

Regular Meeting of the Middle St. Croix Watershed Management Organization
Washington Conservation District, 455 Hayward Ave N
Thursday, June 8th, 2023
6:00PM

Present: Brian Zeller, Lakeland Shores; Mike Runk, Oak Park Heights; John Buelow, West Lakeland Township; Tom McCarthy, Lake St. Croix Beach; Ryan Collins, Stillwater; Avis Peters, Baytown; John Dahl, Bayport; Dave Millard, Lakeland Alternate; Administrator Matt Downing; Amanda Herbrand, WCD; Erik Anderson, WCD; Audience: Dawn Bulera, Tim Schneider, Jack Klienhart, Elaine Klienhart

Call to Order

Manager Zeller called the meeting to order at 6:00PM.

Approval of Agenda

Administrator Downing requested one addition under “New Business”: 2022 Audit Summary. Manager McCarthy motioned to approve the agenda with the addition, Manager Runk seconded the motion. The motion carried with all in favor.

Approval of Minutes

Manager Collins motioned to approve the draft April 13th, 2023 board meeting minutes, and Manager McCarthy seconded the motion. The motion carried on a roll call vote with all in favor.

Treasurer’s Report

Administrator Downing presented the treasurer’s report. The remaining checking account balance on June 8th was \$96,764.56. First Bank CD’s were valued at \$38,549.15. The ending value on the RBC savings account from January was \$90,201.93. Manager Zeller motioned to approve the report of the savings account and assets for June 8th, 2023. Manager McCarthy seconded the motion. The motion carried with all in favor.

Bills to approve this month are \$44.54 to Manager Runk for mileage reimbursement for attendance of 1W1P meetings, \$920.00 to Prairie Restorations for a prescribed burn at the Stillwater Country Club, and seven bills to the Washington Conservation District totaling \$16,100.64 for April and May Admin, April and May Technical Services, April and May Grants, and a Wokrshop. Manager Zeller motioned to approve payment of bills for June 8th, 2023. Manager Collins seconded the motion. The motion carried with all in favor.

Public Comment

None

Old Business

None

New Business

2022 Audit Summary

Administrator Downing presented the 2022 Audit Summary to the board. This item was received after the board packet was created and therefore was not included in the board packet sent out prior to the meeting.

Manager Zeller moved to acknowledge the receipt of the audit summary and to add it to the next meeting agenda for discussion. Manager McCarthy seconded the motion. The motion carried with all in favor.

Children's Water Fest Sponsorship

MSCWMO received a sponsor form for the 2023 Metro Children's Water Festival from Washington County. Sponsorship is optional.

Manager Zeller motioned to sponsor for the amount of \$500.00. Manager Collins seconded the motion. The motion carried with all in favor.

2022 WCD Water Monitoring Report

Erik Anderson from the WCD presented the MSCWMO 2022 Water Monitoring Summary. The WCD completes a summary of water monitoring activities conducted through the year and results from monitoring activity. A copy of the report is included in the board packet and will be posted on the MSCWMO website after approval.

Manager Zeller asked for some highlights regarding how water quality has improved over the years for Lily and Mckusick Lakes. Erik Anderson asked Administrator Downing if he'd like to answer. Administrator Downing highlights the importance of voluntary practices from land owners in the watershed, a iron enhanced sand filter at the school, and the recently Lily basin project. He also mentions the Lily Lake association, which has expanded into an organization called Friends of Lily Lake, and the important role they've played in advocating and educating the community on important practices like lake shore buffers.

Manager Runk motioned to approve the Middle St. Croix Watershed Management Organization 2022 Water Monitoring Summary from the WCD. Manager McCarthy seconded the motion. The motion carried with all in favor.

Grant and Cost Share Applications

D. Bulera Native Planting

Lake St. Croix Beach resident Dawn Bulera is applying for the Landscaping for Habitat Grant to establish a 500 square-foot pollinator garden at 16777 16th St S. This project is further supplemented by the Washington Conservation District's FY22 "Lawns to Legumes Demonstration Neighborhood" grant in the amount of \$750.00. The total project estimated cost is \$2,000.00 and the cost share requested is \$250.00.

This item was approved administratively prior to the meeting.

S. Bulera Native Planting

Lake St. Croix Beach resident Stacey Bulera is applying for the Landscaping for Habitat Grant to establish a 500 square-foot pollinator garden at 16787 16th St S with additional shrub and perennial plantings at 16775 17th St S. This project is further supplemented by the Washington Conservation District's FY22 "Lawns to Legumes Demonstration Neighborhood" grant in the amount of \$750.00. The total project estimated cost is \$1,886.00 and the cost share requested is \$250.00.

This item was approved administratively prior to the meeting.

Swanson Native Planting

Baytown Township resident Charley Swanson is applying for the Native Habitat Restoration Grant to establish native perennial gardens beds, prairie borders, and native tree + shrubs plantings (roughly totaling 5,000 square feet) at 4425 Odegard Ave N. This project does not drain to a prioritized water body. The total project estimated cost is \$4,250.00 and the cost share requested is \$500.00.

This item was approved administratively prior to the meeting.

Lakeland Pump House Native Planting

Michelle Elsner, City Clerk and representative of the City of Lakeland, is applying for the Native Habitat Restoration to establish a 750 (up to 1,000) square-foot pollinator garden at the city offices located at 1190 St Croix Trail S, Lakeland, MN 55043. This large-scale planting has high public visibility and education potential for Lakeland residents. The total estimated cost of the project is \$7,225.05 and the cost share requested is \$1,000.00.

This item was approved administratively prior to the meeting.

Peterson Native Planting

Lake St. Croix Beach residents Dawn and Kris Peterson are applying for the Landscaping for Habitat Grant to establish a 2,000 square-foot pollinator garden at 1405 Quinlan Ave S, Lake St. Croix Beach, MN 55043. This project is further supplemented by the Washington Conservation District's FY22 "Lawns to Legumes Demonstration Neighborhood" grant in the amount of \$1,500. The total estimated cost of the project is \$3,708.00 and the cost share requested is \$250.00.

Manager Zeller motioned to approve encumbrance of \$250.00 cost share for the installation of the Peterson Pollinator Pocket Planting. Manager Peters seconded the motion. The motion carried with all in favor.

Lakeland Beach Encumbrance

The Bluff Toe Stabilization Project utilizing remaining CWF grant dollars is moving forward. The Lakeland Beach property located at the end of Quixote Avenue N shows signs of significant erosion near the parking area and picnic benches along the bluff toe. Expanding the rip-rap revetment installed in 2011 and stabilizing the bluff toe near the seating area will reduce total phosphorus (TP) loading to Lake St. Croix by approximately 7.62 lbs/yr based on updated modeling using the BWSR Water Erosion Pollution Reduction Estimator.

Initial project ranking against other modeled practices in the LSC Direct South SWA estimated the cost per pound (TP) benefit to be approximately \$342 per pound each year over a 10 year period. This ranking was based on a preliminary estimate of \$28,663. The design has since been revised, and the updated project estimate of approximately \$51,000 yields a \$669 cost/lb return over 10 years, which still ranks highly against other practices within the LSC Direct South SWA.

Total project cost is estimated to be \$51,803.00.

Manager Peters motioned to approve encumbrance of remaining grant funds for the construction of engineered bluff toe protection and parking area stabilization based on the updated model and SWA ranking, and to approve release of the Lakeland Beach Stabilization construction set for bidding. Manager Millard seconded the motion. The motion carried with all in favor.

Forester Infiltration Basin

The Foresters are applying for the Water Quality Improvement grant to install a 320 SF curb-cut raingarden to treat runoff from Driving Park Road before it is directed to Lily Lake. An additional 200 SF of native planting areas are proposed that would provide habitat for wildlife and reduce lawn and fertilizer inputs. The total estimated cost for the project is \$11,500.00 and the cost share requested is \$1,500.00

Manager McCarthy motioned to approve encumbrance of \$1,500.00 cost share for the installation of the Forester's Curb-cut Rain Garden. Manager Collins seconded the motion. The motion carried with all in favor.

Plan Reviews/Submittals

Oak Park Parking Lot – ACTION

An application for project review was received on January 27th, 2023 for proposed parking lot improvements for the Oak Park Building at 6355 Osman Ave N in Stillwater. The proposed project creates approximately 75,000 sf of new/reconstructed impervious surfaces. Revised materials to correct the MIDS calculations and address an overestimation of TP removal credit from pretreatment structures were received on April 19th. MSCWMO staff recommend approval with two conditions:

1. Drainage easements covering land adjacent to ponding areas up to their 100-year flood levels and covering all ditches and storm sewers and access easements to these drainage easements are provided.
2. A proposed maintenance agreement, which may be in the format of Appendix K, or other form approved by the city is provided.

Manager Zeller motioned to approve the project with the two conditions. Manager Peters seconded the motion. The motion carried with all in favor.

Stillwater 2023 Parking Lot and Trails – ACTION

An application for project review was received on March 9th, 2023 which qualifies for MSCWMO project review since it fully reconstructs more than 6,000 sf of impervious. The applicant was requested to revise and resubmit the project to provide rate control and volume

control in the same subwatershed as the net new impervious trail surface. Project review materials were resubmitted on April 14th. MSCWMO staff recommend approval with two conditions:

1. A Stormwater Pollution Prevention Plan is provided in compliance with the requirements of the NPDES SDS Construction Stormwater Permit.
2. Identify as build survey and method to demonstrate infiltration or filtration basin is functioning.

Manager Collins motioned to approve the project with the two conditions. Manager Peters seconded the motion. The motion carried with all in favor.

Mielke Pool – INFORM

An application for project review was received on April 18th, 2023 for the construction of a pool at 936 3rd Ave S in Stillwater. The applicant did not submit the project review fee with their application and when an inquiry was sent the applicant stated that they were withdrawing their application and that a permit had already been issued by the City of Stillwater. The project does trigger a MSCWMO project review because is with 40-feet of the bluffline. While the project will likely not be able to meet the MSCWMO 40-foot bluffline setback standard, after the fact comments were provided and it was requested that improvements including the pool deck stay outside of a 30-foot setback from the bluffline.

Manager Zeller highlights the importance of ensuring projects are being submitted to MSCWMO prior to approval by each community and encourages members to reach out to Administrator Downing if they see any construction in the watershed, especially near the bluffline, to ensure the projects have been reviewed.

Klienhart Residence – ACTION

An application for project review was received on April 19th, 2023 for the reconstruction of the Kleinart residence at 1935 Quant Ave N in West Lakeland Township. The project qualifies for MSCWMO project review for reconstructed more than 500 square feet of impervious in the St. Croix riverway and grading within 40-feet of blufflines. Upon review of the project MSCWMO staff noticed what appeared to be about 1800 feet of recently reconstructed path viewable on the 2022 aerial imagery. This improvement was not indicated on the 2021 survey drawing submitted for review and MSCWMO staff inquired about the background of the path. The applicants indicated they discovered the path which was previously inaccessible and overgrown when clearing up overgrown and storm damaged trees. Further inquiry indicated that while some parts of the existing path were buried rocks and gravel, crushed rock was added to reconstruct the path. This work was completed without the review of the MSCWMO although it likely would have triggered a project review for the reconstruction of more than 500 square feet of impervious surface within the St. Croix Riverway and grading within the 40-foot bluffline setback. The remainder of the project (the proposed home reconstruction as submitted without the trail) is close to meeting MSCWMO standards with minor revisions and considering only the home reconstruction, MSCWMO staff would recommend approval with four conditions:

1. Indicate OHW elevation on plans (680 ft (MSL 1912))
2. Plans indicate the use of approximately 100 square feet of natural net straw erosion control blanket for temporary erosion control. This quantity seems small relative to the

disturbed area which also should include areas disturbed for construction of the septic system. Indicate on the plans the location of the proposed erosion control blanket and confirm the estimated quantity. Also indicate areas which are intended to be stabilized with mulch as shown on the rain garden detail and the 7-day timeframe requirement to achieve temporary stabilization.

3. Silt fence must be placed down-gradient of all disturbed soils including the rain garden and septic system areas. Plans as submitted only show silt fence placed down-gradient on river side of home.
4. The rain garden is located too close to the bluffline. MSCWMO prohibits construction within 40 feet of the top of blufflines, however a variance from Washington County which the MSCWMO provided review and comment on was approved for septic bluffline setbacks. The raingarden as located in the proposed site plan provided minimal setback from the overflow location to the bluffline which could lead to erosion from concentrated flow. The raingarden should be moved north and reconfigured slightly to provide an equidistant setback from all blufflines while maintaining a 35' setback from the septic system/well and 10' setback from the building foundation. The raingarden should also be resized slightly to meet the required volume control standard utilizing the correct depth (1.3' to overflow elevation) and maximum 3:1 (H:V) side slopes.

Home owners Jack and Elaine Kleinart are in attendance at the meeting. Administrator Downing displays the construction plans and Elaine Kleinart walks the board through the plan. Administrator Downing states that the Kleinarts have already met the four conditions listed in the approval recommendation.

Manager Zeller motions to approve the project with the four conditions. Manager Runk seconds the motion. The motion carries with all in favor.

Administrator Downing would like to further discuss with the board how to address these situations in the future, and if the path would be considered a reconstruction or not. Manager Zeller states that without a site visit prior to construction, there's no way to know if the path was altered enough to be considered a reconstruction, but notes that MSCWMO has some important tools and tips for home owners on the bluffline who want to create or alter paths down to the river and that educating homeowners that those tools and tips are available is important.

Ruprecht Riprap – ACTION

An application for project review was received on May 16th, 2023 for proposed riprap bank stabilization at 737 Quentin Ave South in Lakeland. The project qualifies for MSCWMO project review since it involves grading within buffers. The MSCWMO staff recommend approval with seven conditions:

1. Plans include locations and elevation of ordinary high water level (680 feet MSL 1912), base flood elevation (692.00 feet NAVD 88), and blufflines.
2. Erosion preventions stabilization time frame (7 days), method (i.e. erosion control blanket and seed), location and quantity are provided on the plans for areas of disturbed soils not stabilized with riprap such as areas disturbed for construction access.

3. Location and quantity of sediment control measures (i.e. double row of silt fence) is provided on the plans along with a note requiring practices to be placed prior to up-gradient land disturbance.
4. Plan notes for erosion and sediment control inspections and maintenance requirements are provided, including the name and contact information for individual responsible.
5. Plan notes are provided for pollution prevention and final stabilization requirements.
6. A riprap section detail is provided indicating the size, type, thickness, slope and extent of riprap material required along with filter fabric or material.
7. Project involves filling below the FEMA base flood elevation (692.00 feet NAVD88) and must comply with City of Lakeland Floodplain Ordinance requirements.

Administrator Downing states that there are concerns with the project and that is why there are seven conditions listed, but that MSCWMO doesn't have the funds for additional staff time for additional reviews for the project. Administrator Downing states the City should continue to follow up and take on the responsibility of ensuring the project meets all requirements. Manager Zeller notes some concerns about City staff seeing "recommend approval" from MSCWMO and that submitting it to the City in that format could be interpreted as not concerning. Manager Zeller asks if there has been communication with the City engineer regarding concerns about the project, Administrator Downing confirms he has been in contact and communicating openly.

Manager Runk motioned to approve the project with the seven conditions. Manager Peters seconded the motion. The motion carried with Manager Zeller and Dahl opposed.

Riley Riprap – ACTION

An application for project review was received on May 16th, 2023 for proposed riprap bank stabilization at 921 Quentin Ave South in Lakeland. The project qualifies for MSCWMO project review since it involves movement of 100 cubic yards of material grading within buffers. The MSCWMO staff recommend approval with two conditions:

1. Project involves filling below the FEMA base flood elevation (692.00 feet NAVD88) and must comply with City of Lakeland Floodplain Ordinance requirements.
2. Apply temporary erosion control blanket or mulch on areas of disturbed soils that are seeded for temporary erosion control.

Manager Zeller motioned to approve the project with the two conditions. Manager Peters seconded the motion. The motion carried with all in favor.

Erosion and Sediment Control Inspection Reports

Administrator Downing presented the Erosion and Sediment Control Inspection Reports from April and May. Results were mixed with some sites receiving a grade of "C" and others receiving a grade of "A." "A" grades mean that the site is fully complaint and no maintenance is required, while a grade of "C" means the site is not complaint and maintenance or supplemental practices are required.

When discussing the project at 1699 Rivercrest Rd N, Tim Schneider, alternate for Lake St. Croix Beach, indicated knowing the landowner for the project and inquired about the stop work order on his behalf, wondering who had the authority to issue a stop work order as it wasn't clear

who had given it. Administrator Downing states MSCWMO did not issue the order, the City did, and questions regarding the stop work order would have to be directed to City staff. Administrator Downing further states that MSCWMO is ultimately not the permitting entity and the concerns of MSCWMO are to ensure bluff stabilization throughout construction through erosion and sediment control measures. The erosion and sediment control measures recommended by WCD staff have been implemented on site, the site was in full compliance at the time of the last inspection.

Staff Report

Administrator Downing went over the staff report. Administrative items included preparation for the June meeting, coordination of Grant and Permit Program, attendance of meetings, 2022 Audit items, coordination with MSCWMO communities, and project reviews. Programs and work conducted by WCD staff continue as normal. Administrator Downing mentions that he is still working with Jay Riggs from the WCD to ensure street sweeping funds for MSCWMO.

1W1P Updates

Administrator Downing shares with the board that 1W1P has requested participating entities provide additional reporting about their activities that benefit 1W1P, to which Administrator Downing declined due to other reporting requirements and a lack of funds for the staff time for additional reporting. Manager Zeller asks if Administrator Downing can provide 1W1P with copies of the other reports Administrator Downing already completes for BWSR and other entities, Administrator Downing states he has already done so. Manager Zeller states that that should be sufficient and it seems reasonable to refuse further reporting requests.

Manager Zeller inquires if MSCWMO can withdraw from 1W1P, Administrator Downing states yes but advises not to at this time. Manager Runk states that he thinks that there is a potential for some value moving forward, Administrator Downing agrees that there is value in having a board member continue to attend but that he does not have the time to attend all of the monthly meetings himself. He continues to monitor meeting minutes for meetings he is not able to attend.

Other

None

Adjourn

Manager Zeller motioned to adjourn the meeting, Manager Runk seconded the motion. The meeting adjourned at 7:43.