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# RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, July 10, 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/88114847690?pwd=U52dNmmKTuPYZ4h8taq6SUjU8Gpwwx.1>

Meeting ID: 881 1484 7690

Passcode: 867534

+1 312 626 6799 US (Chicago)

Meeting ID: 881 1484 7690

Passcode: 867534

## Agenda

### CALL TO ORDER

### ROLL CALL

### SETTING OF THE AGENDA

### APPROVAL OF BOARD MINUTES: JUNE 26, 2024, REGULAR MEETING

### ANNUAL PUBLIC INFORMATION MEETING-DISTRICT'S STORM WATER POLLUTION PREVENTION PROGRAM (SWPPP)

### 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. Check Register Dated July 10, 2024, in the Amount of \$107,496.81 Prepared by Redpath and Company

### ITEMS FOR DISCUSSION AND INFORMATION

1. Minnesota Watersheds 2024 Request for Resolutions (Nick Tomczik)
2. District Engineer Update and Timeline
3. Administrator Updates
4. Manager's Update

**APPROVAL OF BOARD MINUTES: JUNE 26, 2024, REGULAR MEETING**

# DRAFT

1  
2 For Consideration of Approval at the July 10, 2024 Board Meeting.  
3 Use these minutes only for reference until that time.  
4

## REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, June 26, 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

5  
6  
7 President Michael Bradley called the meeting to order, a quorum being present, at 9:00 a.m.  
8

### ROLL CALL

9  
10 Present: President Michael Bradley, 1<sup>st</sup> Vice-Pres. John Waller, Treasurer Marcie Weinandt, and  
11 Secretary Jess Robertson  
12

13 Absent: 2<sup>nd</sup> Vice-Pres. Steve Wagamon (with prior notice)  
14

15 Staff Present: District Administrator Nick Tomczik, Permit Technician Kelsey White, Program Support  
16 Technician Emmet Hurley, Drainage & Facilities Manager Tom Schmidt, and Office Manager  
17 Theresa Stasica  
18

19 Consultants: District Engineer Chris Otterness from Houston Engineering, Inc. (HEI); District Attorney  
20 Chuck Holtman from Smith Partners  
21

22 Visitors: None  
23  
24

### SETTING OF THE AGENDA

25  
26 *Motion by Manager Bradley, seconded by Manager Weinandt, to approve the agenda as presented.*  
27 *Motion carried 4-0.*  
28

### READING OF THE MINUTES AND THEIR APPROVAL

29  
30 Minutes of the June 10, 2024, Workshop and June 12, 2024, Board of Managers Regular Meeting.  
31 *Motion by Manager Robertson, seconded by Manager Bradley, to approve the minutes as presented.*  
32 *Motion carried 4-0.*  
33  
34

35 **CONSENT AGENDA**

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

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

39 No.	Applicant	Location	Plan Type	Recommendation
40 24-037	White Bear Yacht Club	Dellwood	Final Site Drainage Plan	CAPROC 4 items
41 24-039	City of Shoreview	Shoreview	Final Site Drainage Plan	CAPROC 5 items

42

43 *It was moved by Manager Weinandt and seconded by Manager Robertson, to approve the consent*  
44 *agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer’s Findings*  
45 *and Recommendations, dated June 18, 2024. Motion carried 4-0.*

46 **OPEN MIC/PUBLIC COMMENT**

47 None

48 **ITEMS REQUIRING BOARD ACTION**

49 **1. RCWD 2024 Rule Revision – Initial Comment Response**

50 District Administrator Tomczik explained that in parallel with staff’s development of proposed rule revisions,  
51 it had offered an informal opportunity for its partners to provide feedback on the existing rules and 4 cities  
52 have commented. He stated that staff, the District engineer and counsel have reviewed the written  
53 comments and have created a proposed response to each community, and noted that staff also proposes to  
54 modify the proposed rule based on 3 of the comments that were received.

55

56 Manager Waller stated that the first comment from Forest Lake, FL-1, references redundancies, multiple  
57 review periods, and excessive documentation that it feels exists as a result of parallel city and District  
58 regulation. He stated that he finds this important and noted that the District has a very similar statement  
59 that rule revisions may be made to reduce redundancies and avoid overlapping jurisdictions. He noted that  
60 he provided information to the Board and District staff this morning of a copy of pages 58-59 from the  
61 Washington County Governance Study on water which was done in May of 1999. He stated that this study  
62 talks about natural resources inventory, land use planning process, and enforcement and permitting and feels  
63 that what Washington County was getting at was that there was no need to have 2 permits, which he feels is  
64 just what Forest Lake is talking about in its comments. He stated that in that situation, the District role would  
65 be more of commenting and allowing the cities to do all of the actual permitting, so the District rules would  
66 not really be necessary because there would not be an absence of these rules at the municipal and county  
67 level. He stated that while he understands that there needs to be rules, he does not feel there is a need for  
68 enforcement and permitting and would like to see the District eliminate the need for applicants to get 2  
69 permits. He explained that he feels the District’s role should be more advisory in nature than enforcement,  
70 permitting, and interference with the land use process. He stated that he feels that there is a need for a  
71 refocus on how the District approaches this and should be more of a comment role instead of permitting,

72 which requires money and inspections, and instead have the District use the resources for water quality  
73 projects.

74  
75 President Bradley stated that the information shared by Manager Waller is interesting even though he has  
76 only had a short time to read it. He stated that one thing he had not touched on in his comments is the  
77 statement in the document he shared that states, 'the local authority would incorporate the water resource  
78 protection standards from the water resource board into their official controls in the form of Land Use Plans,  
79 City Code, or Zoning Ordinance', and noted 3 of the District's cities have done this. He continued reading  
80 from the document, 'These documents would reference the natural resources inventory and would include  
81 the water quality standards for designated water bodies, and enforcement mechanisms' and went on to say,  
82 'Permitting would be the responsibility of the local authority' in the 3 cities that he referenced earlier with  
83 an additional statement of, 'Ideally the local authority would issue and enforce the permits' in those cities  
84 that have adopted the District rules. He continued to read, 'The most efficient method would be to have  
85 the water organization make comments during the local authority's review process'. He explained that if  
86 Forest Lake wanted to adopt the District's rules it could, like Hugo, become responsible and there would not  
87 be 2 permits. He noted that the city would first have to 'incorporate' the water resource protection  
88 standards into its official controls, which he feels makes sense because the District would want to determine  
89 what is necessary to protect the water.

90  
91 Manager Waller disagreed because the city's requirements would be based on State standards. He stated  
92 that President Bradley is correct that the cities need to adopt the District rules, but they adopt the rules that  
93 are based on State standards, just like the District does. He noted that does not necessarily mean that the  
94 watershed rules are 'one size fits all' and there needs to be flexibility for the cities to be able to make  
95 decisions. He stated that cities already have a set of standards that they have adopted and reiterated that  
96 he does not think that the District's standards have to be adopted by the cities.

97  
98 President Bradley noted that is what this document says and he believes it is also what the law would require  
99 the cities to do.

100  
101 Manager Waller stated that there is also a State statute that says watershed district rules only apply in the  
102 absence of city rules. He stated that he does not believe it says that the rules that are adopted by ordinance  
103 are necessarily the watershed rules. He pointed out that what he feels the are really talking about is a lot  
104 of dollars involved with consultants because they review all of this, which he feels meant that there is  
105 somewhat of a conflict of interest. He asked that the Board take that into consideration with respect to any  
106 comments received from the consultants.

107  
108 President Bradley stated that he was a consultant to government entities for 16 years and provided  
109 comments to government entities for another 27 years. He noted that just because they are making a living  
110 doing this does not mean that they are not independent of that in their thoughts and actions and that their  
111 positions aren't subject to review.

112  
113 Manager Waller stated that he wished President Bradley had that same consideration for members of the  
114 Board in the past when the Board has held members for conflicts of interest because of claims that they were  
115 not independent when these issues have come up.

116

117 Manager Weinandt stated that in response to this current conversation, she has to put a picture in her mind  
118 about who is responsible for what in what location. She stated that a city within the District is responsible  
119 for the work that goes on, the permits issued, and the levying that happens within its boundaries. She  
120 stated that the District Board has the responsibility to look at the entire watershed and the effects on the  
121 action and reaction of the waters and the rules within the District. She stated that to the point about cities  
122 saying that what they are doing with permitting is similar to what the District is doing, she would say that if  
123 they want a streamlined permitting process, then they need to adopt the watershed rules in addition to  
124 whatever other rules they have in their cities. She noted that there are 3 cities within the District that are  
125 doing that.

126  
127 President Bradley stated that he feels one of them is doing it in a very clever way because it has adopted the  
128 watershed rules but coordinates with the District to enforce them and is paying for those services. He then  
129 read comment FL-3, related to cost-sharing for regulatory projects, received from Forest Lake. He explained  
130 that he reads this comment as basically asking the District to help fund permittees' compliance with the  
131 District rules. He proposed that the answer from staff only focus on the question of subsidizing permit  
132 compliance and noted that he has distributed a proposed response stating the following:

133  
134 *RCWD supports regional projects that address flooding and water quality through its*  
135 *own direct projects, funded with ad valorem taxes and local water management*  
136 *taxing districts. It also supports these projects using its existing grant programs, e. g.*  
137 *Stormwater Grants, and by providing technical and financial support to external grant*  
138 *programs, e. g. Clean Water Funds. Annually, the RCWD sets its budget to reflect its*  
139 *best judgment on the amount of funding it can support for these projects without*  
140 *placing an excessive burden on its taxpayers. With respect to its regulatory program,*  
141 *RCWD has determined that it should recover 60% of the cost of that program from*  
142 *permits and 40% from ad valorem taxes. That cost-sharing recognizes the benefits of*  
143 *the program to parties beyond the permit holder; and reflects the best judgment of*  
144 *the RCWD Board on the appropriate burden to place on ad valorem taxpayers versus*  
145 *the directly benefitted property. Because the regulatory program is subsidized, the*  
146 *permit revenues provide no funds to support additional grants. To increase permit*  
147 *fees to support additional cost-share grants would be contrary to the RCWD Water*  
148 *Management Plan and in the view of the RCWD Board would be contrary to the public*  
149 *interest.*

150  
151 subsidize BMPs and all the things that are required under the District rules to provide flooding and  
152 water quality protection.

153  
154 Manager Waller stated that he would not support this proposed response.

155  
156 President Bradley asked Manager Waller if he wanted the District to raise taxes.

157  
158 Manager Waller clarified that he does not want the District to raise taxes, but wants it to use the  
159 money now being used for permitting to support best management practices and other water

160 quality programs, which is what he thinks the role of the District is. He noted that as outlined in  
161 the Washington County Governance Study document, ‘the local authorities will incorporate water  
162 resource protection standards into their official controls’ but does not think that necessarily means  
163 that District rules must be incorporated. He stated that they have rules in place, which means there  
164 is not an absence of a rule, and so the District would be subsidizing the rules that a city already has  
165 adopted.

166  
167 President Bradley stated that he remembers when White Bear Township came before the Board  
168 and asked for grant money to clean out a BMP off of Bald Eagle Lake and Manager Waller pointed  
169 out that was a maintenance function that was the city’s obligation to maintain and noted that  
170 Manager Waller and former Manager Haake were successful in having that request voted down.

171  
172 Manager Weinandt asked if the response from President Bradley is proposed to replace the staff  
173 response.

174  
175 President Bradley confirmed that he would like to replace the existing proposed response with the  
176 one he had drafted.

177  
178 District Administrator Tomczik stated that the communities of Hugo, Mounds View, and Circle Pines  
179 have adopted the District rules. He clarified that Centerville has not adopted the District’s rules,  
180 but there is a District relationship with it with regard to inspection. He stated that in the state’s MS4  
181 permit the Minnesota Pollution Control Agency requires public entities to obtain and abide by an  
182 MS4 permit, which would be considered the minimum standards. He noted that each watershed  
183 studies the needs of its watershed for water quality and flood control. He stated that from that,  
184 in working through time, the District has developed the rules to accomplish that outcome as best  
185 possible. He noted that the rules are an important aspect of the District being successful in  
186 meeting its goals, along with its programs and projects that fill in the gaps. He explained that the  
187 District started from the point of many fully developed communities that had no regulations at the  
188 time of development. He observed that the MS4 permit is the minimum standard and the District,  
189 with the assistance of its engineer, has identified the importance of some additional standards and  
190 thresholds that work to meet the needs of the watershed.

191  
192 Manager Weinandt asked District Administrator Tomczik where he sees city rules and whether he  
193 finds them to be somewhere between MS4 and the District rules or if they are simply the adoption  
194 of MS4 standards.

195  
196 District Administrator Tomczik stated that each city must meet the minimum control measures of  
197 the MPCA MS4 permit and is obligated to report to the MPCA on it.

198  
199 Manager Weinandt stated that means that cities may add additional rules but cannot go below the  
200 MS4 standards.

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District Administrator Tomczik agreed that would generally be correct. He explained that the District, as a watershed authority with its obligations under 103D, is to set ‘the standard’ for the watershed and thereby unify the municipalities or portions of them that are within the watershed to be successful in watershed-based management.

Manager Weinandt asked if that means that there is no requirement that a city adopt the District rules, but landowners would still have to get a permit from the District.

District Administrator Tomczik explained that a landowner intending to undertake a project that triggers the rules is obligated to come to the District. He stated that the District has very good relationships with the communities where there can be dialogue back and forth. He noted that there are things like pre-application meetings to help usher a landowner through the process and understand the rule obligations regarding water quality and flood control. He stated that in the Watershed Management Plan, the District lays out the protocols by which a municipality may take on sole regulatory authority by revising its ordinances to meet the District standards. He reiterated that the cities that have adopted the District rules are Hugo, Mounds View, and Circle Pines. He explained that Centerville pays the District for inspection services.

President Bradley asked about District stormwater rule that regulates below the one-acre MS4 threshold down to 10,000 square feet of impervious surface. He asked if a party wished to create 15,000 sq. ft. and believed it couldn’t do the project without this action, could it request a variance.

District Administrator Tomczik stated that an applicant can always ask for a variance and showing ‘good cause’ would be its task.

President Bradley stated that he does not think the District has ever seen such a request.

District Administrator Tomczik agreed that the District has not seen such a request. He noted that the 10,000 sq. ft. threshold, based on his experience with the District, is equivalent to about 2 or 3 dump truck loads of water. He explained the District’s thinking that this is a reasonable threshold at which to manage stormwater, to make note of how the volume of water has potential impact on the neighbors, and how it moves downstream.

Manager Robertson stated that these types of conversations frustrate her because of this process. She explained that she understands the objective, but communities reach out or respond and share their thoughts, and then the District just responds in writing rather than having a robust dialogue about the issues that have been raised. She stated that it is frustrating to sit at these meetings because she doesn’t understand why they cannot engage more directly. She explained that she understands Manager Bradley’s response, but would respond by sitting down rather than responding on paper. She noted that with a written response, intent and tone can be



242 misconstrued. She does not like the process of essentially sending carrier pigeons with comments  
243 back and forth and would prefer to just sit down and have a conversation with the cities and make  
244 it part of the process. She stated that anecdotal things may come out through that conversation  
245 that were not included in the written information. She realizes that the District does not intend to  
246 be adversarial, but when it is not sitting down and having face to face conversations and just sending  
247 out memos and comments, she thinks that they are received in an adversarial fashion. She  
248 explained that her frustration is not with what the District is trying to accomplish, but with the  
249 process itself and would encourage more in person and face to face conversations even though that  
250 may take extra time. She stated that she feels communicating is a key part of the District's job and  
251 relationships should be at the center of everything it does.

252  
253 President Bradley stated that he spent close to 50 years writing rules, defending rules, or attacking  
254 rules and knows that a large part of the rulemaking process is written comments. He thanked staff  
255 for reaching out to all 27 of the District's communities and the counties. He noted that 3 of the cities  
256 that responded have the same engineering firm, which may explain the similar feedback.

257  
258 Manager Waller stated that was is true because there are 3 different engineering firms from 3  
259 different counties.

260  
261 Manager Robertson stated that she feels President Bradley is making her point for her and explained  
262 that she may have a different opinion.

263  
264 President Bradley clarified that he agrees with Manager Robertson.

265  
266 Manager Robertson stated that it is okay for there to be disagreement, but there need not be  
267 pushback on every comment that someone else does not like. She stated that if only 3 or 4 cities  
268 responded to the request for comments, that is only 3 or 4 face to face meetings that the District  
269 would need to have.

270  
271 Manager Waller noted that there would be another comment period.

272  
273 President Bradley stated that this process is to develop the proposed rule. The District would  
274 notice the proposed rule for a public hearing for an opportunity for people to comment orally. He  
275 stated that if the wish is for staff to reach out, the Board can advise staff and staff can do that.  
276 He noted that FL-4 is related to pre-existing water rights, and noted that this is something the District  
277 has addressed in the past, for example, with Hugo and Centerville. He referenced FL-6 and  
278 explained that he does not understand what the concern is or the District's reply to that concern.

279  
280 District Administrator Tomczik explained that in FL-6, the District is reiterating that water quality  
281 treatment best occurs on-site or the location on which the impact is occurring. He stated that  
282 regional basins typically are used for multiple parcels under development at the same time. He

283 noted that it becomes a challenge to insert a BMP to provide treatment not provided on the  
284 development site. He explained that typically, there is not a willing landowner to intercede in the  
285 flow of water and take on that water quality and volume obligation. He noted that proceeding in  
286 that fashion would put the District in a situation of looking to condemn property for water quality  
287 and volume purposes. He stated that the comment does not go that far, but it is foundational in  
288 noting that what is important is the proximity to the site and where the run off is generated.  
289

290 District Engineer Otterness added that it appears the last part of the comment discusses weighing  
291 the impacts of nutrients on water versus flood control. He explained that they seem to suggest  
292 that there is a decision point to be made on whether to focus on flood control or water quality, but  
293 the fact is that nearly all BMPs provide some function of both elements.  
294

295 President Bradley referenced the reply to FL-7 and asked if staff is saying that this is a  
296 Comprehensive Wetland Protection and Management Plan (CWPMP) issue and not a rule issue.  
297

298 District Administrator Tomczik explained that the CWPMPs are engagements with municipalities to  
299 work under the mandate of the Wetland Conservation Act and make sub-watershed adjustments  
300 where there may be some flexibility.  
301

302 President Bradley asked if District Administrator Tomczik is implying that city comments should be  
303 addressed through the CWPMP rather than through the rules.  
304

305 District Administrator Tomczik stated that is correct and explained the flexibility built into the  
306 CWPMP.  
307

308 Manager Weinandt stated that it sounds like not a hard 'no' but instead a 'let's talk about it' kind of  
309 response.  
310

311 District Administrator Tomczik confirmed that is correct and staff always is happy to discuss with  
312 applicants and noted that the pre-application meetings are an opportunity to look at alternative  
313 approaches.  
314

315 President Bradley referenced LL-B.1. and noted that the comment makes sense to him. He asked if  
316 staff has a reason why the District could not make demonstration of deed as a CAPROC item.  
317

318 District Administrator Tomczik stated that the District does variations frequently and noted that  
319 they do not want an applicant undertaking investigation of work on property that is not its own  
320 without the consent or recognition of the landowner.  
321

322 President Bradley noted that this comment refers to public land acquisition.  
323

324 District Attorney Holtman stated that in his experience, the District already does this. He is familiar  
325 with several cases where the District has reviewed the status of land rights acquisition for a public  
326 project. He stated that in those instances the District has accepted an application on the basis of  
327 the applicant's petition for eminent domain or a purchase agreement. He stated that there may  
328 be something anecdotal here that may be worth asking the city why it is raising this concern, but  
329 reiterated that he believes that the District is already doing this.

330  
331 President Bradley referenced WBL-1 mindful of the uninhabited garage discussions they had at the  
332 last workshop meeting and asked if an underground parking rule would qualify as a building not for  
333 habitation.

334  
335 District Administrator Tomczik answered that an underground parking facility would qualify.

336  
337 District Engineer Otterness stated that he would agree, if it were detached, but more often than  
338 not, an underground parking structure is attached. He believes the concern from White Bear Lake  
339 stems from the risk of an underground structure receiving water from a groundwater source or  
340 some sort of overland source. He explained that the District's reply is intended to indicate that the  
341 District really does not, within the rule, look at the groundwater risk because that is not within the  
342 District's area of expertise, but the District does look at potential surface flow paths that could go  
343 to the underground garages. He noted that when those flow paths are directed away from an  
344 underground garage, the District does not have a specified freeboard requirement.

345  
346 Manager Weinandt asked if the first comment from White Bear Lake is asking the District to add a  
347 requirement to the rules. She is trying to categorize who would be responsible for which aspects.

348  
349 District Engineer Otterness stated that the comment appears to simply be a question and not  
350 necessarily a request or suggestion. He noted that a lot of cities have different requirements or  
351 rules related to ground water with respect to structures, and that this is something that typically  
352 falls under the domain of the city or county, as the zoning authority.

353  
354 President Bradley referenced WBL-2 and stated that he does not understand the phrase 'both  
355 areally and temporally' within the District's reply.

356  
357 District Attorney Holtman explained the intent of "common plan of development" is to avoid a loss  
358 of protection through a property owner segmenting work over time to remain below regulatory  
359 thresholds. He stated that 'areally' means cumulative work within a campus or similar defined area.

360  
361 President Bradley suggested that the word is uncommon and asked that the concept be explained  
362 differently.

363

364 Manager Weinandt stated that she has observed the process and noted that the Board has been  
365 discussing rule updates for a while. She feels the replies to comments are based on staff's  
366 understanding of what needs to be done, conversations the Board has had, as well as staff's  
367 experience from reviewing permits throughout the year. She noted that as he has been reviewing  
368 permits, Regulatory Manager Hughes has been making notes on rule refinements. She stated that  
369 she believes there have been conversations occurring between the cities and staff and the written  
370 comments are just formalizing some of that discussion.

371  
372 ***Motion by Manager Waller, seconded by Manager Bradley, to authorize staff to distribute the***  
373 ***response to initial comments received on the 2024 rule revision.***

374  
375 Manager Robertson stated that based on the way the motion was presented, it indicates that these  
376 are 'initial' comments and does not say that there will be no more communication regarding the  
377 comments. She stated that she therefore will vote in favor of the motion but urges that the District  
378 take the time to dialogue with the cities that have submitted comments to explore their issues and  
379 potential concerns. She does not think the District can say that it has great relationships with its  
380 communities if it is not participating in promoting those relationships by having these conversations.  
381 She is not trying to cause problems and just wants to encourage communication and for the District  
382 to have great relationships with all of its partners, including other regulatory agencies.

383  
384 ***Motion carried 4-0.***

385  
386 District Attorney Holtman noted that the statute has a very spare process for rulemaking that  
387 requires only publishing the proposed rule, 45 days for written comments, and a public hearing.  
388 He explained that it is always the Board's prerogative to overlay on that a richer process and it would  
389 be appropriate when staff brings the proposed rule to the Board next month for the Board to have  
390 a conversation to lay out elements of the process that the District should follow for the rulemaking.  
391 He stated, also, that what is important, as a legal matter, is that the proposed rule, as it has been  
392 drafted, defines the scope of the changes the Board may consider. When the proposed rule is  
393 published, it defines what changes are within the contemplation of the Board and if a great new  
394 idea comes up in the middle of the process, the District cannot just say okay we will go ahead and  
395 make this change too. He stated that if it is substantial, the District would need to go back and start  
396 the public comment period over again. He explained that what staff has suggested that if there is  
397 something within the city comments that is not in the proposed rule, but interests the managers for  
398 a possible rule change, it is useful and important for the Board to let staff know that before the  
399 proposed rule is published. The memorandum that accompanies the proposed rule can include this  
400 within the rulemaking scope, and so allow the managers to consider it in the rulemaking.

401  
402 **2. Check Register Dated June 26, 2024, in the Amount of \$720,446.76 and June Interim Financial**  
403 **Statements Prepared by Redpath and Company**

404

405 ***Motion by Manager Weinandt, seconded by Manager Bradley, to approve check register dated***  
 406 ***June 26, 2024, in the Amount of \$720,446.76 and June Interim Financial Statements Prepared by***  
 407 ***Redpath and Company. Motion carried 4-0.***  
 408

409 Manager Weinandt stated that a year ago the District invested funds in CDs and laddered them for  
 410 different terms which means that the 1 year term is already up. She explained that they are having  
 411 conversations with their investment partners and will roll those funds over into another investment  
 412 and when that happens she will update the Board.  
 413

414 **ITEMS FOR DISCUSSION AND INFORMATION**

415 **1. RCWD Database Demonstration – MS4Front**

416 District Administrator Tomczik explained that staff would like the Board to be aware of the tools  
 417 that staff are using. He stated that the District purchased this database about 3 years ago. The  
 418 database is critically important for the District and the District could not do its work efficiently or  
 419 effectively without it. He explained that the District currently uses it for 3 primary functions:  
 420 regulatory/permit administration, District facilities, and grant programs.  
 421

422 Permit Technician White gave a brief overview of the regulatory use of the database and the use of  
 423 the maps, reference layers, and additional information that can be reviewed or tracked in the  
 424 system.  
 425

426 District Engineer Otterness reviewed how the database is used with District facilities and how it  
 427 helps the District manage, maintain, and inspect the facilities. He shared the example from the E2  
 428 wetland structure at the intersection of 694 and 35W and how this information can be sort of a ‘one  
 429 stop shop’ and allows staff and the engineer to retain institutional knowledge, even if there is  
 430 staffing turnover. He stated that the information in the database is important for knowing how to  
 431 operate District facilities, but also for tracking. He reviewed what is available within the database,  
 432 such as inspection results, maintenance tracking, MS4 project files, contacts, BMP information, and  
 433 funding details.  
 434

435  
 436 Manager Waller asked who owns the database and how it is backed up. He would like assurance  
 437 that this information will not just disappear if, for example, a company is bought out in a merger.  
 438

439 Permit Technician White stated that for the regulatory permitting area, the District also has another  
 440 database called Laserfiche. She explained that permitting records are kept within that system as  
 441 well,. She would say that MS4 Front maintains the information more accessibly.  
 442

443 Manager Waller asked if the secondary repository of Laserfiche is in the possession of the District.  
 444

445 District Administrator Tomczik stated that the District owns a server that has this information stored  
446 on it. He explained that it is backed up, so if there were a critical failure, this information would  
447 remain recoverable.

448  
449 Manager Waller stated that he is a strong believer in paper. He stated that this database appears  
450 to be a marvelous system, but he is concerned that as the District continues to move to more  
451 electronic use for this type of information, it is able to access these records despite staff turn-over.

452  
453 District Administrator Tomczik stated that Laserfiche is the District's official repository and is  
454 essentially the metal file cabinet of all the District's records, and noted that it does have multiple  
455 redundancies.

456  
457 President Bradley asked if the District contracts with Houston Engineering for some of its software  
458 related items and whether that is the case here.

459  
460 District Engineer Otterness stated that Houston Engineering developed MS4 Front. He stated that  
461 there is an annual licensing fee, but the data belong to the District and these details are spelled out  
462 within the licensing agreement. He stated that HEI also has Drainage DB which is another product  
463 specific to the public drainage system records.

464  
465 District Administrator Tomczik stated that the Board may recall hearing about WISKI, which is  
466 another subscription by which the District manages data that many watersheds use. He noted that  
467 staff feels very safe storing data there.

## 468 469 **2. Staff Reports**

470 Manager Weinandt asked what is happening with the iron enhanced sand filters and if they are  
471 affected by too much rain or some other issue, such as a design flaw.

472  
473 Drainage and Facilities Program Manager Schmidt stated that he believes it is most likely a  
474 combination of things. He explained that the District has been trying to repair some problems that  
475 have cropped up after 3 years of being in use and has been dealing with contractors who provided  
476 the pumping and control logistics. He thinks they are nearing the point where the filters will be  
477 fully operational for the rest of the summer.

478  
479 District Administrator Tomczik stated that iron enhanced sand filters are a specialized method of  
480 removing phosphorus. He shared details from area iron enhanced sand filter issues that have  
481 arisen recently. Staff is working to ensure that they do not happen again.

482  
483

484 **3. July Calendar**

485 District Administrator Tomczik noted that the District offices will be closed on July 4, 2024 and there  
486 will not be a CAC meeting during July.

487  
488 **4. Administrator Updates**

489 District Administrator Tomczik stated that there has been quite a bit of rain recently and staff has  
490 worked to maintain the public drainage system in order to keep its capacity available and  
491 functioning. He stated that moving water also tends to move debris such as tree limbs that may  
492 clog culverts or cause some challenges but noted that when there is extremely high water, it was  
493 not necessarily a safe time in which to remove the debris.

494  
495 Drainage & Facilities Manager Schmidt explained that the District has been keeping an eye on the  
496 normal flooding locations during the recent high rain events and has found that the system is  
497 working as well as it can considering the built-in limitations with geography and topography. He  
498 noted that there is one particular problem on ACD 10-22-32 at the sod fields in Lino Lakes. Staff has  
499 discovered what seems to be a deficient culvert which is a private crossing on the public ditch that  
500 appears to be causing a slow down of water from the north that has caused extraneous flooding on  
501 the sod fields north of CR 14. He explained that the concern from the landowners were great enough  
502 that he used some mechanical means of pumping to pump around the slow culvert to temporarily  
503 relieve the immediate flooding and restore some capacity which has been successful because it  
504 dropped the water level by over a foot upstream. He noted that an old disagreement has  
505 reemerged due to this pumping and explained that the ditch in this area was consolidated in 2010  
506 by order of the Board utilizing a functional alignment that had been developed by the sod farmers  
507 for their purposes and, according to them, the District has 'taken' their ditch and incorporated it  
508 into the public system without payment. He stated that he had received a text following a discussion  
509 about pumping around this culvert and received reluctant permission to access the public ditch in  
510 that location. He explained that he had not wanted to argue with this individual at the time, but had  
511 asked Drainage Attorney Kolb to send a letter reaffirming the public nature of the ditch and  
512 confirming that it was not private. He reiterated that this has been an ongoing point of contention  
513 with the property owner and explained that he wanted the Board to be aware of the situation in  
514 case they receive phone calls.

515  
516 Manager Waller agreed that this has been a controversial issue in the past and stated that the DNR  
517 has allowed the sod farmers to use the system after they altered it. He stated that the farmers  
518 altered it out of frustration in not getting the government to fix it for them and explained that there  
519 were also other conflicts related to this property within Lino Lakes. He stated that if this situation  
520 was the only 'emergency' event that the District has had to deal with during the rain events of this  
521 spring, that was a good thing.

522  
523 District Administrator Tomczik updated the Board that the District was continuing to press forward  
524 for plans for the Pine Street culvert on ACD 10-22-32. He noted that the DNR has indicated that a

525 vegetative investigation for rare and endangered species was required, but the District felt that  
526 there may be an exemption that would be applicable in this case and the issue is being investigated.  
527 He stated that he attended the Summer Tour yesterday and outlined some of the topics that were  
528 presented, including a good common carp presentation by Lake and Stream Program Manager  
529 Kocian which was well recieved.

530

531 **5. Managers Update**

532 Manager Waller noted that he had also attended the Summer Tour and commended Lake and  
533 Stream Program Manager Kocian for doing a wonderful job on his presentation at the Minnesota  
534 Watershed. He noted that he had checked White Bear Lake’s outflow because they have had a lot  
535 of rain and found that it was not flowing yet. He stated that he also drove by the iron enhanced sand  
536 filter on Bald Eagle, but it appeared to be functioning quite well.

537

538 Manager Weinandt stated that she agreed that Lake and Stream Program Manager did a fabulous  
539 job on his presentation and was able to even incorporate from great carp humor cartoons that  
540 engaged the audience. She stated that she planned to attend the Summer Tour following today’s  
541 meeting.

542

543 **ADJOURNMENT**

544 ***Motion by Manager Robertson, seconded by Manager Waller, to adjourn the meeting at 10:41 a.m.***  
545 ***Motion carried 4-0.***

546





**ANNUAL PUBLIC INFORMATION MEETING-DISTRICT'S STORM  
WATER POLLUTION PREVENTION PROGRAM (SWPPP)**



Published in the Pioneer Press newspaper June 10, 2024

Mailed notice to cities in District and Anoka, Hennepin, Ramsey, and Washington Counties June 10, 2024

District website, email notice, & posted notice at office June 6, 2024

Notice of Annual Public Information Meeting

Storm Water Pollution Prevention Program  
MS4 (Municipal Separate Storm Sewer System)

NOTICE IS HEREBY GIVEN that the Annual Public Information Meeting on the District's Storm Water Pollution Prevention Program (SWPPP) will be held on Wednesday, July 10, 2024, during the Rice Creek Watershed District Board of Managers regular meeting at 9:00 AM in the City of Shoreview, 4600 North Victoria Street, Shoreview, Minnesota. Public participation using interactive technology will also be possible using Zoom. Please contact Theresa Stasica at [tstasica@ricecreek.org](mailto:tstasica@ricecreek.org) 763-398-3070 for zoom instructions. In addition, by a declaration under Minnesota Open Meeting Law Section 13D.021, all meetings of the RCWD Board of Managers are in person and public while recognizing that a Manager may, based on advice from a health care professional, have a legitimate reason for not attending a meeting in a public place in person, such as COVID-19 exposure or infection, and in such circumstances may participate in the meeting remotely. The purpose of this meeting is to present the District's 2023 MS4 Annual Report and receive comments and respond to questions regarding the District's SWPPP. Interested parties will have an opportunity to provide oral or written input on the Best Management Practices (BMPs) being utilized by the District. The District's SWPPP can be reviewed on the District's website [www.ricecreek.org](http://www.ricecreek.org) or a copy is available for review at the District office, 4325 Pheasant Ridge Drive NE, Suite 611, Blaine, MN 55449. 763-398-3070.

To Join Zoom Meeting:

<https://us06web.zoom.us/j/88114847690?pwd=U52dNmmKTuPYZ4h8taq6SUjU8Gpwwx.1>

Meeting ID: 881 1484 7690

Passcode: 867534

+1 312 626 6799 US (Chicago)

Meeting ID: 881 1484 7690

Passcode: 867534

Find your local number: <https://us06web.zoom.us/j/88114847690>

4325 Pheasant Ridge Drive NE #611 | Blaine, MN 55449 | T: 763-398-3070 | F: 763-398-3088 | [www.ricecreek.org](http://www.ricecreek.org)

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

**MEMORANDUM**  
**Rice Creek Watershed District**



**Date:** June 6<sup>th</sup>, 2024  
**To:** RCWD Board of Managers  
**From:** Will Roach, Watershed Technician/Inspector  
**Subject:** MS4 Stormwater Pollution Prevention Program 2024 Public Information Meeting

---

**Introduction**

The Rice Creek Watershed District (RCWD) is required under its Municipal Separate Storm Sewer System (MS4) General Permit to hold an annual public information meeting. This is that meeting.

**Background**

RCWD is required under its MS4 General Permit to hold an annual public information meeting and present its actions in fulfilling its permit obligations.

The MPCA is in the process of developing a new e-service for the annual MS4 reporting process and is also updating the contents of the report to better align with the requirements of the 2020 MS4 General Permit. As the new service is not yet available for use and use of the previous platform has been discontinued, regulatory agencies, such as RCWD, that are covered under the 2020 MS4 General Permit do not need to submit an annual report in 2024. Instead, MPCA’s current guidance is for reporting entities to submit reports for each of the previous calendar years (2022 and 2023) once the system is online.

The RCWD’s MS4 is limited to the portion of the 103E public drainage system that is within the U.S. Census Urbanizing Area. The Urbanizing Area is defined by the 2020 census data. The RCWD administers its rules in a uniform manner, regardless of if a project site is in the Urbanizing Area or not.

Staff has assembled key information on the District’s actions to comply with the General Permit’s six Minimum Control Measures (MCMs). Key information highlighted include the total number of cost-share and mini-grants, the total number of site violations and top three most common violations, waterbodies submitted to be removed from the impaired waters list, and the total number of issues permits that require permanent stormwater Best Management Practices (BMPs).

Staff have pulled relevant information pertaining to the Stormwater Pollution Prevention Plan (SWPPP) to inform both the Board and the public as required under the MCMs.

**Staff Recommendation**

This is a public information meeting. The Board may receive comments from the public regarding its approach to its permit. (Currently, no further documentation is required to be submitted to the MPCA, no Board action is required at this time.)



## Rice Creek Watershed District MS4 Stormwater Pollution Prevention Program 2024 Public Information Meeting

July 10, 2024

Will Roach – Watershed Technician/Inspector

# 2023 Annual SWPPP Reporting

As noted at last year's annual SWPPP meeting, the MPCA is currently in the process of creating a new e-service platform to aid in reporting was expected to go live in 2024.

At the MECA conference in January it was stated that the e-service was expected to go live by November of 2024.

Once the new e-service is live, permittees will submit reports for previous years all at once.

No Board Action Required – Public Hearing per MCM 2

# RCWD's MS4 General Permit

- Federally mandated by the U.S. Environmental Protection Agency
- Administered locally by the Minnesota Pollution Control Agency
- Authorizes stormwater discharge from our Municipal Separate Storm Sewer System (MS4) to “Waters of the State”
- RCWD's MS4 is limited to the portion of 103E public drainage system within the U.S. Census Urbanizing Area
  - 2020 census data now available
  - Staff administers rules uniformly across the District
- RCWD is required to develop and implement a Stormwater Pollution Prevention Program (SWPPP)

# What's in a SWPPP? Six MCMs

**Minimum Control Measures (MCMs)** are areas of focus for stormwater pollution prevention defined within the permit:

1. Public Education & Outreach
2. Public Participation & Involvement
3. Illicit Discharge Detection & Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management
6. Pollution Prevention & Good Housekeeping

Each RCWD staff member plays a role!



# 2023 SWPPP Highlights

## MCM 1 – Public Education & Outreach

- Grant Programs & Technical Assistance
  - 13 cost-share projects
  - 21 mini grants projects
- Collaborative Programs and Resource Partnerships
  - AWROC, Blue Thumb, EMWREP, Watershed Partners,
  - Minnesota Water Stewards, Freshwater Society
- Articles, Displays, & Materials, Virtual Presentations
- Virtual Workshops & Fairs, Adopt-A-Drain Program
- Social Media Posts
- New RCWD website

# 2023 SWPPP Highlights

## MCM 2 – Public Participation & Involvement

- Annual SWPPP public information meeting held on July 10, 2024, to offer an opportunity for the public to comment on RCWD’s activities.
- RCWD also participates in and/or hosts many other activities throughout the year focused on pollution prevention and water quality.
- No written or verbal comments were received ahead of this meeting



# 2023 SWPPP Highlights

## **MCM 3 – Illicit Discharge Detection & Elimination**

- RCWD Rule H: Illicit Discharge and Connection
- MS4Front database hosts GIS mapping of MS4 system
- Staff coordinated investigation of every IDDE complaint
  - usually passed along to relevant municipal staff as RCWD's jurisdiction for IDDE matters is limited
- 2 illicit discharge reported in 2023

# 2023 SWPPP Highlights

## MCM 4 – Construction Site Stormwater Runoff Control

- RCWD Rule D: Erosion and Sediment Control Plans
- RCWD Inspectors are trained & enforce controls
- Established policies for inspecting sites
  - 64 active construction sites ( > 1 Acre)
  - 334 site inspections ( > 1 Acre)
  - 139 violation notices sent, most common issues:
    - Perimeter Control
    - Exposed Soils
    - Storage, Handling, and Disposal of Construction Products, Materials, and Waste.



# 2023 SWPPP Highlights

## **MCM 5 – Post-Construction Stormwater Management**

- RCWD Rule C: Stormwater Management
- RCWD operates robust permit review program
  - RCWD Rule C: Stormwater Management Plans
  - Ditch, Drainage, & Utility Easement Requirements
  - Stormwater Maintenance Agreements required for BMPs
  - 36 permits issued in 2023 for projects that required permanent stormwater BMPs
- MS4Front database has allowed GIS mapping of all BMPs associated with permits 2013-present

# 2023 SWPPP Highlights

## MCM 6 – Pollution Prevention & Good Housekeeping

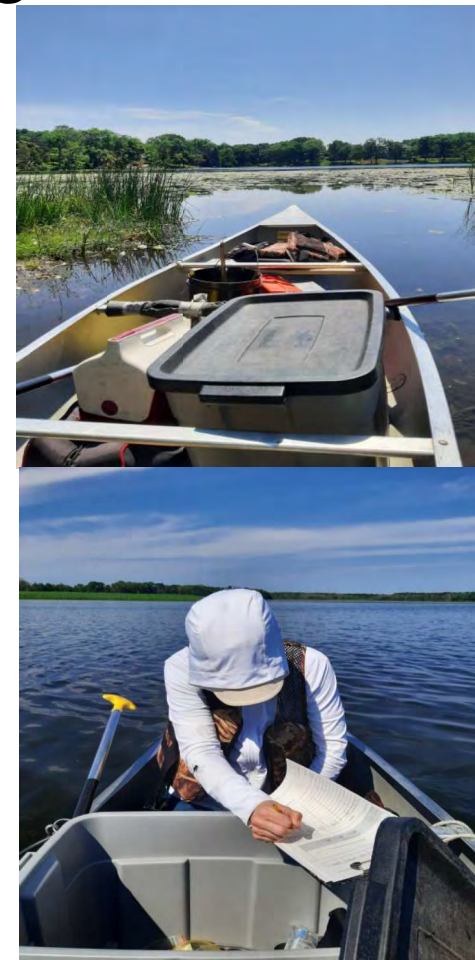
- Many of the requirements of this MCM do not apply to current RCWD operations
- Only a handful of RCWD District Facilities have any relationship with MS4 general permit. RCWD emphasizing focus on operation/maintenance of all District Facilities (MS4 – related or not).
- all MS4 District Facilities were inspected in 2023



# 2023 SWPPP Highlights

## RCWD TMDL Reporting (MCM 7)

- Total Mass Daily Load (TMDL): The total amount of pollutant that a waterbody/water course can accept and still meet the State Water Quality Standards for public health and healthy ecosystems.
- Waters proposed to be removed from the 303(d) list: Bald Eagle, White Rock, and Island Lake (both North & South basins), Golden Lake.



# Impaired Waters Inventory Map

## Rice Creek Watershed District

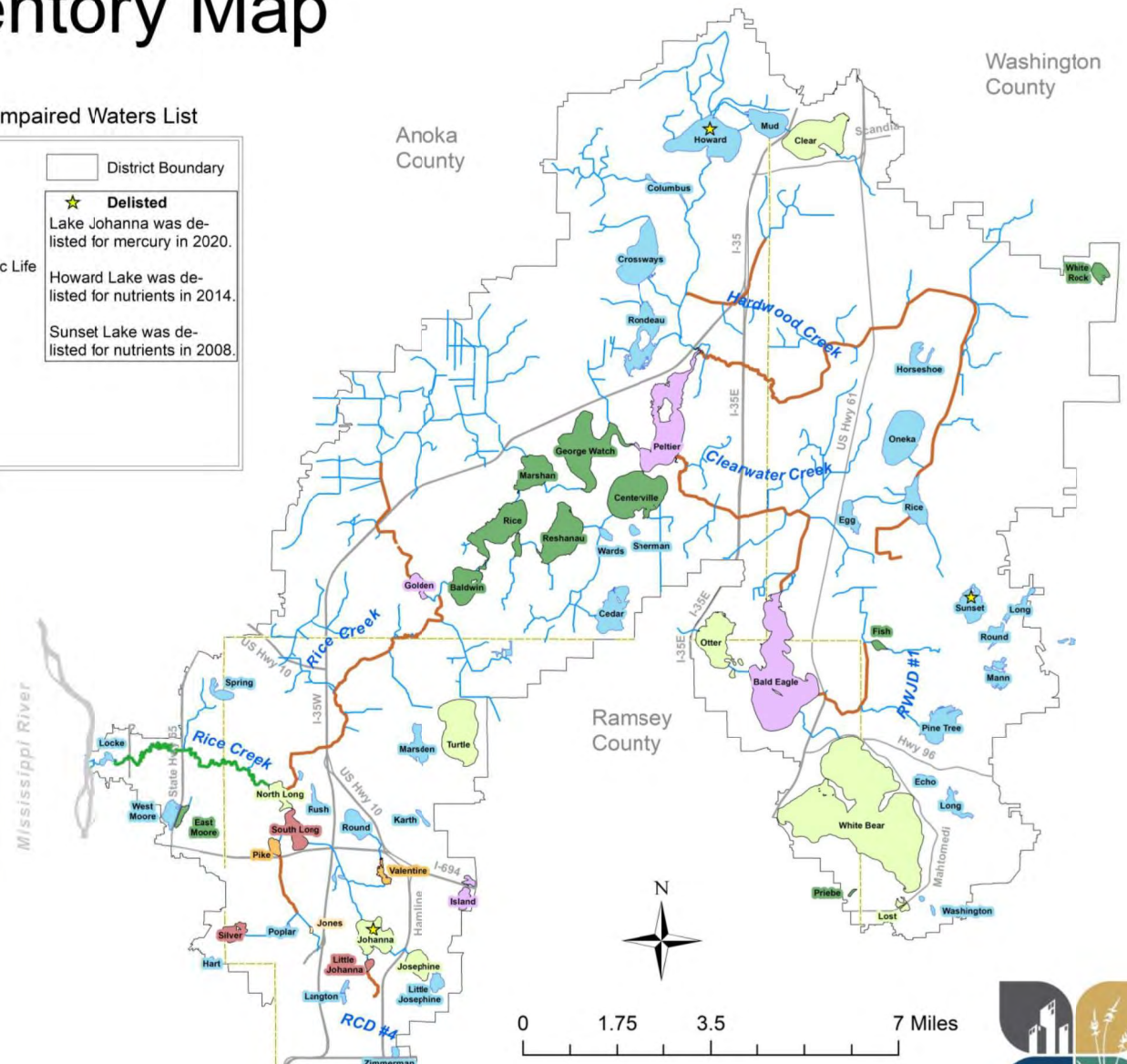
Source: Minnesota Pollution Control Agency 2022 Approved Impaired Waters List

Lakes/Wetlands	Streams	District Boundary
Not listed	Not Listed	District Boundary
<b>Impaired for:</b>	<b>Impaired for:</b>	<b>Delisted</b>
Aquatic Consumption, Aquatic Recreation, Aquatic Life	Aquatic Recreation, Aquatic Life	Lake Johanna was de-listed for mercury in 2020.
Aquatic Consumption, Aquatic Recreation	Aquatic Life	Howard Lake was de-listed for nutrients in 2014.
Aquatic Recreation, Aquatic Life	County Lines	Sunset Lake was de-listed for nutrients in 2008.
Aquatic Consumption	Major Roads	
Aquatic Recreation		
Aquatic Life		

IMPAIRED LAKES/WETLANDS		IMPAIRED STREAMS	
Name	Stressor	Name	Stressor
Bald Eagle	Mercury, Nutrients	Clearwater Creek	DO, Biota (F/M)
Baldwin	Nutrients	Hardwood Creek	DO
Centerville	Nutrients	-->Headwaters to Hwy 61	DO
Clear	Mercury, PFOS	-->Hwy 61 to Peltier Lk	DO, Biota (F)
East Moore	Nutrients	Ramsey Washington	DO
Fish	Nutrients	Judicial Ditch #1	DO
George Watch	Nutrients	Middle Rice Creek	Biota (F/M)
Golden	Mercury, Nutrients	Lower Rice Creek	E. coli, Biota (F/M)
Island	Mercury, Nutrients	Ramsey County Ditch #4	Chloride
Jones	Biota (M/P)	Anoka County Ditch #4	Biota (M)
Johanna	PFOS	Anoka County Ditch 53-62	Biota (M)
Josephine	Mercury	Ramsey County Ditch #2	Biota (F, M)
Little Johanna	PFOS, Nutrients, Chloride		
Long (Ramsey)			
-->North basin	Mercury		
-->South basin	Mercury, Nutrients, Chloride		
Lost	Mercury		
Marshan	Nutrients		
Otter	Mercury		
Peltier	Mercury, Nutrients		
Pike	Nutrients, Chloride		
Priebe	Nutrients		
Reshanau	Nutrients		
Rice	Nutrients		
Silver	Mercury, Nutrients, Chloride		
Turtle	Mercury		

<b>"Nutrients"</b>	<b>= Nutrient/Eutrophication Biological Indicators</b>
<b>"PFOS"</b>	<b>= Perfluorooctane Sulfonate in fish tissue</b>
<b>"Biota"</b>	<b>= Fish bioassessments (F) and/or benthic macroinvertebrate bioassessments (M) and/or aquatic plant</b>





# Impaired Waters Inventory Map

## Rice Creek Watershed District

Source: Minnesota Pollution Control Agency 2022 Approved Impaired Waters List

Lakes/Wetlands		Streams	
	Not listed		Not Listed
<b>Impaired for:</b>		<b>Impaired for:</b>	
	Aquatic Consumption, Aquatic Recreation, Aquatic Life		Aquatic Recreation, Aquatic Life
	Aquatic Consumption, Aquatic Recreation		Aquatic Life
	Aquatic Recreation, Aquatic Life		County Lines
	Aquatic Consumption		Major Roads
	Aquatic Recreation		
	Aquatic Life		

District Boundary

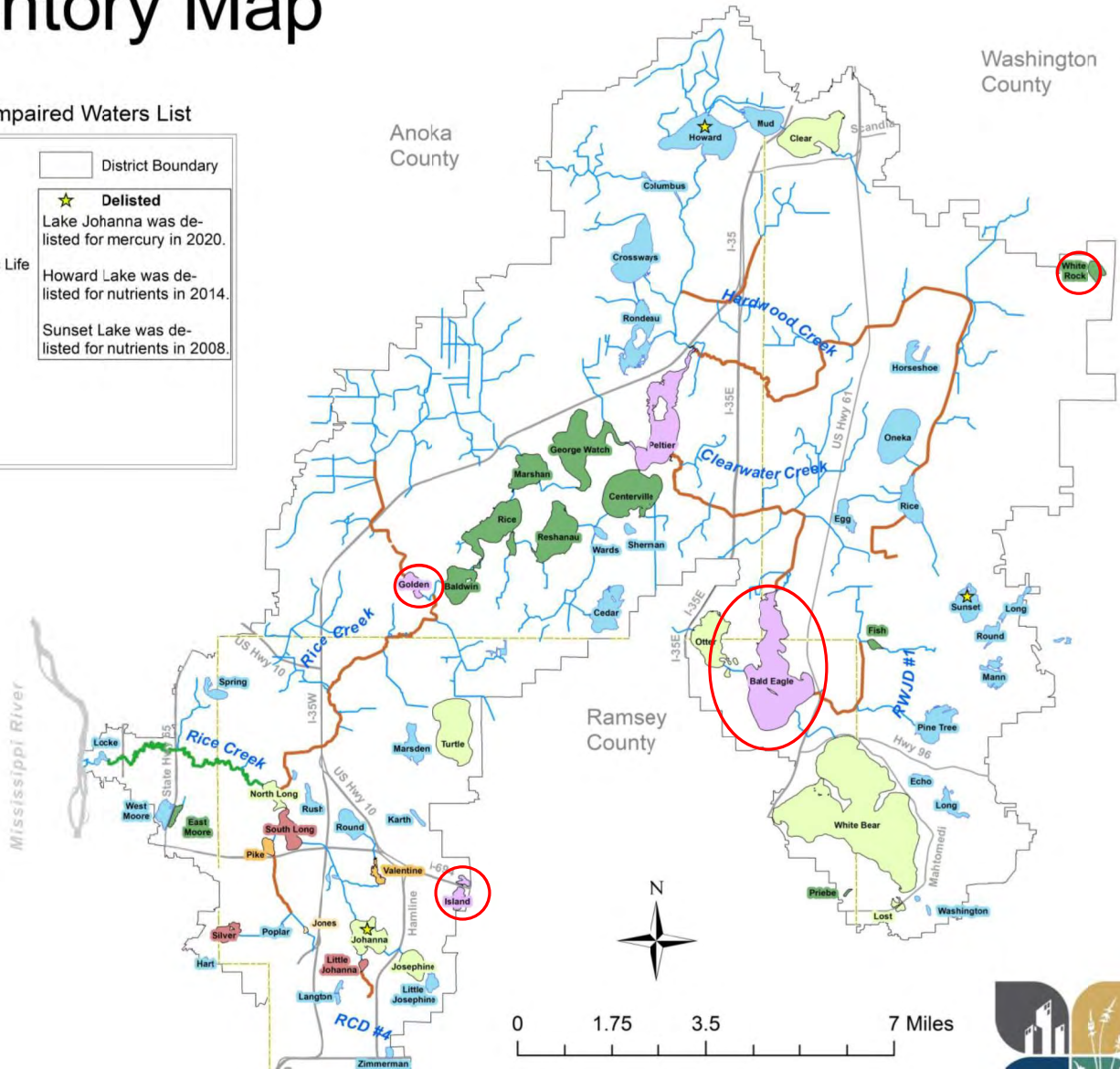
**Delisted**  
Lake Johanna was delisted for mercury in 2020.  
Howard Lake was delisted for nutrients in 2014.  
Sunset Lake was delisted for nutrients in 2008.

IMPAIRED LAKES/WETLANDS		IMPAIRED STREAMS	
Name	Stressor	Name	Stressor
Bald Eagle	Mercury, Nutrients	Clearwater Creek	DO, Biota (F/M)
Baldwin	Nutrients	Hardwood Creek	
Centerville	Nutrients	-->Headwaters to Hwy 61	DO
Clear	Mercury, PFOS	-->Hwy 61 to Peltier Lk	DO, Biota (F)
East Moore	Nutrients	Ramsey Washington	
Fish	Nutrients	Judicial Ditch #1	DO
George Watch	Nutrients	Middle Rice Creek	Biota (F/M)
Golden	Mercury, Nutrients	Lower Rice Creek	E. coli, Biota (F/M)
Island	Mercury, Nutrients	Ramsey County Ditch #4	Chloride
Jones	Biota (M/P)	Anoka County Ditch #4	Biota (M)
Johanna	PFOS	Anoka County Ditch 53-62	Biota (M)
Josephine	Mercury	Ramsey County Ditch #2	Biota (F, M)
Little Johanna	PFOS, Nutrients, Chloride		
Long (Ramsey)			
-->North basin	Mercury		
-->South basin	Mercury, Nutrients, Chloride		
Lost	Mercury		
Marshan	Nutrients		
Otter	Mercury		
Peltier	Mercury, Nutrients		
Pike	Nutrients, Chloride		
Priebe	Nutrients		
Reshanau	Nutrients		
Rice	Nutrients		
Silver	Mercury, Nutrients, Chloride		
Turtle	Mercury		

**"Nutrients" = Nutrient/Eutrophication Biological Indicators**

**"PFOS" = Perfluorooctane Sulfonate in fish tissue**

**"Biota" = Fish bioassessments (F) and/or benthic macroinvertebrate bioassessments (M) and/or aquatic plant**



# Summary

- MS4 reports for 2022 & 2023 will be submitted when the e-service goes live (November 2024).
- RCWD is in process of updating its regulatory boundary. MPCA will be contacting municipalities that are in new urbanized area
- No Board action required.

## **ITEMS REQUIRING BOARD ACTION**

1. Check Register Dated July 10, 2024, in the Amount of \$107,496.81 Prepared by Redpath and Company

**Rice Creek Watershed District**  
**Check Register**  
**June 27, 2024 - July 10, 2024**  
**To Be Approved at the July 10, 2024 Board Meeting**

<b>Check #</b>	<b>Date</b>	<b>Payee</b>	<b>Description</b>	<b>Amount</b>
25711	07/10/24	Beisswenger's Do it Best	Equipment	\$71.79
25712	07/10/24	MN Board of Waters and Soil Resources	Training and Education	30.00
25713	07/10/24	Comcast	Telecommunications	319.89
25714	07/10/24	Davey Resource Group, Inc.	Contracted Services	5,910.00
25715	07/10/24	Dunaway Construction	Contracted Services	9,400.00
25716	07/10/24	Joseph Grubbs	Contracted Services	1,115.00
22717	07/10/24	Tom Hoffman	Contracted Services	350.00
25718	07/10/24	Iron Mountain	Professional Services	272.45
25719	07/10/24	Print Central	Office Supplies	165.00
25720	07/10/24	Rinke Noonan	Legal Expense	528.40
25721	07/10/24	Uline	Field Supplies	99.76
25722	07/10/24	Velocity Telephone	Telecommunications	366.38
25723	07/10/24	Washington Conservation District	Contracted Services	4,548.88
11398	07/10/24	HR Green Development LLC	Surety Release - #21-051	4,800.00
11399	07/10/24	Java Lino Retail, LLC	Surety Release - #22-071	2,700.00
11400	07/10/24	Walter's Recycling & Refuse Inc.	Surety Release - #22-007	16,900.00
Payroll	07/15/24	Ju1 15th Payroll (estimate)	Ju1 15th Payroll (estimate)	33,021.59
EFT	06/13/24	Card Services-Elan	June Credit Card -Credit	(126.65)
EFT	07/10/24	Card Services-Elan	June/July Credit Card	5,270.70
EFT	07/10/24	Wex Bank	Vehicle Fuel	536.12
EFT	07/10/24	Xcel Energy	Telecommuncations	46.20
EFT	07/10/24	US Bank Equipment Finance	Equipment Lease	651.03
EFT	07/15/24	Internal Revenue Service	07/15 Federal Withholding (estimate)	10,499.24
EFT	07/15/24	Minnesota Revenue	07/15 State Withholding (estimate)	1,880.00
EFT	07/15/24	Empower Retirement	07/15 Deferred Compensation	870.00
EFT	07/15/24	Empower Retirement	07/15 Roth IRA	305.00
EFT	07/15/24	Further	07/15 HSA	621.47
EFT	07/15/24	PERA	07/15 PERA (estimate)	6,344.56
<b>Total</b>				<b><u><u>\$107,496.81</u></u></b>

## **ITEMS FOR DISCUSSION AND INFORMATION**

1. Minnesota Watersheds 2024 Request for Resolutions (Nick Tomczik)

**MEMORANDUM**  
**Rice Creek Watershed District**



**Date:** July 2, 2024  
**To:** RCWD Board of Managers  
**From:** Nick Tomczik, Administrator  
**Subject:** Minnesota Watersheds 2024 Request for Resolutions

---

**Introduction**

The RCWD Board of Managers traditionally directs staff on a legislative strategy to support District priorities through Minnesota Watersheds’ resolution process and participation in the annual Minnesota Watersheds legislative activities. The first step is the Minnesota Watersheds resolution process.

**Background**

Minnesota Watershed’s resolution process provides members with the opportunity to propose resolutions to support or oppose legislative efforts and establish Minnesota Watersheds’ priorities. Minnesota Watersheds’ 2024 Request for Minnesota Watersheds Resolutions document is attached to this memo.

Staff will work on any draft resolutions and later present them to the Board for discussion at a future district board meeting. Staff would submit any RCWD proposed resolutions to Minnesota Watersheds staff by the September 1, 2024, deadline.

There are multiple existing active Minnesota Watersheds resolutions and a list of existing Minnesota Watersheds resolutions that will sunset on December 31, 2024 unless they are re-proposed by a Minnesota Watersheds member and approved by Minnesota Watersheds membership through the resolution process. Information on all these resolutions and the 2024 Legislative Platform are in the Minnesota Watersheds packet.

**Request for Board Direction**

Staff requests Board direction on what, if any, topics and proposed resolutions should be prepared for consideration by the Minnesota Watersheds resolution committee and subsequent membership. These proposed resolutions should align with RCWD priorities. If the Board reaches consensus, the Minnesota Watersheds resolution document(s) would be presented for discussion at a future workshop and consideration at a future board meeting.

**Attachments**

Minnesota Watersheds’ 2024 Request for Resolutions Packet

# MEMORANDUM



DATE: July 1, 2024  
TO: Minnesota Watersheds Members  
FROM: Linda Vavra and Jamie Beyer, Resolutions Committee Co-Chairs  
RE: **2024 REQUEST FOR MINNESOTA WATERSHEDS RESOLUTIONS**

---

It is the time of year for Minnesota Watersheds members to submit their policy recommendations through our resolutions process. This is YOUR organization and policy statements start with YOU! Here are the next steps and timeline:

- July / August** Members write, discuss, and approve resolutions at your WD/WMO meetings. The more detail you can provide, the easier it will be for the committee to make a recommendation.
- September 1** Administrators submit resolutions and background information documents to Jan Voit, Executive Director at [jvoit@mnwatersheds.com](mailto:jvoit@mnwatersheds.com) by **September 1**. If more time is needed, please contact her so the Resolutions Committee is aware that another resolution may be submitted. The latest possible date to submit a resolution is **60 days before** the annual meeting (October 4). We ask that resolutions be submitted according to the described timeframe to ensure distribution to members for discussion by your boards in November.  
**NOTE: If all the requested information is not included, the Resolution will NOT be accepted.**
- October** The Resolutions Committee will review the resolutions, gather more information, or ask for further clarification when deemed necessary; work with the submitting watersheds to combine similar resolutions; reject resolutions already active; discuss and make recommendations to the membership on the passage of resolutions.
- October 31** Resolutions (with committee feedback) will be emailed to each organization by **October 31**.  
**NOTE: If possible, please hold a regional meeting to discuss the Resolutions BEFORE the annual conference.**
- November** Members should discuss the resolutions at their November meetings and decide who will be voting on their behalf at the annual meeting (2 voting members and 1 alternate are to be designated per watershed organization)
- December 6** Delegates discuss and vote on resolutions at the annual resolutions hearing. Please be prepared to present and defend your resolution.
- December** The Legislative Committee will review existing and new resolutions and make a recommendation to the Minnesota Watersheds Board of Directors for the 2025 legislative priorities.
- December** Minnesota Watersheds Board of Directors will finalize the 2025 legislative platform.
- January 14, 2025** First day of the 1<sup>st</sup> half of 94<sup>th</sup> legislative biennium.

NOTE: Resolutions passed by the membership will remain Minnesota Watersheds policy for five years after which they will sunset. If a member wishes to keep the resolution active, it must be resubmitted and passed again by the membership. Enclosed with this memorandum are the **active resolutions** and **those that will be sunset on 12/31/24**. Also enclosed is the **Legislative Platform** that was adopted in 2023. If you have questions, Please feel free to contact co-chairs at [lvavra@fedtel.net](mailto:lvavra@fedtel.net) or 320-760-1774, [bds wd@runestone.net](mailto:bds wd@runestone.net) or 701-866-2725, or our Executive Director at [jvoit@mnwatersheds.com](mailto:jvoit@mnwatersheds.com) or 507-822-0921.

**THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!**

Proposing Watershed: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Resolution Title: \_\_\_\_\_

**Background that led to the submission of this resolution:**

Describe the problem you wish to solve and provide enough background information to understand the factors that led to the issue. Attach statutory or regulatory documents that may be helpful.

**Ideas for how this issue could be solved:**

Describe potential solutions for the problem. Provide references to statutes or rules if applicable.

**Efforts to solve the problem:**

Document the efforts you have taken to try to solve the issue. For example: have you spoken to state agency staff, legislators, county commissioners, etc.? If so, what was their response?

**Anticipated support or opposition:**

Who would be willing to partner with our watershed or state association on the issue? Who may be opposed to our efforts? (Ex. other local units of government, special interest groups, political parties, etc.)?

**This issue: (check all that apply)**

- \_\_\_\_\_ Applies only to our district
- \_\_\_\_\_ Applies only to 1 or 2 regions
- \_\_\_\_\_ Applies to the entire state

- \_\_\_\_\_ Requires legislative action
- \_\_\_\_\_ Requires state agency advocacy
- \_\_\_\_\_ Impacts Minnesota Watersheds bylaws or MOPP  
(MOPP = Manual of Policies and Procedures)



# Active Minnesota Watersheds Resolutions

December 1, 2023



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## FINANCE

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### Capacity

#### 2021-01A: Support SWCD Capacity Fund Sources

Minnesota Watersheds supports SWCD capacity funds to come from county and state general funds.

#### 2021-01B: Support Clean Water Funds for Implementation, Not Capacity

Minnesota Watersheds supports Clean Water Funds being used for implementation and not for capacity.

#### 2021-02: Support Capacity Funding for Watershed Districts

Minnesota Watersheds supports capacity base funding resources directed to non-metro watershed district who request this assistance, to implement the activities as outlined in approved watershed district watershed management plans or comprehensive watershed management plans.

### Grant Funding

#### 2021-07: Support Metro Watershed-based Implementation Funding (WBIF) for Approved 103B Plans Only

Minnesota Watersheds supports BWSR distribution of metro WBIF among the 23 watershed management organizations with state-approved comprehensive, multi-year 103B watershed management plans. Those plans implement multijurisdictional priorities at a watershed scale and facilitate funding projects of any eligible local government unit (including soil and water conservation districts, counties, cities, and townships).

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## URBAN STORMWATER

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### Stormwater Quality Treatment

#### 2022-02 Limited Liability for Certified Commercial Salt Applicators

Minnesota Watersheds supports enactment of state law that provides limited liability protection to commercial salt applicators and property owners using salt applicators who are certified through the established state salt-applicator certification program and follow best management practices.

### Water Reuse

#### 2022-01 Creation of a Stormwater Reuse Task Force

Minnesota Watersheds supports administratively or legislatively including at least one Minnesota Watersheds member on the Minnesota Department of Health's workgroup to move forward, prioritize, and implement the recommendations of the interagency report on reuse of stormwater and rainwater in Minnesota.

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## WATER QUANTITY

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### Drainage

#### 2022-03: Seek Increased Support and Participation for the Minnesota Drainage Work Group (DWG)

- Minnesota Watersheds communications increase awareness of the DWG (meeting dates and links, topics, minutes, reports) amongst members.

- Minnesota Watersheds training opportunities strongly encourage participation in the DWG by watershed staff and board managers (for watersheds that serve as ditch authorities or work on drainage projects) – for e.g., add agenda space for DWG member updates, host a DWG meeting as part of a regular event.
- In preparation for Minnesota Watersheds member legislative visits, staff add a standing reminder for watershed drainage authorities to inform legislators on the existence, purpose, and outcomes of the DWG, and reinforce the legitimacy of the DWG as a multi-faceted problem-solving body.
- During Minnesota Watersheds staff Board of Water and Soil Resources (BWSR) visits, regularly seek updates on how facilitation of the DWG is leading to improvements for member drainage authorities and convey this information to members.

**2023-03: Support New Legislation Modeled after HF2687 and SF2419 (2018) Regarding DNR Regulatory Authority over Public Drainage Maintenance and Repairs**

Minnesota Watersheds supports the introduction of new legislation modeled after HF2687 and SF2419 and commits its lobbying efforts toward promoting the passage of the bills in subsequent sessions.

**Funding**

**2022-05: Obtain Stable Funding for Flood Damage Reduction and Natural Resources Enhancement Projects**

Minnesota Watersheds supports collaborating with the Red River Watershed Management Board and state agencies to seek funding from the Minnesota Legislature to provide stable sources of funding through existing or potentially new programs that provide flood damage reduction and/or natural resources enhancements. A suggested sustainable level of funding is \$30 million per year for the next 10 years.

**Flood Control**

**2021-05: Support Crop Insurance to Include Crop Losses Within Impoundment Areas**

Minnesota Watersheds supports expansion of Federal Multi-Peril Crop Insurance to include crop losses within impoundment areas.

**2023-04 Seeking Action for Streamlining the DNR Flood Hazard Mitigation Grant Program**

Minnesota Watersheds seeks action requiring the DNR to establish transparent scoring, ranking, and funding criteria for the Flood Hazard Mitigation Program (M.S. Chapter 103F) and asking the Minnesota Legislature to fully fund the state’s share of eligible projects that are on the DNR’s list within each two-year bonding cycle. Information regarding scoring, ranking, and funding should be provided annually to project applicants.

**Regulation**

**2020-04 Temporary Water Storage on DNR Wetlands during Major Flood Events**

Minnesota Watersheds supports the temporary storage of water on existing DNR-controlled wetlands in the times of major flood events.

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**WATER QUALITY**

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**Lakes**

**2022-06: Limit Wake Boat Activities**

Minnesota Watersheds supports working with the Minnesota Department of Natural Resources (DNR) to utilize the research findings from the St. Anthony Falls Laboratory and seek legislation to achieve one or more of the following:

- Limit lakes and areas of lakes in which wake boats may operate;
- Require new and existing wake boats to be able to completely drain and decontaminate their ballast tanks; and
- Providing funding for additional research on the effects of wake boats on aquatic systems.

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## WATERSHED MANAGEMENT AND OPERATIONS

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### Watershed Duties

#### 2023-05: Support Increased Flexibility in Open Meeting Law

Minnesota Watersheds hereby supports changes to the Open Meeting Law to provide greater flexibility in the use of interactive technology by allowing members to participate remotely in a nonpublic location that is not noticed, without limit on the number of times such remote participation may occur; and allowing public participation from a remote location by interactive technology, or alternatively from the regular meeting location where interactive technology will be made available for each meeting, unless otherwise noticed under Minnesota Statutes Section 13D.021; and that Minnesota Watersheds supports changes to the Open Meeting Law requiring watershed district to prepare and publish procedures for conducting public meetings using interactive technology.

### Watershed Planning

#### 2020-03 Soil Health Goal for Metropolitan Watershed Management Plans

Minnesota Watersheds supports amending Minnesota Rule 8410.0080 to include a goal for soil health in watershed management plans and ten-year plan amendments.

#### 2023-06 Education and Outreach to Encourage Formation of Watershed Districts in Unserved Areas

Minnesota Watersheds, in consultation with its membership, develop a framework for education and outreach intended to encourage petition and advocacy for the formation of watershed districts in areas of the state not presently served by watershed-based public agencies.

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## AGENCY RELATIONS

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### Advocacy

#### 2021-06: Support 60-day Review Required for State Agencies on Policy Changes

Minnesota Watersheds supports requiring state agencies to provide a meaningful, not less than 60-day review and comment period from affected local units of government on new or amended water management policies, programs, or initiatives with a response to those comments required prior to adoption.

### Regulation

#### 2023-01 Require Watershed District Permits for all State Agencies

Minnesota Watersheds supports amending Minnesota Statutes § 103D.345, Subd. 5 to read as follows: **Subd. 5. Applicability of permit requirements to state.** A rule adopted by the managers that requires a permit for an activity applies to all state agencies, including the Department of Transportation.

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## REGULATIONS

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#### 2020-01 Appealing Public Water Designations

Minnesota Watersheds supports legislation that would provide landowners with a more formal process to appeal decisions made by the DNR regarding the designation of public waters including the right to fair representation in a process such as a contested case proceeding which would allow landowners an option to give oral arguments or provide expert witnesses for their case.

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## NATURAL RESOURCES

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No current resolutions in this category.

# Resolutions to Sunset

Effective December 31, 2024

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It should be noted that in July the sunseting deadline was extended for resolutions expiring in 2017 by two years due to the pandemic and its influence on lobbying efforts. **All 2017 resolutions have a sunset date of 2024.**

## **2017-02 Temporary Lake Quarantine Authorization to Control the Spread of Aquatic Invasive Species (AIS)**

Minnesota Watersheds supports legislation granting to watershed districts, independently or under DNR oversight, the authority, after public hearing and technical findings, to impose a public access quarantine, for a defined period of time in conjunction with determining and instituting an AIS management response to an infestation.

## **2019-01 Streamline the DNR permitting process**

Minnesota Watersheds supports legislation, rules, and/or agency policies to streamline the DNR permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in the DNR reacting more quickly to serious, changing climate conditions.

## **2019-02: Add a Classification for Public Drainage Systems that are Artificial Watercourses**

Minnesota Watersheds supports removal of the default Class 2 categorization for public drainage systems that are artificial watercourses and supports a default Class 7 categorization for public drainage systems that are artificial watercourses.

## **2019-03 Support for Managing Water Flows in the Minnesota River Basin Through Increased Water Storage and Other Strategies and Practices**

Minnesota Watersheds supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and Minnesota Watersheds supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

## **2019-04: Clarify County Financing Obligations and/or Authorize Watershed District General Obligation Bonding for Public Drainage Projects**

Minnesota Watersheds supports legislation to achieve one or both of the following:

- a) To clarify that an affected county must finance a watershed district drainage project on project establishment and request of the watershed district; and
- b) To authorize watershed districts to finance drainage project establishment and construction by issuance of bonds payable from assessments and backed by the full faith and credit of the watershed district; and further provide for adequate tax levy authority to assure the watershed district's credit capacity.

## **2019-05 Watershed District Membership on Wetland Technical Evaluation Panels**

Minnesota Watersheds supports legislation to allow technical representatives of watershed districts to be official members of wetland technical evaluation panels (TEPs).

## **2019-06: Oppose Legislation that Forces Spending on Political Boundaries**

Minnesota Watersheds opposes legislation that establishes spending requirements or restricts watershed district spending by political regions or boundaries.

## **2019-07 Chinese Mystery Snail Designation Change and Research Needs**

Minnesota Watersheds supports Chinese Mystery Snail prevention and control research and to change the Chinese Mystery Snail designated status in Minnesota as a regulated species to a prohibited species.



**MINNESOTA  
WATERSHEDS**  
*Connecting People. Protecting Water.*

## 2024 LEGISLATIVE PLATFORM

### Abstract

This document articulates clearly defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

Adopted December 1, 2023

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## Purpose

Minnesota Watersheds represents both watershed districts and watershed management organizations (collectively referred to as Watersheds). That representation underscores the necessity of protecting Watershed powers, duties, and planning responsibilities on a watershed basis.

This legislative platform outlines Minnesota Watersheds positions on legislative matters and serves as the foundation for our organization to support or oppose various local, state, and federal legislation. It also articulates clearly defined legislative policies so members and Minnesota Watersheds representatives on the Board of Water and Soil Resources Board, Clean Water Council, and Local Government Water Roundtable can accurately state our positions.

## Finance

Watershed organizations are tasked with many responsibilities by Minnesota statute and the local priorities set by their boards. To effectively perform those duties, adequate funding is necessary. Although some Watersheds have levy authority, there are many other avenues of funding that are important for achieving local water management, as well as water quality and quantity goals.

### 1. Capacity

- a. Support Clean Water Funds for implementation, not capacity (Resolution 2021-01A and B)
- b. Support capacity funding for watershed districts (Resolution 2021-02)
- c. Support General Fund repayment of Soil and Water Conservation District capacity funds to the Clean Water Fund

### 2. Grant Funding

- a. Support metro watershed-based implementation funding for approved 103B plans only (Resolution 2021-07)
- b. Support a more equitable formula for watershed-based implementation funding in the metro
- c. Lobby for watershed-specific grant funding

## Urban Stormwater

Watersheds and land use management partners work to reduce polluted stormwater runoff and/or increase infiltration from urbanization and hard surfaces. Many Watersheds in the state have adopted regulatory standards and/or official controls to successfully manage urban stormwater when land alterations occur. Watersheds also implement a variety of urban stormwater management practices to treat runoff before it enters our lakes, streams, and wetlands.

### 1. Stormwater Quality Treatment

- a. Support limited liability for certified commercial salt applicators (Resolution 2022-02)
- b. Support, partner/collaborate with a municipal separate storm sewer system (MS4s) (if/where appropriate) in permit compliance activities
- c. Support the use of green infrastructure and minimizing impervious surfaces, where practical, in urban development and planning
- d. Where it may exist, support removing duplication of urban stormwater regulatory standards and controls

- e. Support the rescission of the Department of Labor and Industry/Plumbing Board Final Interpretation of Inquiry PB0159, storm drainage surcharge to return to common engineering practice for stormwater pond design

## 2. Water Reuse

- a. Support creation of a Stormwater Reuse Task Force and for the Minnesota Department of Health to complete a review process (Resolution 2022-01)
- b. Support efforts to clarify and simplify State Plumbing Board rulings and requirements to facilitate more reuse of rainwater/stormwater

## Water Quantity

Watersheds are directed by statute to conserve the natural resources of the state by land use planning, flood control, and other conservation projects. Specific purposes refer to flood damage reduction, stream flows, water supply, drainage ditches, to identify and plan for effective protection and improvement of surface water and groundwater, and to protect and enhance fish and wildlife habitat and water recreational facilities. Numerous past, present, and future legislative initiatives have affected how water quantity issues are managed at the local level. This very broad-based topic includes management of the volume of water (drought, flooding, water supply), the flow of water (drainage, channel restoration, habitat), and recreation (lakes, rivers, wetlands) activities like fishing, boating, and hunting.

### 1. Drainage

- a. Support the current statutory requirements for notification and coordination in the development of petitioned repairs, drainage improvement projects, and new drainage systems
- b. Support the addition of a classification for public drainage systems that are artificial watercourses (Resolution 2019-02)
- c. Seek increased support for and participation in the Drainage Work Group (Resolution 2022-03)
- d. Oppose the drainage registry information portal
- e. Oppose incorporating increased environmental, land use, and multipurpose water management criteria (M.S. 103E.015 requirements)
- f. Comply with the legislative mandate to review outlet adequacy and notification requirements in the Drainage Work Group
- g. Support new legislation modeled after HF2687 and SF2419 (2018) regarding DNR regulatory authority over public drainage maintenance and repairs (Resolution 2023-03)

### 2. Funding

- a. Obtain stable funding for flood damage reduction and natural resources enhancement projects (Resolution 2022-05)
- b. Clarify county financing obligations and/or authorize watershed district general obligation bonding for public drainage projects (Resolution 2019-04)

### 3. Flood Control

- a. Support crop insurance to include crop losses within impoundment areas (Resolution 2021-05)



- b. Seek action for streamlining the DNR Flood Hazard Mitigation Grant Program (Resolution 2023-04)

#### 4. Regulation

- a. Support temporary water storage on Department of Natural Resources wetlands during major flood events (Resolution 2020-04)
- b. Support managing water flows in Minnesota River Basin (statewide) through increased water storage and other strategies and practices (Resolution 2019-03)
- c. Work with Minnesota Department of Transportation to support flood control and how to handle increased water volume issues along state and federal highway systems (example from Bemidji district of MnDOT)

#### 5. Policy

- a. Support funding for watershed-based climate resiliency projects and studies
- b. Support funding for best management practices that protect and enhance groundwater supply

## Water Quality

Protecting and improving the quality of surface and ground water in our Watersheds is an essential component of managing water resources on a watershed basis

#### 1. Lakes

- a. Support limiting wake boat activities (Resolution 2022-06)
- b. Support designation change and research needs for the Chinese Mystery Snail (Resolution 2019-07)
- c. Support temporary lake quarantine authorization to control the spread of aquatic invasive species (Resolution 2017-02)
- d. Support streamlining permit applications for rough fish management
- e. Support dredging as a best management practice to manage internal phosphorus loads in lakes

#### 2. Wetlands

- a. Support a statutory requirement for water level control structures in wetland restorations and wetland banks
- b. Support federal, state, and local funding for wetland restoration and protection activities

#### 3. Rivers and Streams

- a. Support a statutory deadline for Department of Natural Resources Public Waters Work Permit (45-60 days)
- b. Support automatic transfer of public waters work permits to Watersheds (M.S. Chapter 103G.245 Subd.5)

#### 4. Policy

- a. Support funding for watershed-based climate resiliency projects and studies
- b. Support funding for best management practices that protect groundwater quality

## Watershed Management and Operations

Protecting, enhancing, defending, and supporting existing Watershed statutory powers, duties, and planning responsibilities is necessary for effective and efficient watershed management and operations. Specific Watershed powers, duties, and planning responsibilities are contained in Minnesota Statutes [Chapter 103B](#) and [Chapter 103D](#).

### 1. Watershed Powers

- a. Support and defend eminent domain powers for watershed districts
- b. Support Watershed powers to levy property taxes and collect special assessments
- c. Support a watershed district's power to accept the transfer of drainage systems in the watershed; to repair improve, and maintain the transferred drainage systems; and to construct all new drainage systems and improvements of existing drainage systems in the watershed
- d. Support a Watershed's power to regulate the use and development of land within its boundaries

### 2. Watershed Duties

- a. Support a Watershed's duty to initiate projects
- b. Support a Watershed's duty to maintain and operate existing projects
- c. Support increased flexibility in the open meeting law (Resolution 2023-05)

### 3. Watershed Planning

- a. Support a Watershed's ability to jointly or cooperatively manage and/or plan for the management of surface and ground water
- b. Support watershed autonomy during and following a One Watershed, One Plan development process
- c. Support the connection between watershed-based implementation and funding
- d. Support development of a soil health goal for metropolitan watershed management plans (Resolution 2020-03)
- e. Education and outreach to encourage formation of watershed districts in unserved areas (Resolution 2023-06)

## Agency Relations

Watershed organizations work with many federal and state agencies to accomplish their mission. While relationships vary from administrative to funding and regulatory, agency policies and procedures can have a major impact on Watershed operations and projects. Maintaining strong, positive relations and ensuring Watersheds have a role in policy making is key to successful watershed management and operations.

### 1. Advocacy

- a. Require a 60-day review periods before state agencies adopt new policies related to water and watershed management (Resolution 2021-06)
- b. Increase collaborative efforts between Minnesota Watersheds and all state agencies involved in water management

## 2. Representation

- a. Support watershed district managers being appointed, not allowing county commissioners to serve as managers

## 3. Regulation

- a. Streamline the Department of Natural Resources permitting process (Resolution 2019-01)
- b. Require watershed district permits for all state agencies (Resolution 2023-01)

## Regulations

Watershed representation on state and local panels and committees and the ability for Watersheds to regulate development and use of land within the organization's boundaries without prohibitive regulatory restrictions is necessary.

- a. Oppose legislation that forces spending on political boundaries (Resolution 2019-06)
- b. Support the ability to appeal public water designations (Resolution 2020-01)
- c. Seek Watershed membership on Wetland Technical Evaluation Panels (Resolution 2019-05)

## Natural Resources

Minnesota Statutes direct Watersheds to conserve the natural resources of the state. Some of the purposes listed in statute are to conserve water in streams and water supply, alleviate soil erosion and siltation of water courses or water basins, regulate improvements by riparian property owners of the beds, banks, and shores of lakes, streams, and wetlands for preservation and beneficial public use; protect or enhance the water quality in water courses or water basins; and protect and preserve groundwater resources.

### 1. Planning

- a. Ensure timely updates to Wildlife Management Area plans (Resolution 2018-06)
- b. Support Watershed inclusion in development of state plans (i.e., Prairie Plan, State Water Plan, etc.) related to water and watershed management

### 2. Policy

- a. Support funding for climate resiliency

### 3. Habitat

- a. Clarify buffer rule issues
- b. Support funding to reduce erosion and sedimentation
- c. Support funding for the enhancement, establishment, and protection of stream corridors and riparian areas
- d. Support funding for the enhancement and protection of habitats

## **ITEMS FOR DISCUSSION AND INFORMATION**

### **2. District Engineer Update and Timeline**



### District Engineer - Monthly Project Report June 2024 Rice Creek Watershed District



Date Prepared:  
Prepared by:

1-Jul-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 1 Records Reestablishment	Adam Nies	\$27,500	\$25,965	\$1,535	N	95.0%	94.4%	Y	N/A	31-Dec-23	A public information meeting has been held. Next step is to hold a public hearing for consideration of ordering the reestablishment of the public drainage system record.
RCWD Boundary Petition Assistance	Chris Otterness	\$16,500	\$22,568	(\$6,068)	N	95.0%	136.8%	N	N	1-Mar-24	A package for consideration of concurrence with the boundary change has been prepared for each city/WMO. Once letters of concurrence are received, a petition to BWSR for the change may move forward.
ACD 53-62 Branches 5 & 6 Repair Report	Adam Nies	\$82,200	\$53,079	\$29,121	N	65.0%	64.6%	Y	N/A	30-Apr-23	A draft report has been completed for internal review.
JD 3 Clearwater Creek Stabilization	Adam Nies	\$74,900	\$89,360	(\$14,460)	N	90.0%	119.3%	N	N	31-May-24	A draft report has been completed for internal review
Anoka Washington Judicial Ditch 3 Branches 1, 2, & 4 Construction Management	Adam Nies	\$120,000	\$127,030	(\$7,030)	N	99.0%	105.9%	N	N	1-Jun-24	Project is substantially complete. Only remaining work to be completed are miscellaneous punch list items.
RCD 4 Final Plans/Specs, Bidding and Construction Management	Adam Nies	\$68,000	\$25,232	\$42,768	N	35.0%	37.1%	Y	N/A	31-Dec-24	The contract has been awarded and executed. Construction is anticipated to being in the fall.
GIS and Ditch Records Maintenance; DrainageDB Annual Subscription	Brian Fischer	\$16,000	\$7,166	\$8,834	N	50.0%	44.8%	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	\$1,472	\$14,528	N	50.0%	9.2%	Y	N/A	31-Dec-24	We continued to make updates on an as-requested basis.
RCWD Rule Revision Assistance	Adam Nies	\$36,000	\$17,160	\$18,840	n	55.0%	47.7%	Y	N/A	31-Dec-24	We anticipate the proposed rule will be noticed for public comment at the end of July. The District engineer and legal counsel are preparing supporting information document the rationale for the rule changes.
Enhanced Street Sweeping Initiative	Rachel Olm	\$29,000	\$4,415	\$24,585	N	15.0%	15.2%	Y	N/A	31-Dec-24	The District has sent a survey to its municipal partners for information on existing street sweeping practices and future needs.

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

### District Engineer Monthly Progress Report (Actual & Estimated Progress) Through June 2024

