

Regular Meeting of the Middle St. Croix Watershed Management Organization  
Bayport Public Library, Bayport, MN  
Thursday, March 12, 2020  
6:00PM

Present: Mike Runk, Oak Park Heights; Tom McCarthy, Lake St. Croix Beach; Dawn Bulera, Lake St. Croix Beach, Beth Olfelt-Nelson, St. Mary's Point; Joe Paiement, City of Lakeland, Ryan Collins, City of Stillwater, Rebecca Oldenburg Giebel, WCD; Administrator Matt Downing.

**Call to Order**

The meeting was called to order at 6:04PM by Manager McCarthy. Introductions were made.

**Approval of Agenda**

A motion to approve the March 12<sup>th</sup> agenda was made by Manager Runk and seconded by Manager McCarthy, the motion carried.

**Approval of Minutes**

A motion to approve the January 9<sup>th</sup>, 2020 minutes was made by Manager Runk and seconded by Manager McCarthy, the motion carried.

**Treasurer's Report**

The treasurer's report was presented by Administrator Downing in the absence of the Treasurer, Manager Kylo. In the absence of a February board meeting January and February's checking account totals were discussed. The remaining checking account balance in January was \$108,770.37. The remaining checking account balance for February is \$108,501.61. First State Bank CDs were valued at \$38,549.15. The ending balance in the RBC savings account for February 2020 is \$65,014.52. Manager Runk moved to accept the Treasurer's report, Manager Collins seconded, and the motion carried.

Bills to be approved this month are: EOR: \$338.00 regarding the 3M PFAS settlement; Master Water Stewards Cost Share: \$500, Washington Conservation District (Administration – January/February): \$ 4,532.25; Washington Conservation District (Technical Services – January/February): \$ 5,773.24; Total: \$11,143.49. Manager Runk moved to pay the MSCWMO's bills, Manager Collins seconded, and the motion carried.

Manager McCarthy asked if all cities were paid up and Administrator Downing said they were not. Manager McCarthy also inquired about if a maintenance plan had been established with Cameron Blake from the Washington Conservation District (WCD). Manager Olfelt-Nelson stated that Blake had talked to her and that he had stated maintenance was going to happen. Administrator Downing said that he would help facilitate the maintenance agreement with the WCD.

**Public Comment**

No public comments.

## **Old Business**

No old business.

## **3M PFAS Reimbursement Request**

Administrator Downing stated that the \$338.00 bill owed to EOR for technical input on 3M PFAS settlement is eligible to be submitted for reimbursement. A motion to approve reimbursement submittal totaling \$338.00 to the MPCA regarding the 3M PFAS settlement was made by Manager Runk and seconded by Manager McCarthy, the motion carried.

Manager Olfelt-Nelson said that St. Mary's Point hasn't been aware of any new updates or meetings regarding the 3M PFAS settlement. Administrator Downing said that there are monthly meetings taking place regarding modeling, planning, and development. Manager Olfelt-Nelson inquired about what was going into groundwater modeling. Administrator Downing said he believed the modeling is about mitigation, but that he hasn't attended any meetings, and will ask for a greater update about the modeling. Manager Olfelt-Nelson said the original model was not on track and that St. Mary's Point was not invited to the last meeting, while other communities have been reached out to. Administrator Downing stated that St. Mary's Point should have been contacted that that he will look into it.

## **Lakeland Shores Local Surface Water Management Plan Review**

Administrator Downing discussed that The City of Lakeland Shores' Local Surface Water Management Plan is working towards approval. He recommended that the MSCWMO ingrate The Metropolitan Council's comments with their own. Manager McCarthy asked if Manager Zeller has viewed the comment and Administrator Downing said that he had. A motion to incorporate The Metropolitan Council's comments into the comprehensive plan's comments was made by Manager Collins and seconded by Manager Runk, the motion carried.

## **1<sup>st</sup> Half Community Contributions Submittal**

A motion to approve the submittal for the 1<sup>st</sup> half of the community contributions was made by Manager McCarthy and seconded by Manager Olfelt-Nelson, the motion carried.

## **2019 Budgeted Savings Deposit**

Administrator Downing stated that there is \$5,557 in the budget for savings. A motion to approve the deposit of \$5,557 to savings was made by Manager Runk and seconded by Manager McCarthy, the motion carried.

## **Alternative Stormwater Treatment Compliance Policy**

Administrator Downing presented some options for new stormwater treatment compliance plans instead of the cash in-lieu policy currently in place. Administrator Downing brought examples from other watershed districts including Capitol Region Watershed District (CRWD), Ramsey-Washington Metro Watershed District (RWMWD), and Valley Branch Watershed District (VBWD). Downing stated that these plans could be mulled over until more board members were present. Administrator Downing asked if the Board wants to continue doing what they've been doing and discussed having a defined rate for stormwater treatment as a middle ground solution. This solution provides a concrete amount instead of basing the amount on a construction

estimate. Downing said another solution could be to spend the money from stormwater treatment compliance on stormwater catchment basins, which could be located anywhere in the watershed.

Manager Olfelt-Nelson asked what lessons the MSCWMO has learned from their current policy and what aspects the organization doesn't want to repeat. Administrator Downing explained that the current situation exists from the MSCWMO adopting MIDS. If stormwater treatment cannot be completed on site and after exhausting all options, then money can be paid in to the MSCWMO for treatment. There aren't guidelines for what treatment must be, the money could be spent within the catchment, community, or the watershed. Manager Runk asked about what areas in the MSCWMO this applies to right now. Administrator Downing said an example is a Drinking Water Supply Management Area (DWSMA) with no capture in Stillwater, where road reconstruction is being performed on Myrtle Street and County Road 5. What can't be mitigated on site is then paid for. This area is specifically challenging because it's an emergency response area.

Manager Olfelt-Nelson inquired what other organizations do to for their stormwater treatment compliance programs. Administrator Downing said that CRWD's policy is for mitigation to occur somewhere in the watershed district, like wetland banking. They are a small watershed district like MSCWMO so that policy might apply well, with a few exceptions like flood control. Manager McCarthy pointed out that it might not be possible to put water certain places due to the 3M PFAS contamination. Manager Runk said that the parks dedication funds might be a good source to help accomplish goals. Administrator Downing highlighted the RWMWD's plan because it good for more than one goal. The Board of Water and Soil Resources (BWSR) states that you cannot use grant funding to fulfill permit requirements, which limits how stormwater treatment can be paid for. Administrator Downing said he'd think about recommendations for the Board and discuss them with Manager Zeller. Manager Runk requested that Administrator Downing use the RWMWD's plan as a base.

### **Lake St. Croix Beach Bluff Stabilization Feasibility Study**

Administrator Downing gave an update about investigating using grant funding to do stabilization work on Lake St. Croix Beach's bluff. A meeting was held that including WCD staff, Administrator Downing, and Lake St. Croix Beach staff and their engineer, in order to see if the project could be accomplished with the \$200,000 grant. Administrator Downing explained that the project would include ~400 linear feet of shoreline restoration and be accomplished with 25% match of \$50,000 from Lake St. Croix Beach. The feasibility study presented different ranges of shoreline restoration and the load reduction associated with each and their estimate cost ranges. In order to meet load reduction and stay within the grant funds the 400 foot shoreline restoration is the best option. The high end of the estimate is over but the predicted actual cost is likely to be closer to the lower end. This strategy would mean putting all the grant funding towards one practice. The benefit of this strategy is that it would require less administrative time than pulling together small practices. A motion to approve the project was made by Manager Runk, Manager Collins seconded, the motion carried, all managers were in favor.

### **St. Croix River Grant**

Administrator Downing stated that he would like to add an agenda item to apply for the St. Croix River grant. A motion was made to approve Administrator Downing applying for the St. Croix River grant by Manager Olfelt-Nelson, Manager McCarthy seconded, the motion carried.

### **Officer Elections**

The MSCWMO Board needed to elect officers for 2020. Manager McCarthy motioned to nominate Manager Zeller as the Board Chair, Manager Paiement seconded, the motion carried. Manager Olfelt-Nelson motioned to nominate Manager Perkins as the Co-chair, Manager McCarthy seconded, the motion carried. Manager McCarthy motioned to nominate Manager Kylo as Treasurer, Manager Collins seconded, the motion carried. Manager Runk motioned to nominate Manager McCarthy as Secretary, Manager Collins seconded, the motion carried.

### **Interim Administrator Status**

Administrator Downing presented a memo written by Manager Zeller and Jay Riggs, District Manager of the WCD, to move Administrator Downing from an Interim Administrator to permanent. A motion to approve moving Administrator Downing from interim to permanent was made by Manager Runk, Manager McCarthy seconded, the motion carried.

### **Grant and Cost Share Applications**

Administrator Downing stated that the MSCWMO was awarded a large grant of \$513,500 for an alum treatment on Lily Lake. The MSCWMO needs to accept the grant and Manager Zeller needs to sign it. A motion for Manager Zeller to be authorized to accept and sign the grant was made by Manager Paiement, Manager McCarthy seconded, the motion carried.

Manager Olfelt-Nelson asked when the Lily Lake grant activities will take place. Administrator Downing explained that BWSR wants an agreement in place first with the City of Stillwater to cover maintenance and access. Unfortunately, MSCWMO cannot cover the funds of grant activities until the agreement is in place. The goal is to work with the City of Stillwater to plan the construction of the infiltration basin to be built in conjunction with road reconstruction on Greeley Street in 2021. The plan would be for road runoff/stormwater to head to an infiltration basin, so clean water enters the lakes. An infiltration basin coupled with an alum treatment to bind phosphorus would reduce both internal and external loading. This would achieve delisting Lily Lake and prevent a Total Maximum Daily Load (TDML) study being conducted.

Manager Olfelt-Nelson inquired about the bank stabilization occurring on the St. Croix this summer. Manager McCarthy clarified that that is a different project than the previous discussed bluff stabilization during the meeting, which will occur in 2022.

### **Plan Reviews/Submittals**

No plan reviews.

### **Staff Report**

Administrator Downing stated that surface water management reviews, compliance, and plan reviews had all just begun and were not ready for approval. He mentioned the previously discussed Lily Lake grant and that the Lake St. Croix Direct Discharge Phase II and III have

been deposited and closed out. Another grant will be closed soon. The CWF grand and CWF Watershed Based Funding going towards raingardens on Perro Creek is onto the next step for this spring. The Lake St. Croix bluff stabilization feasibility study was completed. The meeting for the 3M PFAS settlement was attended. A water monitoring summary is being produced about monitoring activities in 2019. Erosion and sediment control inspections will start this spring once the ground is thawed.

## **1W1P**

Administrator Downing gave the 1W1P update in the absence of Manager Fellegly.

Administrator Downing stated that Manager Fellegly had informed him of the current state of the plan. The plan has been written and it was decided to enter into a Joint Power Collaborative (JPC). The collaboration will be between existing entities. How the formation of the JPC will look needs to be decided for the next meeting. A representative needs approval to make a decision. Manager Fellegly if given the authority would be approving the plan to be sent to 60 day review. A motion to authorize Manager Fellegly to vote in favor of sending the 1W1P to 60 day review was made by Manager Olfelt-Nelson, Manager McCarthy seconded, the motion carried with all in favor.

Manager McCarthy inquired if this means MSCWMO will be given one vote and if then Manager Fellegly would be voting on behalf of the MSCWMO. Administrator Downing said that the MSCWMO does indeed get one vote and that he would send out a link about the process for everyone to read.

Manager Olfelt-Nelson asked about a meeting that a representative attended for St. Mary's Point regarding area funding. Administrator Downing stated that there is a pool of funding for the St. Croix Basin. How things are currently divided is between the metro area and the non-metro area. This group is working on the money for the 1W1P. Administrator Downing said he believes that sharing the metro area money ultimately helps the entire state. Money that is spent upstream of the MSCWMO benefits them. Manager Olfelt-Nelson stated that Manager Fellegly has attended some of these funding discussions but that the process was confusing and that he suggested another MSCWMO member attend. Administrator Downing said that he wasn't invited to the metro vs non-metro funding discussion. Having Administrator Downing attend those meetings would mean additional staff time.

## **Other**

Administrator Downing stated that there is a discussion around the closing of the King Plant in the City of Oak Park Heights. Manager Runk discussed that the coal fired plant is closing in 2028. The recommendation is to put together a group/plan to look at the communities would be impacted. This group would then make recommendation to the Oak Park Heights City Council. The MSCWMO will be impacted since there will be issues to resolve. The City of Oak Park Heights would like watershed staff to be invited but staff funding could be a potential issue. Administrator Downing highlighted that the second page includes who would sit on the group, which would not be made up of elected officials. Manager Runk said that based on who is impacted by the plant closure and the need for expert, that Manager Zeller may be invited to be a representative for another group, like real estate. Administrator Downing pointed out if Manager Zeller was interested in being a representative for MSCWMO it would save staff time because it

is likely to be a hefty time commitment. Administrator Downing stated that he could support Manager Zeller with technical assistance. A discussion occurred that Manager Zeller would be a good representative as long as he was there as a representative solely for the MSCWMO and not as a realtor. A motion to approve appointing Manager Zeller as the MSCWMO representative for the King Plant closure discussion was made by Manager Olfelt-Nelson, Manager Paiement seconded, Manager Runk abstained, the motion carried.

### **Adjourn**

Manager Runk motioned to adjourn the meeting, Manager Olfelt-Nelson seconded this, the motion carried. The meeting adjourned at 7:10PM.