

Regular Meeting of the Middle St. Croix Watershed Management Organization
HELD REMOTELY DUE TO COVID -19 PANDEMIC

Thursday, May 14th, 2020

6:00PM

Present: Brian Zeller, Lakeland Shores; John Fellego, Baytown Township; Dan Kylo, West Lakeland Township; Annie Perkins, City of Afton; Mike Runk, Oak Park Heights; Tom McCarthy, Lake St. Croix Beach; Dawn Bulera, Lake St. Croix Beach, Beth Olfelt-Nelson, St. Mary's Point; Ryan Collins, City of Stillwater; John Dahl, City of Bayport; Administrator Matt Downing. Charity Grant, member of a Kahara River group in Madison, WI.

Call to Order

The meeting was called to order by Brian Zeller at 6:02 PM.

Approval of Agenda

Manager Fellego motioned to approve the agenda and Manager Dahl seconded the motion. The motion passed on a roll call vote with all in favor.

Approval of Minutes

Manager Dahl motioned to approve the April 9th minutes and Manager Fellego seconded the motion. The motion passed on a roll call vote.

Treasurer's Report

The treasurer's report was presented by Manager Kylo. The remaining checking account balance on April 9th 2020 was \$193,081.61. First State Bank CDs were valued at \$38,549.15. The ending balance in the RBC savings account for March 2020 is \$65,054.67. The ending balance in the RBC savings account for April 2020 is \$65,073.58.

Bills to be approved this month are: Washington Conservation District (Administration): \$ 2,276.00; Washington Conservation District (Technical Services): \$6,052.00; Washington Conservation District (EMWREP): \$1,575.00; Washington Conservation District (Water Monitoring): \$3,720.00; Total: \$13,623.00. Manager Dahl moved to accept the treasurer's report and pay the bills and Manager Runk seconded this motion. The motion passed on a roll call vote with all in favor.

Draft MSCWMO Stormwater Treatment Credit Policy

Manager Zeller asked if Administrator Downing had consulted a legal entity about the how this policy option can be used; specifically if it can be limited to public entities or open to all applicants. Administrator Downing consulted with other watershed districts who had already used their legal council to look at those questions. Those who replied said they did not limit the use of the stormwater treatment credit to public vs. private applicants. The vast majority of when this option is used is for linear redevelopment projects which are almost always public entities. As such, it would be difficult for a private applicant to demonstrate a need to use this option and it is still up to the board's discretion in the end. Administrator Downing said he was comfortable with the internal guidance document to aid the board in implementing their policy. Manager Olfelt-Nelson echoed her previous concern about the wording in the document; she wants it to be clear to the reader that cash-in-lieu of treatment is not something the MSCWMO board wants to do. Administrator Downing explained that the document was meant for internal guidance for the managers, and that what the

applicants see is the plan review process/flow chart. There was further discussion and Administrator Downing reminded the board that they always have the deciding role on a case by case basis. Manager Olfelt-Nelson identified the language “last step” and her preference it be changed to “least preferred step” to aid in layperson interpretation considering board members are often not stormwater experts. She will send her feedback to Administrator Downing separately. Manager Zeller moved to adopt the MSCWMO Stormwater Treatment Credit Policy and Manager Olfelt-Nelson seconded this motion. The motion passed on a roll call vote with all in favor.

2019 MSCWMO Annual Water Monitoring Report

Rebecca Oldenburg from the Washington Conservation District will present the 2019 MSCWMO Annual Water Monitoring Report at the June 11th board meeting. Administrator Downing asked for any initial comments now. Manager Olfelt-Nelson said she was grateful the report would be reported in a synthesized way. Manager Dahl asked how the boundaries of the watershed were determined. Administrator Downing explained that the hydrologic boundary of the watershed was determined by the drainage area, which is different in Valley Branch WD, Brown’s Creek WD, etc. Manager Zeller asked if there was updated technology to clarify the boundary with Valley Branch WD. Administrator Downing said there was, and that BCWD also wanted to update their boundary. This boundary clarification usually ends up being a wash between the watershed districts in terms of land area acquired or lost. Manager Zeller wanted to note that there could be unintended financial consequences of these boundary revisions. He wanted to remind the board that watershed districts have taxing authority unlike watershed management organizations; and he didn’t want to see any residents paying double mistakenly as a result of the boundary clarifications in Stillwater specifically. Administrator Downing said the request was made over a year ago upon receipt of new LIDAR data and he also received one from the Carnelian Marine St. Croix WD.

MSCWMO-BWSR Lily Lake Alum Maintenance Agreement

BWSR is requiring a maintenance agreement with the MSCWMO in order to use the Clean Water Fund grant received for the alum treatment in Lily Lake. It will require the MSCWMO to continue to do the routine monitoring of the lake that is already being done in order to determine the effects of the treatment. There will be no extra burden or responsibility than usual for the MSCWMO. Manager Fellegly confirmed that it was a 10-year agreement. Administrator Downing requested a motion for Manager Zeller to sign the agreement so that he can get it to BWSR in time. Manager Fellegly made a motion that Manager Zeller sign the maintenance agreement on behalf of the MSCWMO Board. Manager Collins seconded this motion and it passed on a roll call vote with all in favor.

Washington County Cooperative Weed Management Area MOU

Cameron Blake from the Washington Conservation District explained that joining the MOU would potentially help secure grant funding to control invasive species in the future. The MDA is now using the presence of a MOU to determine whether grant funding will be awarded. Ramsey County also has a MOU signed by many partners. Manager Zeller asked if the DOT has signed onto these agreements due to the spread of invasive species with their roadside seeding. Manager Runk asked about the golden creeper presence in the Stillwater Mulberry Ravine. The Washington Conservation District has been attempting to treat the invasive and will do so again this year. Manager Perkins moved for the MSCWMO to join the Washington County MOU and Manager Fellegly seconded it. The motion passed on a roll call vote with all in favor.

3rd and Myrtle Development

A new condominium development is proposed in the currently vacant lot and the intersection of 3rd and Myrtle Street in Stillwater. A project application for review was received on February 27th, 2020. On March 5th, the MSCWMO staff sent a review letter requesting revision and resubmittal to address eleven items. Revised materials were received on March 20th, March 31st, and April 21st, 2020. Staff recommends approval with three conditions. There was coordination with the city engineer as well. Manager Zeller moved to approve the project with three conditions. Manager Felleggy seconded and the motion passed on a roll call vote with all in favor.

CenterPoint Energy Natural Gas – Quinlan Ave N.

CenterPoint Energy proposes to complete a gas line reconstruction along Quinlan Ave N in Lake St. Croix Beach to maintain the integrity of the existing natural gas system. A project application was received on April 16th, 2020. The project creates minimal disturbance yet qualifies for review with MSCWMO erosion and sediment control performance standards. Staff recommends approval with four conditions. Manager Felleggy moved to approve the project with four conditions. Manager Runk seconded and the motion passed on a roll call vote with all in favor.

Central Automotive

The construction of a new automotive repair shop is proposed at 59th St and Osgood Ave N in Oak Park Heights. A project application for review was received on April 14th, 2020. As submitted the project proposed stormwater management with an infiltration basin, however, the project is located within a high vulnerability drinking water source management and area and wellhead protection area with prohibited infiltration. Staff recommends the applicant revise and resubmit. The group discussed where this location was referring to and whether it was a redevelopment vs. a development project. The project is going to be built where there was an old car wash. Manager Zeller motioned to follow staff's recommendation and advise the applicant to revise and resubmit. Manager Felleggy seconded and the motion passed on a roll call vote with all in favor.

Manager Dahl asked if there were tests done on site to ensure it has a clean bill of health.

Administrator Downing explained that the MSCWMO only reviewed the stormwater components of the projects and that the city or state had other organizations to review the other environmental components. The group discussed the DWSMA and its implications for infiltration practices.

Administrator Downing said this project would probably be coming back to the board next month.

Erosion and Sediment Control Inspection Reports

The first erosion and sediment control inspection report was the Scanlan Residence in Lakeland Shores, which received an A. The second inspection was the Stordahl Home Reconstruction in Lakeland, which received a B. Manager Felleggy asked of the MSCWMO inspects our own projects. Administrator Downing explained that these types of inspections were for active construction projects for cities that asked for assistance in conducting them. They are typically done after rain events. The last site was the MN Party Bus project which was brought into compliance with the help of the inspector.

Staff Report

The Lower St. Croix Beach project is progressing and will likely be completed in the fall within the grant's timeline.

1W1P Updates

The draft plan is still under the 60-day review process. The Policy Committee's next planned meeting is at the end of June which is when a public hearing would typically be scheduled. The group is still trying to find a way to engage with the public on this given the COVID-19 restrictions. Manager Zeller asked to add this topic to the July agenda.

Other

Manager Olfelt-Nelson asked if bmp maintenance had started yet and Cameron Blake said it has. The group discussed if it would be possible to meet in person for the June meeting and where this could take place. Manager Dahl will ask the Bayport Library if their bigger room could be used. Manager Fellegy offered his town hall's meeting space. The group agreed a Zoom meeting would work again depending on the changing circumstances. Manager Zeller asked Administrator Downing to invite the new DNR Area Hydrologist.

Adjourn

Manager Fellegy moved to adjourn the meeting and Manager Kylo seconded this motion. The motion passed and the meeting adjourned at 6:53PM.