



APPROVED

RCWD BOARD OF MANAGERS WORKSHOP

Monday, June 10, 2024

Rice Creek Watershed District Conference Room
4325 Pheasant Ridge Drive NE, Suite 611, Blaine, Minnesota
and

Meeting also conducted by alternative means
(teleconference or video-teleconference) from remote locations

1 The Board convened the workshop at 9:00 a.m.

2 Attendance: Board members Mike Bradley, John Waller, Steve Wagamon, Jess Robertson

3 Absent: Marcie Weinandt (with prior notice)

4 Staff: Communications & Outreach Manager Kendra Sommerfield, Regulatory Manager Patrick Hughes,
5 Drainage & Facilities Manager Tom Schmidt, Office Manager Theresa Stasica

6 Consultants: District Engineer Chris Otterness-Houston Engineering, Inc., District Attorney Chuck
7 Holtman (video-conference)

8 Visitors: City of Circle Pines Administrator Patrick Antonen (video-conference)

9 **RCWD Rule Revision Update**

10 Regulatory Manager Hughes stated he will review the draft version of the 2024 rule revision for Board input.
11 Staff will incorporate the Board’s feedback and bring the draft rule for its consideration at the second July
12 board meeting to formally authorize distribution of the proposed rule revisions for public review. Staff
13 solicited early comments on the District’s rules from the cities and other public agencies. Comments were
14 received from four cities. The Board directed staff to provide a summary of the comments for its
15 consideration.

16 Regulatory Manager Hughes presented, and the Board commented on a summary of the proposed rule
17 changes:

18 Rule C- Stormwater Management Plans: Definition & Stormwater Trigger; Regional Stormwater Basins-
19 clarity under C.5(a); Landlocked basin-Board commented update definition on page 9 of the rule so it is
20 consistent with rule C.5 (f); TP Removal Table for BMPs; BMP Location Siting-aligns with MS4 permit; BMP
21 Design Criteria; Underground BMPs; Uninhabitable Structure-Board commented the definition needs to
22 add clarity, look to city who is the land use authority, attached garage no exemption from freeboard; Public
23 Drainage System Easement; Easement Requirements on Partial Developments; and Non-Residential Phased
24 Development.

25 Rule D-Erosion and Sediment Control Plans: Stormwater BMP Maintenance.

26 Rule E-Floodplain Alteration: Floodway; One-time Floodplain Fill Exemption.

27 Rule F-Wetland Alteration: Wetland Replacement Siting.

28 Rule I-Public Drainage Systems: Public Drainage System Easement; Temporary Crossings and Obstructions.

29 Rule K-Enforcement: Enforcement Action.

30 And Rule L-Variiances: Removal of Undue Hardship standard.

31

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**BOARD OF
MANAGERS**

Jess Robertson
Anoka County

Steven P. Wagamon
Anoka County

Michael J. Bradley
Ramsey County

Marcie Weinandt
Ramsey County

John J. Waller
Washington County

32 Regulatory Manager Hughes discussed the possible addition of a Chloride Management Plan. The Board
33 sees this to currently best to remain as part of the outreach program.

34

35 Manager Robertson reiterated the importance of seeing the city comments received. Administrator
36 Tomczik replied that staff will provide to the Board.

37

38 Manager Robertson informed the Board that the Circle Pines Administrator has contacted her with the
39 request to move the Circle Pines item to the next item due to a conflict. The Board agreed.

40

41 Regulatory Manager Hughes reviewed the rule timeline. In July, the proposed rule revision will come back
42 to the Board for formal consideration to notice for public comment period. He also referenced the MS4
43 comparison table provided in the packet for the Board's information.

44

45 Manager Waller asserted that if District rules already exist within the city and county ordinances level then
46 our rules do not apply. His understanding is that RCWD authority is only in the absence of a rule, citing
47 Minnesota State Statute 103D.335 subd 19. Manager Waller stated that in the past he has requested a
48 rule/ordinance inventory of the 28 cities and counties to see what their rules are so the District's rules are
49 not duplicative.

50

51 District Attorney Holtman explained Manager Waller's statement is not quite right. The District is legally
52 mandated by state watershed law and planning framework in metro area, and separately by the Clean
53 Water Act framework administered by the Minnesota Pollution Control Agency, to adopt rules. BWSR has
54 rules in place that define watershed district regulatory obligations and directs watershed districts to have
55 rules in place in several principal areas that are of greater interest and are not seen as duplication. These
56 areas are erosion control, stormwater management, wetlands, and floodplain. BWSR has established a
57 framework for a watershed district to step out from regulating. It is through a process where a city indicates
58 its desire to be the sole regulating entity. The District can confirm the city's ordinances are sufficiently
59 protective in comparison to the District rules. This has occurred for a few cities within the District including
60 the City of Hugo.

61

62 **Anoka County Ditch 53-62 Main Trunk Repair Update**

63 The Board reviewed with Circle Pines Administrator Antonen the city's letter to Manager Robertson
64 regarding the sediment and outfall issue. The Board by consensus agreed to wait for the city's additional
65 survey information to further discuss this issue.

66

67 **Regulatory Program Annual Review & Forecast**

68 Regulatory Manager Hughes gave a presentation on the regulatory program trends and 2025 budgeting
69 projection. The Board valued the graphs provided in the presentation and echoed the importance of
70 communication within the regulatory program and its customers.

71

72

73 **Targeted Tool Introduction**

74 Communications & Outreach Manager Sommerfeld reviewed the task order and provided background on
75 the idea behind it. The Board discussed the proposed work and felt it was not the right time for the project
76 as presented, noting the pending Project Manager hire and necessary preparation for Watershed
77 Management Plan update in near future.

78

79 **Administrator Updates**

- 80 • ACD 53-62 Branches 5 & 6 Repair: DNR required a rare plant survey that will be completed under by
81 Critical Connections Environmental Services.
- 82 • District's Website: Upcoming outreach and other events are posted on the website.

83

84 The workshop was adjourned at 11:31 a.m.

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