a new erosion control contact is required or provide if necessary.
- (h) Provide documentation that updated NPDES Permit information has been submitted to the Minnesota Pollution Control Agency (MPCA).

Rule I – Drainage Systems

- 2. Applicant must provide an easement that includes the channel and the area on each side of the channel within 20 feet of top of bank specifying and encompassing a District right of maintenance access for the public drainage system.
- 3. The applicant must indicate the location of any dewatering discharge. If a discharge point is within 200 feet of the public drainage system, then the applicant must provide a copy of the dewatering plan.

Administrative

4. 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. Final plans must include the following:
 - Ensure the datum is labeled.
 - Ensure the locations of EOFs are labeled
5. 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 Forest Lake).
6. 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.
7. 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.
8. The applicant must submit a surety of \$51,800 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 the additional amounts of \$9,750 for 26.6 acres of disturbance, \$37,000 for 74,091 CF of additional storm water treatment, \$ 5,050 for 670 CY of floodplain mitigation.

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.
2. Provide an as-built survey and computation of the floodplain fill and mitigation storage areas and volume for verification of compliance with the approved plans before return of the surety.

Exhibits:

1. Complete Development Plan set containing 36 sheets printed 4-22-2022 and received 03-18-2024.
2. Online permit application notification, received 3-21-2024.
3. Stormwater Calculations, dated 4-22-2022 and received 03-13-2024, containing narrative, drainage maps, HydroCAD report for the 2-year, 10-year, and 100-year rainfall events for proposed and existing conditions.
4. Phasing exhibit, dated 7-21-2023 and received 03-18-2024.
5. Preliminary plat for the entire project, dated 03-25-2022 and received 03-18-2024.
6. Hidden Creek (Phase 1) plat (page 2), no date, received 03-21-2024
7. Permit file 21-099.

Findings:

1. Description – The project proposes to construct the second part (full development) of the Hidden Creek residential subdivision which is located on previously undeveloped (0± acres of impervious surface) multiple parcels totaling 130± acres located in Forest Lake. Phase 1, covered under permit 21-099 is currently under construction. See Finding 9 for additional detail. Post developed impervious surface for Phase 1 included 4.56± acres. Phase 2 will add an additional 14.67± acres for a project total of 19.23± acres of impervious surface. Phase 2 will disturb an additional 26.6± acres, bringing the development total to 51.9± acres of overall disturbance. Runoff from the site drains to the west to the Main Trunk of Anoka-Washington Judicial Ditch 4 (JD 4) and to the north to a restored wetland basin in an adjacent development (which outlets into Branch B of JD 4 and eventually into the Main Trunk). All site runoff flows to the Main Branch of JD 4 before discharging to Peltier Lake, which is the Resource of Concern. The applicant has submitted a \$5,400 application fee for a Rule C permit creating 5 or more 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
Park South Bioiltration Basin	South of Park North Pond	Park North Pond	167,109± cubic feet below the outlet	896±
Park North Pond	Center of Project	Rate Control Only		896±
Park East Dry Basin	East of English Avenue	Rate Control Only		896±
SE Dry Basin	South of Headwaters Ave.	Rate Control Only		899.1±

Soils on site are primarily CL clay soils (HSG D), and thus infiltration is not considered feasible and bio-filtration is acceptable to meet the water quality requirement. Per Rule C.6(c)(1), the Water Quality requirement is 1.69-inches over the new/reconstructed area for the entire development (19.23± acres) for a total requirement of 118,130± cubic feet. Under the first phase, water quality was met using the Park North Pond which was designed to NURP standards. The bio-filtration basin will replace the pond to provide water quality treatment for the entire site.

Adequate pre-treatment has been provided. Drawdown is expected within 48-hours using an appropriate rate of 1.75 inches per hour. 12-inches of sand have been provided above the drain tile. The seasonal high water table is estimated at an elevation of 891±, which is below the bottom of the biofiltration basin and provides adequate separation. The applicant has treated 98% of the project area either through the BMPs or by meeting the criteria of C.6(f). Additional TSS removal is not practicable. The applicant has met all the Water Quality requirements of Rule C.6 and the design criteria of Rule C.9(c).

Point of Discharge	2-year (cfs)		10-year (cfs)		100-year (cfs)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
West to Wetland	5.6	5.6	14.2	14.2	36.9	36.9
West to JD 4	31.8	16.5	64.7	29.8	143.4	126.7
North to Enfield Ave.	0.1	0.0	0.3	0.0	1.1	0.0
North to Wetland	67.1	68.7	142.1	139.9	325.1	302.1
Totals	104.6	90.8	221.3	183.9	506.5	465.7

The project is not located within the Flood Management Zone. The proposed rate increase for the 2-year event to the wetland will not cause an adverse impact. 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).

The off-site wetland is classified as slightly susceptible. Information in the regional model demonstrates compliance with the bounce and inundation requirements of Rule C.8.

3. Wetlands – The entire Hidden Creek development area was delineated for wetlands under Review Files #20-191R and #21-285R. The project includes permanent wetland impact; however, all impacts and the required replacement were approved under the Phase 1 permit (#21-099). No additional wetland impacts are proposed under Phase 2. Please see the engineer's report for #21-099 for additional information.
4. Floodplain – The regulatory floodplain on the site at an elevation of 896.9 (NAVD88). Phase 2 is proposing an additional 670± CY of fill and additional 381± CY of mitigation. The total project proposes 1,305± CY of fill and has provided 1,352± CY of compensatory floodplain storage in compliance with Rule E requirements.
5. Erosion Control – Proposed erosion control methods include silt fence, rock construction entrances, inlet protection, and rip rap. An NPDES permit is required for the project. The SWPPP is located on plan sheets C6.01 to C6.07. 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 is not within 1 mile of a nutrient impaired water.
6. Regional Conveyances – A rerouted of the tile under the control of the City of Forest Lake (formerly a tile branch of JD-4) was approved under permit 21-099. There are no new Rule G requirements.
7. Public Drainage Systems – The Park North Pond outlets into the Main Trunk of JD-4. The project will not modify the public drainage system. The applicant must indicate the location of any dewatering discharge. If the discharge point is within 200 feet of the public drainage system, then the applicant must provide a copy of the dewatering plan.
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 – The entire development was originally submitted and received CAPROC on 5-11-2022 under permit application 21-099. The application was amended for only the Phase 1 portion. The amendment received CAPROC on 6-28-2023 and was issued on 8-28-2023.

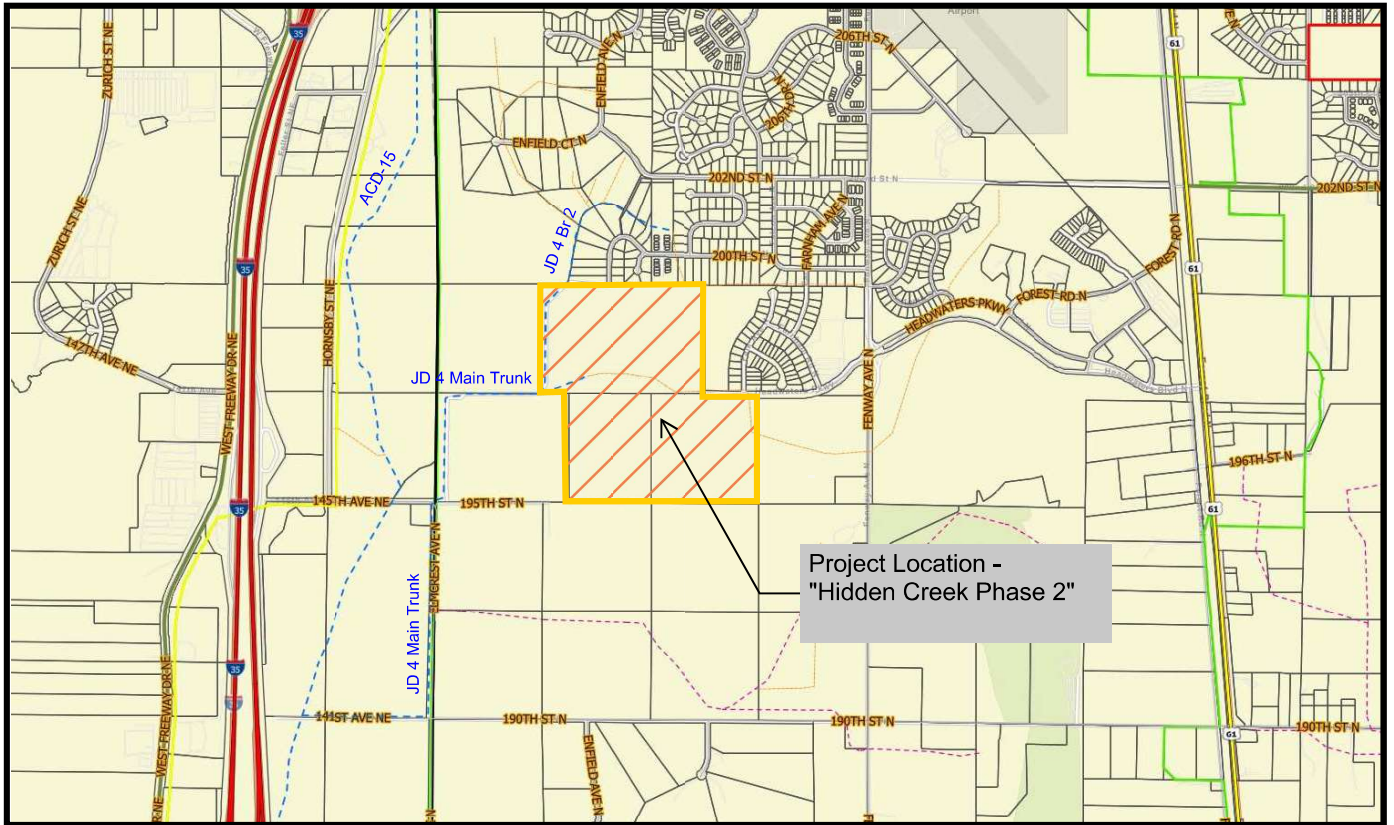
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

 04/29/2024

Greg Bowles, MN Reg. No 41929

 04/29/2024

Katherine MacDonald, MN Reg. No 44590



Project Location



Public Ditch - Open Channel

Legend

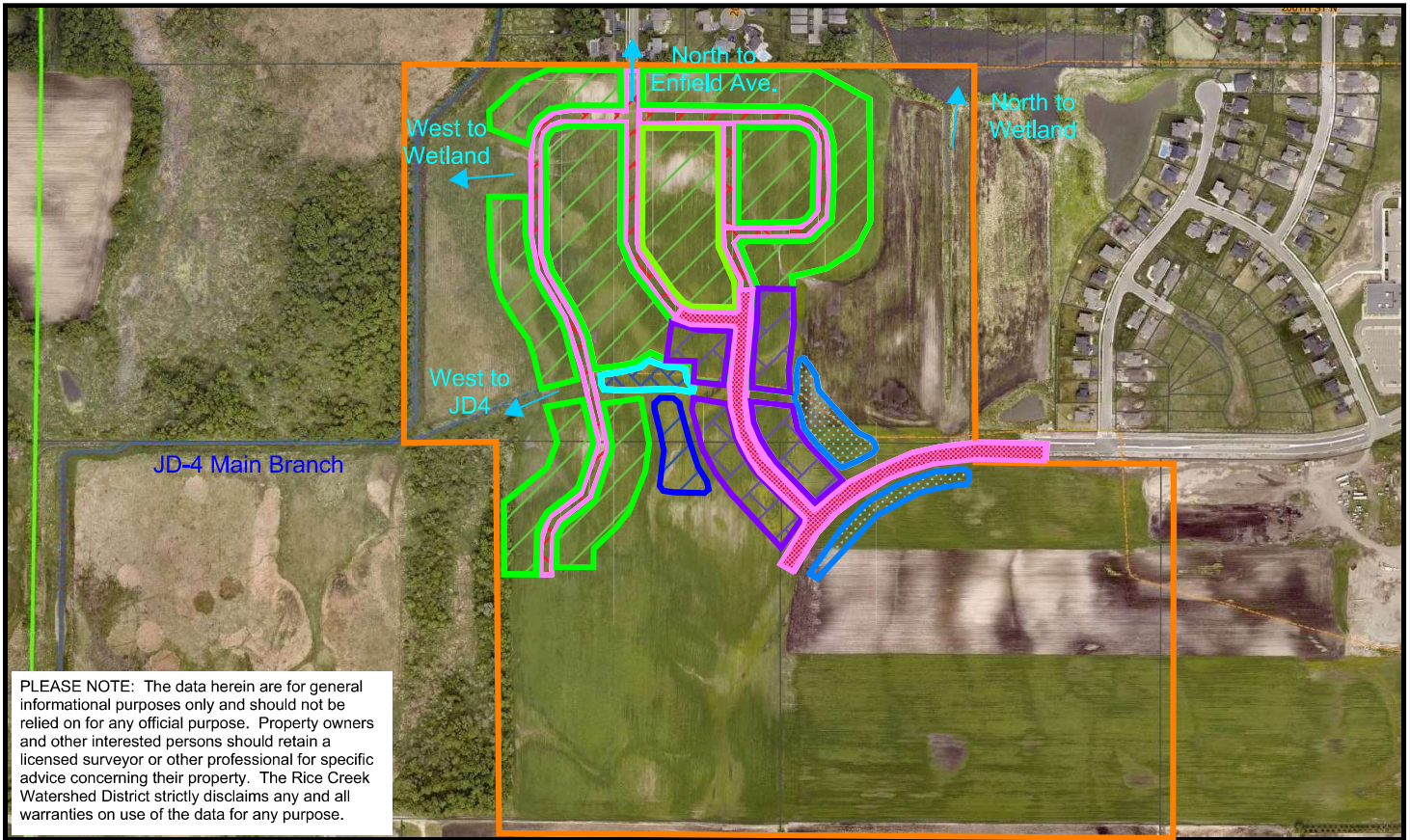


Public Ditch - Tile












Private





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Legend

- | | | | | | | | |
|--|----------------------------|---|-------------------|---|-----------|---|------------------|
|  | Project Location |  | Streets - Phase 1 |  | Wet Pond |  | Filtration Basin |
|  | Single-Family Lots Phase 1 |  | Streets - Phase 2 |  | Dry Basin |  | Drainage Arrow |
|  | Single-Family Lots Phase 2 | | | | | | |



ITEMS REQUIRING BOARD ACTION

1. Career Enhancement Options, Inc. Services Agreement Amendment (Nick Tomczik)

MEMORANDUM

Rice Creek Watershed District



Date: April 25, 2024
To: RCWD Board of Managers
From: Nick Tomczik, Administrator
Subject: Career Enhancement Options, Inc. Agreement

Introduction

Seeking Board amendment approval of Career Enhancement Options, Inc. (CEO) agreement.

Background

The District currently has an agreement with CEO (Ellen Hinrichs) for human resource services. The agreement's term is ending and requires a date and "not to exceed" amendment for continued services through the remainder of 2024. Human resources services will be part of the District's biennial notice soliciting professional service proposals later this year. The District's 2024 budget accounted for these services and budgeted funds remain; the proposed increase in the agreement not-to-exceed remains within budget. The additional funds may or may not be fully expended. Staff reviewed with counsel and the extension is acceptable in advance of the biennial solicitation.

Staff Recommendation

Staff recommend term amendment until December 31, 2024, and the total payment of services for the entire term (5/2022 – 12/2024, 32 months) increased to a not to exceed of \$90,000 (an additional \$20,000 added to the full agreement term).

Proposed Board Motion

Manager _____ moves to authorize the District administrator, on advice of counsel, to amend the Career Enhancement Options, Inc. (CEO) agreement, extending the term until December 31, 2024, and the total payment of services for the entire term not to exceed \$90,000.

ITEMS REQUIRING BOARD ACTION

2. Check Register Dated May 8, 2024, in the Amount of \$145,469.19 Prepared by Redpath and Company

Rice Creek Watershed District
Check Register
April 25, 2024 - May 8, 2024
To Be Approved at the May 8, 2024 Board Meeting

Check #	Date	Payee	Description	Amount
25624	05/01/24	Postmaster	Legal Notices	\$899.48
25625	05/08/24	Barr Engineering	April Engineering Expense	11,337.00
25626	05/08/24	Career Enhancement Options, Inc.	Contracted Services	2,827.50
25628*	05/08/24	Dunaway Construction	Contracted Services	18,975.00
25629	05/08/24	Lauren Forner	Construction-Water Quality Cost-share	5,532.29
25630	05/08/24	Iron Mountain	Professional Services	272.45
25631	05/08/24	Print Central	Printing	458.60
25632	05/08/24	Ramsey County	Contracted Services	13,143.25
25633	05/08/24	Rymark	Computer Equipment	26,550.00
25634	05/08/24	Washington Conservation District	Contracted Services	3,749.15
25635	05/08/24	WSB & Associates, Inc.	Engineering Expense	1,435.50
25636	05/08/24	Zayo Group, LLC	Telecommunications	1,311.49
25637	05/08/24	Comcast	Telecommunications	304.89
Payroll	05/15/24	May 15th Payroll (estimate)	May 15th Payroll (estimate)	28,595.26
WIRE	05/01/24	NSG Emil Kukulski	Professional Services	10,300.00
EFT	05/10/24	Wex Bank	Vehicle Fuel	426.37
EFT	05/10/24	Xcel Energy	Telecommunications	33.93
EFT	05/15/24	Internal Revenue Service	05/15 Federal Withholding (estimate)	10,330.35
EFT	05/15/24	Minnesota Revenue	05/15 State Withholding (estimate)	1,745.00
EFT	05/15/24	Empower Retirement	05/15 Deferred Compensation	870.00
EFT	05/15/24	Empower Retirement	05/15 Roth IRA	305.00
EFT	05/15/24	Further	05/15 HSA	621.47
EFT	05/15/24	PERA	05/15 PERA (estimate)	5,445.21
Total				<u>\$145,469.19</u>

*25627 - Void due to printed incorrectly

ITEMS FOR DISCUSSION AND INFORMATION

2. District Engineer Update and Timeline



District Engineer - Monthly Project Report April 2024
Rice Creek Watershed District



Date Prepared:
Prepared by:

30-Apr-24
C. Grandbois

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
RCD 2, 3, & 5 Basic Water Management Project	Joe Lewis	\$167,500	\$148,316	\$19,184	N	95.0%	88.5%	Y	N/A	2-May-23	A preliminary report has been completed and submitted to District staff.
RCD 1 Records Reestablishment	Adam Nies	\$27,500	\$24,838	\$2,662	N	80.0%	90.3%	Y	N/A	31-Dec-23	A draft report has been completed for review by District staff. Next step is to set a public information meeting date.
RCWD Boundary Petition Assistance	Chris Otterness	\$16,500	\$16,233	\$267	N	90.0%	98.4%	Y	N/A	1-Mar-24	RCWD staff is continuing to coordinate with City & WMO staff on concurrence on boundary change.
ACD 53-62 Branches 5 & 6 Repair Report	Adam Nies	\$82,200	\$37,129	\$45,071	N	45.0%	45.2%	Y	N/A	30-Apr-23	Wetland lateral effects analysis has been completed. We are currently preparing a draft repair report.
JD 3 Clearwater Creek Stabilization	Adam Nies	\$74,900	\$46,140	\$28,760	N	60.0%	61.6%	Y	N/A	31-May-24	Modeling of alternatives is nearly completed. We have met with DNR staff to discuss regulatory considerations.
Anoka Washington Judicial Ditch 3 Branches 1, 2, & 4 Construction Management	Adam Nies	\$120,000	\$116,599	\$3,402	N	95.0%	97.2%	Y	Y	1-Jun-24	Project is substantially complete. Only remaining work to be completed are turf establishment and miscellaneous punch list items.
RCD 4 Final Plans/Specs, Bidding and Construction Management	Adam Nies	\$68,000	\$21,710	\$46,290	N	30.0%	31.9%	Y	N/A	31-Dec-24	The project is out for bidding. Bids will be considered at the 2nd May Board meeting.
Comprehensive Wetland Protection and Management Plans Annual Reporting - 2023	Chris Otterness	\$17,000	\$12,350	\$4,650	N	90.0%	72.6%	Y	N/A	9-Feb-24	We have completed a draft CWPMP Annual report for RCWD staff review.
GIS and Ditch Records Maintenance; DrainageDB Annual Subscription	Brian Fischer	\$16,000	\$5,509	\$10,491	N	33.3%	34.4%	Y	N/A	31-Dec-24	Drainage records are being added to DrainageDB on a quarterly basis.
MS4Front Annual Subscription and Implementation Services	Brian Fischer	\$16,000	\$796	\$15,204	N	33.3%	5.0%	Y	N/A	31-Dec-24	We continued to make updates on an as-requested basis.
RCWD Rule Revision Assistance	Adam Nies	\$36,000	\$10,365	\$25,635	n	30.0%	28.8%	Y	N/A	31-Dec-24	We have prepared draft rule language for District staff and legal counsel review.

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 HE's actual internal cost. Projects are considered within budget if ± 5%.



**District Engineer
Monthly Progress Report (Actual & Estimated Progress)
Through April 2024**

