

RICE CREEK WATERSHED DISTRICT

4325 Pheasant Ridge Dr. NE #611 • Blaine, MN 55449-4539

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www.ricecreek.org

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RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, February 27, 2013, 9:00 a.m.

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

Agenda

- 1
- 2 **CALL TO ORDER**
- 3 **ROLL CALL**
- 4 **SETTING OF THE AGENDA**
- 5 **APPROVAL OF FEBRUARY 11, 2013 BOARD WORKSHOP MINUTES**
- 6 **APPROVAL FEBRUARY 13, 2013 REGULAR BOARD MEETING MINUTES**
- 7 **CONSENT AGENDA**
- 8 The following items will be acted upon without discussion in accordance with the staff recommendation and
- 9 associated documentation unless a Manager or another interested person requests opportunity for discussion:

10
11 **Table of Contents**

12 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

No.	Applicant	Location	Plan Type	Recommendation
13 13-001	City of St. Anthony	St. Anthony	Street & Utility Plan	CAPROC 6 items
14 13-003	City of Mounds View	Mounds View	Street & Utility Plan	CAPROC 4 items
15 13-006	Ramsey County Parks & Rec. Dept	Shoreview	Final Site Drainage Plan	CAPROC 4 items
16 13-008	City of Centerville	Centerville	Street & Utility Plan	CAPROC 4 items

BOARD OF MANAGERS ➤

Barbara A. Haake
Ramsey County

Steven P. Wagamon
Anoka County

Harley M. Ogata
Ramsey County

Patricia L. Preiner
Anoka County

John J. Waller
Washington County

20 It was moved by Manager _____ and seconded by Manager _____, to approve the consent agenda as
 21 outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated
 22 February 20 & 21, 2013.

23 **OPEN MIKE**

24 Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on
 25 the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional
 26 comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items
 27 discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an
 28 upcoming agenda.

29 **ITEMS REQUIRING BOARD ACTION**

- 30 1. Consider Proposed Amendment to Citizen Advisory Committee Operating Procedure. (Kyle
 31 Axtell)
- 32 2. Consider W12-01 White Bear Yacht Club Cost-Share Amendment & Update. (Kyle Axtell)
- 33 3. Consider Minnesota Department of Transportation (MNDOT) Resolution - Waiving
 34 Requirement to Convey Drainage and Flowage Easements On MNDOT Right Of Way. (Phil
 35 Belfiori)
- 36 4. Consider Check Register dated 2/27/2013, in the amount of \$247,366.39 prepared by HLB
 37 Tautges Redpath.

38 **ITEMS FOR DISCUSSION AND INFORMATION**

- 39 1. 2012 Drainage and District Facilities Report. (Tom Schmidt)
- 40 2. Update on Proposed Drainage Legislation.
- 41 3. Staff Reports.
- 42 4. March Calendar.
- 43 5. Manager's Update.

44 **ADJOURNMENT**

APPROVAL OF FEBRUARY 11, 2013 BOARD WORKSHOP MINUTES

Draft

For Consideration of Approval at the February 27, 2013 Board Meeting.
Use these minutes only for reference until that time.

RCWD BOARD OF MANAGERS WORKSHOP

Monday, February 11, 2013

Rice Creek Watershed District Conference Room
4325 Pheasant Ridge Drive NE, Suite 611
Blaine, MN 55449

1 The Board convened workshop at 3:30 p.m.

2 Attendance: –Board members, Patricia Preiner, Harley Ogata, and Steve Wagamon

3 Absent: Barbara Haake and John Waller (with prior notice)

4 Others: Administrator Phil Belfiori; Office Manager Theresa Stasica; Permit Coordinator/Wetland Specialist
5 Nick Tomczik; Public Drainage Inspector Tom Schmidt; District Engineer Mark Deutschman– Houston
6 Engineering (HEI), District Attorney Louis Smith-Smith Partners; District Drainage Attorney John Kolb-Rinke
7 Noonan ; Jason Husveth-CCES part of meeting, Barbara Haake monitoring meeting via telephone.

8 ***Items for Discussion***

9 **Discussion on MN Department of Natural Resources Rice Lake Weir Permit**

10 District Attorney Smith updated the Board on a meeting that President Preiner, Administrator Belfiori, Drainage
11 Attorney Kolb, and District Engineer Deutschman had this morning with Tim Bremicker, Dale Holmuth, and Ed
12 Boggess of MN Department of Natural Resources regarding their permit to repair the Rice Lake Weir. RCWD
13 invited the DNR to petition the RCWD for an impoundment hearing. The DNR seemed agreeable to the idea and
14 informed the District that they would contact them later in the day. The Board, staff and consultants discussed
15 the alternatives if the DNR did not petition for an impoundment. District Attorney Smith informed the Board
16 that he had just received an email from Ed Boggess, Director DNR Division of Fish and Wildlife that the DNR
17 does intend to submit a petition for an impoundment proceeding, and submit an application to that effect by
18 Wednesday morning, Feb. 13.

19 **Update on City Draft Petition for Ramsey County Ditch 2/3/5**

20 District Drainage Attorney Kolb presented a draft petition for the Cities of St. Anthony and New Brighton that
21 the Cities could use to petition for a watershed management project on Ramsey County Ditch 2/3/5 if they wish.
22 This petition was in response to the Cities reports regarding the flooding from the July 2011 storm. The reports
23 only addressed flooding and not water quality. The District and City staff tentatively agreed at a staff level to
24 start a process of considering the idea of the cities petitioning the District. If the Cities do choose to pursue the
25 petition, the District would then direct their Engineer to study the problem and provide the Board with a report.
26 At that time the District could also consider various financing options. The Board by consensus directed staff to
27 provide the City staff with the draft petition as passed out that the workshop. Then the City can decide if they
28 will pursue the petition. Staff will keep the Board informed.

29 **Discussion Regarding Hair / Houle Vegetation Restoration for 2013.**

30 Jason Husveth, CCES, manager of Houle/Hair Vegetation Restoration, updated the Board on last year's treatment
31 and results. He also asked the Board if he could go out for bids this year for the vegetation restoration. He felt by
32 bidding out the project each year the vendors would know that this is a very important site and that it gets
33 priority in treatments and burns because these practices are very important in keeping the site vegetation in
34 control. The Board reached consensus that going out for bid was the right thing to do.

35 **Update and Discussion on Anoka County Ditch (ACD) 53/62 Repair Report and Upcoming Meeting with**
36 **DNR.**

37 District Engineer Deutschman passed out and reviewed the PowerPoint presentation he would be presenting to
38 the DNR that reviewed past and proposed /upcoming District projects that included complications between
39 public drainage and public water wetlands. The engineer explained that several conflicts with public waters
40 wetlands were creating impediments to the District performing maintenance/repair of this system and that
41 these issues would be discussed with DNR staff at the upcoming meeting. The Board discussed the issue. The
42 Board reached consensus that Mr. Kolb could send the draft letter to DNR (as included in packet) after meeting
43 with DNR on 2/15/13.

44 **Update on Northern Natural Gas (NNG)-Washington JD 2 Pipeline.**

45 Administrator Belfiori reviewed with the Board the recent meetings with NNG. He also reviewed two letters that
46 the District will send to NNG and the City of Hugo. The letter to NNG informed them that at this time the
47 pipeline was a public safety and Homeland security issue. If NNG did not lower the pipeline they would need to
48 proceed with an impoundment petition. Administrator Belfiori stated NNG had a program for resolving
49 problem areas where the pipeline was. NNG would look at moving the project to a higher priority on their
50 program timeline. Administrator Belfiori explained that the letter to the City of Hugo explained the meeting
51 with NNG and also directed the City of Hugo to stay a safe distance from the pipeline when they do general
52 maintenance on JD2. The Board reached consensus to send the two letters.

53 **Update on MNDOT Resolution regarding Conveying Drainage and Flowage Easements to the District**
54 **within MnDOT Right of Way.**

55 District Drainage Attorney Kolb reviewed with the Board the draft resolution. MnDOT would be exempt from
56 the easement requirements in RCWD Rules and currently open RCWD permits will be closed-out because the
57 easement requirement is covered under 103E. RCWD will continue to use the MnDOT Short Form Permit for
58 ditch maintenance work and RCWD to call in emergency requests. The Board reached consensus to bring the
59 resolution in the workshop packet to an upcoming Board meeting for consideration.

60 **Update on ACD 10-22-32 Maps for Landowners for Zone of Reasonableness.**

61 District Engineer Deutschman reviewed the zone of reasonableness maps that were included in the Board
62 workshop packet. The Board, staff and consultants reviewed the noticing requirements for the public hearing
63 which will be held March 12, 2013 at 6:30 p.m. City of Lino Lakes Council Chambers. A postcard mailing will be
64 made to all in the benefited area. Staff also explained that a letter explaining the maintenance to be done will be
65 sent to landowners. District Drainage Attorney Kolb asked that tax payers on each parcel within the zone of
66 reasonableness receive a separate letter with a map of their property and work to be done. He asked that a
67 record of mailing be maintained.

68 **Discussion on ACD 10-22-32 Main Stem Re-route**

69 District Engineer Deutschman reviewed the three options regarding the re-route of the main stem of ACD 10-
70 22-32. Staff replied that they would have a meeting with the landowner and discuss it. The Board reached
71 consensus to support options #1 and 2 but not option #3 related to a "re-route".

72 **Discussion on Anoka-Ramsey Judicial Ditch 1 Branch #5 Culvert.**

73 District Engineer Deutschman reported that the District is reviewing a permit for the City of Mounds View for a
74 mill and overlay project. The City is proposing to replace the pipe on the road to the entrance of the park.
75 Information to date has indicated that the culvert on Hillview Road and/or the Park entrance road may be

76 placed to high and/or the culvert placed on the road to the entrance of the park may be undersized. At this
77 time, the District is doing a historical review of ARJD1 and cannot yet supply the correct elevation /sizing of the
78 culvert placement. District Engineer Deutschman suggested that HEI complete the analysis as referenced above
79 and bring this information back to a future workshop. The Board discussed the item.

80 **Update on Recommended Wetland Credit Approach for Banking.**

81 District Drainage Kolb passed out a table and reviewed the wetland credits under Army Corp of Engineers,
82 Wetland Conservation Act, and the Districts Rule RMP2.

83 The Workshop was adjourned at 5:44 p.m.

84

85

APPROVAL FEBRUARY 13, 2013 REGULAR BOARD MEETING MINUTES

DRAFT

For Consideration of Approval at the February 27, 2013 Board Meeting.
Use these minutes only for reference until that time.

REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, February 13, 2013

Shoreview City Hall Council Chambers
4600 North Victoria Street, Shoreview, Minnesota

Minutes

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ROLL CALL

- Present: President Patricia Preiner, 2nd Vice-Pres. John Waller, Secretary Harley Ogata, and Treasurer Steve Wagamon.
- Absent: 1st Vice-Pres. Barbara Haake (with prior notice)
- Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Water Resource Specialist Kyle Axtell, Inspector Elizabeth Hosch, Office Manager Theresa Stasica, Public Ditch Inspector Tom Schmidt.
- Consultants: District Engineers Mark Deutschman, Houston Engineering, Inc. (HEI); District Attorney Louis Smith from Smith Partners.
- Visitors: Steve Kummer, Dave Schuman, Tim Bremicker, Shawn Tracy, Mike Ryan

CALL TO ORDER

President Preiner called the meeting to order, a quorum being present, at 9:00 a.m.

SETTING OF THE AGENDA

District Administrator Belfiori added a new number 3: Accepting Petition for Impoundment Proceeding from Washington County Judicial Ditch 2.

Motion by Manager Ogata seconded by Manager Wagamon, to adopt the agenda as amended.

Motion carried 4-0.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the January 23, 2013, Board of Managers Meeting Regular Meeting. Motion by Manager Ogata, seconded by Manager Wagamon, to approve the minutes as presented.

Manager Waller requested the sentence on lines 129-130 be re-written to:

Manager Waller ~~stated he was not complying with the individual complying with the 60 days, but rather the RCWD system~~ questioned if the database tracks the 60-day deadline for the District to act on a permit application.

District Attorney Smith noted on Line 214 the vote should be 4-0 instead of 5-0.

38 Permit Coordinator/Wetland Specialist Tomczik noted for staff present, Inspector Elizabeth Hosch was also present. He
39 noted on line 125-126 he delete "two separate" and replace it with the word "the" and "database" instead of "databases"
40 and add "and laserfiche" after database.

41

42 Manager Ogata noted on Line 214, the vote should be 3-0.

43

44 Permit Coordinator/Wetland Specialist Tomczik on line 126 it is change "WACA" to "WCA".

45

46 ***Friendly amendment to accept above changes, moved by Manager Ogata, seconded by Manager Wagamon.***

47

48 ***Motion carried 4-0.***

49

50 ***Minutes of the January 29, 2013, Board of Managers Special Meeting. Motion by Manager Wagamon, seconded by***
51 ***Manager Ogata, to approve the minutes as presented. Motion carried 4-0.***

52

53 **OPEN MIKE – LIMIT 12 MINUTES.** Any RCWD resident may address the Board in his or her individual capacity, for up to
54 three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the
55 record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on
56 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
57 agenda.

58

59 There were no comments made at Open Mike.

60

61 **ITEMS REQUIRING BOARD ACTION**

62

63 **1. Election of Officers**

64 Administrator Belfiori explained every year at the first meeting in February the Board elected its officers.

65

66 ***Motion by Manager Ogata, seconded by Manager Wagamon, to elect the current slate of officers for 2013.***
67 ***Motion carried 4-0.***

68

69 **2. Designation of Official Depository (currently Anchor Bank) and Official Newspaper (currently St. Paul
70 Pioneer Press)**

71 District Belfiori explained at the first meeting of February, the Board elected the official depository and the official
72 newspaper.

73

74 ***Motion by Manager Waller, seconded by Manager Ogata, to designate Anchor Bank as the official depository***
75 ***of the Rice Creek Watershed District and to designate St. Paul Pioneer Press the official newspaper of the Rice***
76 ***Creek Watershed District.***

77

78 Manager Waller noted there would be issues coming up in the future in the Cities of Hugo and Lino Lakes and he
79 would like notices to also be published in their local papers.

80

81 Manager Ogata stated if they were going to send notices to bi-weekly papers, it should be done for all of the cities.

82

83 District Administrator Belfiori noted for special events and public hearings the District will publish the notice in
84 the local papers that were relevant to those cities. He stated this was done as a routine. He noted the St. Paul
Pioneer Press is selected as the official paper because it is published throughout the entire District.

85
86 President Preiner stated staff will continue following their regular procedure.
87

88 **Motion carried 4-0.**
89

90 **3. Accepting Petition for Impoundment Proceeding from Washington County Judicial Ditch 2**

91 District Administrator Belfiori stated a resolution and the DNR's petition had handed out prior to the meeting.
92

93 District Attorney Smith reviewed the Resolution for the Managers. He stated this would accept a petition for an
94 impoundment proceeding for Washington County Judicial Ditch 2. D He noted in Fall 2005, pursuant to an order
95 of the Washington County District Court sought by the Minnesota Department of Natural Resources (MnDNR),
96 the Rice Creek Watershed District installed a temporary sheet pile weir in Washington County Judicial Ditch 2 (JD
97 2) downstream of Rice Lake, a public water, in order to reinstate the pre-existing condition of JD 2 consistent with
98 the District's order of December 15, 2004 and MnDNR repair authorization after ditch maintenance activities by
99 the MnDNR and District resulted in an unexpected washout of the natural lake outlet.

100
101 He indicated in settlement of a legal action by a landowner against the District and the MnDNR, the MnDNR was
102 now legally recognized as the sole owner of the temporary weir and was responsible to maintain and repair the
103 weir as it may choose.
104

105 He noted the MnDNR applied to the District for a permit to repair a bypass around the second stage of the weir,
106 without changing the elevation or hydraulic function of the weir as originally installed in 2005.
107

108 He stated on February 12, 2013, the District received a petition from MnDNR for an impoundment proceeding
109 based on the plans and specifications for the weir as repaired to the design outlet elevation of 920.4 feet SLD.
110

111 He indicated District legal counsel has reviewed the MnDNR petition and concluded that it was sufficient to
112 initiate impoundment proceedings pursuant to Minnesota Statutes Section 103E.227, and could be accepted for
113 such purpose by the District.
114

115 He recommended that the Board of Managers accept the petition for an impoundment proceeding from the
116 MnDNR and direct the Secretary to make a copy of the petition and supporting documentation available to the
117 public.
118

119 **Motion by Manager Ogata, seconded by Manager Wagamon, to approve Resolution 2013-02, Resolution**
120 **Accepting Petition for Impoundment Proceeding for Washington County Judicial Ditch 2.**
121

122 Manager Waller stated he would like the Board to select an engineer from their pool to investigate the effect of
123 the proposed installation and file a report of findings as stated in the resolution. He indicated he wanted to make
124 certain there were no outside influences.
125

126 Manager Ogata stated Manager Waller could amend the motion if he wanted.
127

128 Manager Waller moved to amend the motion to state that for this particular matter staff should look at the pool
129 of engineers to see which engineer could give an opinion. Motion died for lack of a second.
130

131 President Preiner stated the current District Engineer had been working on this for years and she would hate to go
132 back and start with another engineer. She believed there was a lot of data that could be brought forward and she
133 did not see any issues with the current engineer.

134

ROLL CALL:

135 **Manager Waller – Aye**

136 **Manager Haake – Absent**

137 **Manager Ogata – Aye**

138 **Manager Wagamon – Aye**

139 **President Preiner – Aye**

140

141 **Motion carried 4-0-1.**

142

143 Manager Waller stated this was a progressive move forward so he would support it.

144

145 **4. Consider Permit Application 12-101 Rice Lake Weir, Department of Natural Resources**

146 District Administrator Belfiori stated this Resolution was for Permit Application 12-101.

147

148 District Attorney Smith stated the Resolution handed out this morning had three changes including the last
149 paragraph on the first page Whereas, on page 2, the second paragraph had been revised, and the third change
150 deleted previous Manager Mastell and inserting Manager Wagamon.
151

152

153 **Motion by Manager Wagamon, seconded by Manager Ogata, to approve Resolution 2013-01, Resolution**
154 **Approving Permit to Repair Weir in Washington County Judicial Ditch 2**

155

156 Manager Waller stated as he said earlier, he read the engineer’s report and the language done under legal direction
157 made him uncomfortable. He stated he was happy to see the Department of Natural Resources had petitioned for
158 an impoundment area and the duck hunting had been restored to Rice Lake. He stated he found granting the
159 permit prior to the impoundment hearing would allow an immediate repair and he believed that was out of order.
160 He believed the hearing had to be held first and then the structure would be built. He noted nothing was wrong
161 with the weir, but rather water was flowing around the edge of the weir. He believed the correct way to do this
162 would be to allow to have the hearing first and the construction second.

163

164 President Preiner stated it was her understanding this was a repair only and it did not change the elevation and
165 she did not have an issue with it.

166

167 Manager Ogata stated as he understood it, the repair would restore it to the original elevation height of the weir
168 and at this point, he was in favor of granting the permit as well.

169

170 Manager Waller stated he would not support this permit because he believed the impoundment hearing should
171 be held first.

172

ROLL CALL:

173 **Manager Waller – Nay**

174 **Manager Haake – Absent**

175 **Manager Ogata – Aye**

176 **Manager Wagamon – Aye**

177

178 **President Preiner – Aye**

179
180 **Motion carried 3-1-1.**

181
182 **4. Set Compliance Hearing for Permit 07-106 (Elizabeth Hosch)**

183 Inspector Elizabeth Hosch stated the Forest Lake Ice Arena is a recreational facility located off of Fenway Ave in
184 Forest Lake. The original construction was completed in 2008 and 2009. The site was tributary to a regional pond
185 that ultimately drained to AWJD 4. There was currently \$2,500 in cash surety held for the project.

186
187 Inspector Hosch indicated the remaining items for completion of the permit requirements were removal of fabric
188 under the grate of the filtration basin outlet structure and submittal of acceptable as-built. These items were
189 necessary for confirmation of the filtration basin functionality. The remainder of the site was stable and no further
190 concerns exist, per inspection.

191
192 Inspector Hosch stated the temporary Best Management Practice (BMP) removal and as-built items had been
193 outstanding since August 4, 2010. Since that time, there had been minimal response to additional inquiries, and
194 no action on site. Additionally, there had been two telephone conversations with Al Hauge, President of the
195 Forest Lake Area Athletic Association, during the months of January and February 2013, in response to the
196 certified notices of the permit coming before the Board in February 2013. In both of these conversations, Mr.
197 Hauge indicated that he would investigate the situation on site and respond in writing by January 11, 2013 and
198 then by February 13, 2013 Board meeting, with a plan to address the outstanding items. No response had been
199 received to date.

200
201 Inspector Hosch recommended the Board of Managers authorize the Administrator to give notice to the Forest
202 Lake Arena and all responsible parties of a Board compliance hearing to be held on March 27, 2013 at 9 a.m. at
203 their regularly scheduled meeting.

204
205 President Preiner asked when was the last date Inspector Hosch had spoken to Mr. Hauge. Inspector Hosch
206 responded it was earlier in the month.

207
208 **Motion by Manager Waller, seconded by Manager Wagamon, to authorize the Administrator to give notice of**
209 **a Board compliance hearing for Forest Lake Ice Arena (permit file #07-106) on March 27, 2013.**

210
211 Manager Waller noted he had recently read in the newspaper that additional homes were going to be added in
212 the area. He asked if there would be any impact. Inspector Hosch responded there would be no impact.

213
214 Manager Ogata asked if there was enough in the surety bond to fix this. Inspector Hosch responded she believed
215 there would be enough funds to address the current issues, but perhaps not if further corrections were identified
216 following review of as-builts and further functionality.

217
218 **Motion carried 4-0.**

219
220 **5. Consider Authorizing Application for Clean Water Partnership Loan and Grant Program for Bald Eagle Alum**
221 **and Subwatershed treatment project (Phil Belfiori)**

222 District Administrator Belfiori explained the initial plans for the proposed Bald Eagle Alum treatment project
223 included treatment of the top 10 centimeters for depths greater than 20 feet and treatment of the top 5
224 centimeters for depths between 15 and 20 feet. The project would also include installation of three rain gardens

225 located with three critical drainage areas and an implementation of an in-lake water quality monitoring program.
226 The estimated phosphorus load reduction from this proposed project was approximately 1,195 pounds of
227 phosphorus.
228

229 Administrator Belfiori indicated the proposed Clean Water Partnership Loan application would request a \$500,000
230 loan for a proposed alum treatment project that would be applied to Bald Eagle Lake. The application also
231 included a request for a small Clean Water Partnership Grant for \$15,000 for three rain gardens located in the BEL
232 subwatershed. He noted the Clean Water Partnership Loan/Grant Program was a competitive program.
233

234 Administrator Belfiori stated the RCWD proposed local match contribution would be approximately \$411,595.00
235 with approximately \$404,395.00 from RCWD Cash and in-kind contribution and \$7,200 in-kind contribution from
236 Ramsey County.
237

238 Administrator Belfiori stated the estimated total project cost of the project was approximately \$926,595.00. The
239 vast majority of total project cost was related to implementation of the BEL alum treatment project to reduce
240 internal phosphorus loading. The remaining portions of the total project cost was related to installation of three
241 small rain gardens/infiltration basins and a small amount of funding for inlake water quality monitoring.
242

243 Administrator Belfiori recommended the Board authorize the Administrator to take the necessary steps to submit
244 the Clean Water Partnership Loan and Grant Application for the Bald Eagle Lake Alum and Subwatershed
245 Treatment Project and approve up to \$404,395.00 be identified in the application for the RCWD's local match
246 contribution to the project should the loan and grant application be successful.
247

248 ***Motion by Manager Ogata, seconded by Manager Wagamon, to authorize the Administrator to take the***
249 ***necessary steps to submit the Clean Water Partnership Loan and Grant Application for the Bald Eagle Lake***
250 ***Alum and Subwatershed Treatment Project and approve up to \$404,395.00 be identified in the application for***
251 ***the RCWD's local match contribution to the project should the loan and grant application be successful.***
252 ***Motion carried 4-0.***
253

254 **6. Consider 2013 MAWD Legislative Reception, Breakfast and Briefing March 13-14, 2013 (Phil Belfiori)**
255 District Administrator Belfiori stated the upcoming MAWD Legislative Reception was going to be held on March
256 13 at the Kelly Inn in St. Paul.
257

258 ***Motion by Manager Waller, seconded by Manager Ogata, to send the letter/invitation to the State***
259 ***Representatives/Legislators in the District. Motion carried 4-0.***
260

261 **7. Consider Check Register dated 2/13/2013, in the amount of \$33,304.64, prepared by HLB Tautges Redpath.**
262

263 ***Motion by Manager Wagamon, seconded by Manager Ogata, to approve check register dated 2/13/13, in the***
264 ***amount of \$33,304.64, prepared by HLB Tautges Redpath. Motion carried 4-0.***
265

266 **ITEMS FOR DISCUSSION AND INFORMATION**

267 **1. District Engineer's Update and Timeline**
268 District Engineer Deutschman updated the Managers on current projects and adding a pipeline layer to the
269 District's Hydroviewer. Manager Waller inquired about the locations cable lines, fiber optic lines, etc. and if those
270 locations were being tracked. He asked if those cables would be treated as pipelines.
271

272 District Engineer Deutschman responded to his knowledge there was not a readily available database for these
273 types of utilities and so they need to be done on a case-by-case basis.

274
275 Manager Waller asked on a case-by-case basis where the cables being noted for future reference. District Engineer
276 Deutschman responded at the present time they were not, but this might be something the Board might want to
277 consider.

278
279 Manager Waller stated he would support doing this. He stated he would like to have this information for the
280 future. He asked about the small gas lines too.

281
282 District Engineer Deutschman responded those would not be in there either. Manager Waller believed those
283 should also be noted for future reference.

284
285 District Engineer Deutschman stated if the Board wanted, he could explore options on how to make this
286 information available. He stated at a future workshop he could give a presentation regarding this.

287

288 **2. Rule Revision Update**

289 Permit Coordinator/Wetland Specialist Tomczik noted the Managers had been given a handout with the possible
290 Rule revisions to date. He stated under Rule C, Stormwater Management Plans, the water quality treatment was
291 proposed to be at 1.1 inch requirement and they had addressed the special .5 inch requirement that is in some
292 RMP rules. For stormwater management, he hoped to have a smooth transition of the past administration for
293 volume control credits and debits established under the current regulations and those would continue to be
294 recognized until both are fully addressed. He noted that the public linear projects are exempt from the easement
295 requirement for the public drainage system. Rule C also includes a trigger to obtain the CWPMP easement for the
296 wetland management corridor.

297
298 He indicated under Rule E Floodplain Alternation they did some clarification of the language which in alignment
299 with reducing flooding and maintaining storage capacity throughout the District. He noted the addition to
300 exempting fill for an existing culvert extension or bridge approach provided there was no increase in the 100-year
301 flood elevation. The draft rule also allowed for 10 cubic yards of floodplain fill without mitigation provided there is
302 no increase in 100-year flood elevation.

303
304 He stated under Rule F Wetland Alteration they standardized a single CWPMP regulatory language and placed it
305 into Rule F; eliminating each of the individual CWPMP rules. He stated the rule focused on the development of
306 corridors and an associated easement. He indicated completing the language adjustments to address BWSR
307 comments and remain the status of a minor change to the District's CWPMPs. He stated the language provided
308 for wetland impacts to be replaced within any CWPMP as well as the contributing drainage area.

309
310 President Preiner asked when everything would be finalized and complete. Permit Coordinator/Wetland Specialist
311 Tomczik responded he hoped to bring this to the Managers the first meeting in March for the 45 day notice. He
312 stated they hoped it would be done by the end of this year.

313

314 **3. Discussion on Wetland Violation**

315 Permit Coordinator/Wetland Specialist Tomczik stated when there was a violation regarding wetlands, the
316 landowner was asked to correct it. A current situation existed with a landowner in Mahtomedi where the
317 landowner proceeded with the seeding without additional grading, not consistent with the intended restoration.
318 That resulted in a phone call WCD to landowner and it was generally understood the landowners were not going

319 to proceed with any of the required grading. He stated the intent to confirm that with an email, but no response
320 was received. He stated now they were looking at holding a Technical Evaluation Panel (TEP) meeting to bring
321 about compliance.
322

323 Manager Waller asked what detail Permit Coordinator/Wetland Specialist Tomczik was talking about specifically.
324 Permit Coordinator/Wetland Specialist Tomczik responded this was a residential neighborhood with large lots
325 and there was a type 3/4 wetland which was excavated, which was not found to be a permitable activity and it did
326 not appear to be exempt from replacement either but they could apply, so they shared that with the landowner
327 and that they looked to them to restore it.
328

329 Manager Waller asked if it was excavation more than six feet. Permit Coordinator/Wetland Specialist Tomczik
330 responded it did not appear to be.
331

332 Manager Waller stated many conservation programs that had gone on for decades were no longer to be done. He
333 stated many of these methods had a value, but today in Minnesota, you cannot build a stock watering pond
334 without mitigation. He stated some of the conservation practices used in the 1950s, 1960s, and 1970s were very
335 good and he believed they should go to the legislature for an exemption. He believed this should be something
336 that is looked at.
337

338 **4. Manager's Update**
339 There were no updates.
340

341 **ADJOURNMENT**

342 ***Motion by Manager Waller, seconded by Manager Wagamon, to adjourn the meeting at 9:51 a.m. Motion carried 4-0.***
343
344

CONSENT AGENDA

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

Table of Contents

PERMIT APPLICATIONS REQUIRING BOARD ACTION

No.	Applicant	Location	Plan Type	Recommendation
13-001	City of St. Anthony	St. Anthony	Street & Utility Plan	CAPROC 6 items
13-003	City of Mounds View	Mounds View	Street & Utility Plan	CAPROC 4 items
13-006	Ramsey County Parks & Rec. Dept	Shoreview	Final Site Drainage Plan	CAPROC 4 items
13-008	City of Centerville	Centerville	Street & Utility Plan	CAPROC 4 items

It was moved by Manager _____ and seconded by Manager _____, to approve the consent agenda as outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated February 20 & 21, 2013.

**RICE CREEK WATERSHED DISTRICT
CONSENT AGENDA**

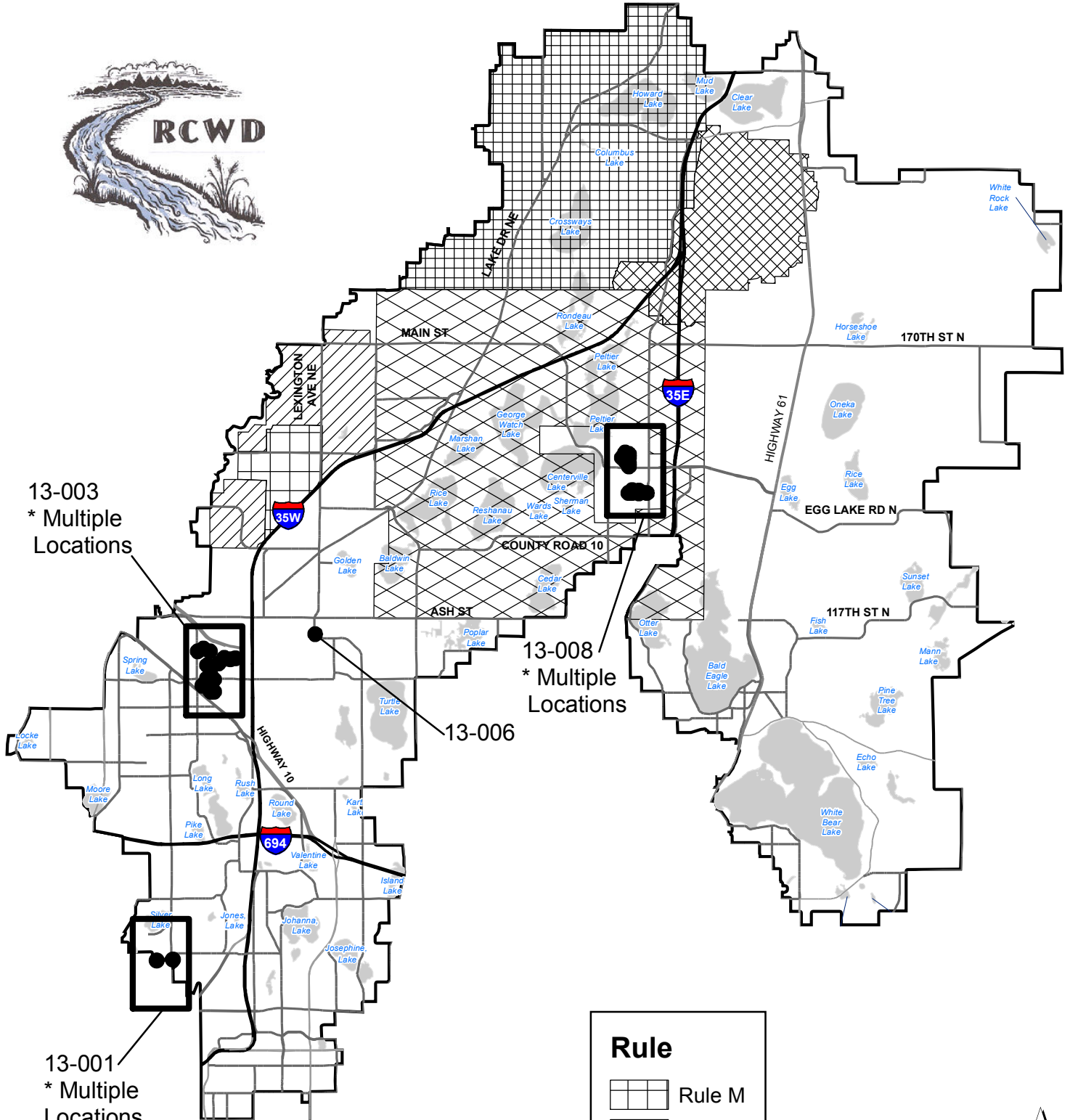
February 27, 2013

It was moved by _____ and seconded by _____ to Approve, Conditionally Approve Pending Receipt Of Changes, or Deny, the Permit Application noted in the following Table of Contents, in accordance with the District Engineer’s Findings and Recommendations, as contained in the Engineer’s Findings and Recommendations, as contained in the Engineer’s Reports, dated February 20 & 21, 2013.

TABLE OF CONTENTS

<u>Permit Application No.</u>	<u>Applicant</u>	<u>Page</u>	<u>Recommendation</u>
Permit Location Map		18	
13-001	City of St. Anthony	19	CAPROC
13-003	City of Mounds View	22	CAPROC
13-006	Ramsey County Parks & Rec. Dept.	27	CAPROC
13-008	City of Centerville	31	CAPROC

Rice Creek Watershed District



13-003
* Multiple Locations

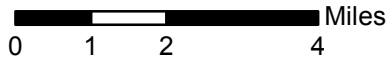
13-008
* Multiple Locations

13-006

13-001
* Multiple Locations

Rule	
	Rule M
	RMP-1
	RMP-2
	RMP-3
	RMP-4

Permit Reviews
2/27/2013 Agenda



Maple Grove
P: 763.493.4522
F: 763.493.5572





Permit Application Number: 13-001
Permit Project Name: St Anthony 2013 Street & Utility Improvements

Applicant:

Todd Hubmer
St. Anthony City Engineer
WSB & Associates, Inc.
701 Xenia Ave S #300
Minneapolis, MN 55416
Ph: 763-287-7182
thubmer@wsbeng.com

Consultant:

Paul Hudalla
WSB & Associates, Inc.
701 Xenia Avenue S, Suite 300
Minneapolis, MN 55416
Ph: 763-541-4800
Fx: 763-541-1700
phudalla@wsbeng.com

Project Name: St Anthony 2013 Street & Utility Improvements

Purpose: S&UC – Street & Utility Plan; Street & Utility Reconstruction

Site Size: 3.74± acres of disturbance, with 47,300± ft² of reconstructed impervious area including directly connected impervious areas.

Location: 36th Ave NE from Roosevelt to Silver Lake Rd & Edward St between 35 & 36th Ave, St Anthony

T-R-S: NE ¼ Section 6, T29N, R23W

District Rule: C, D

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items.

Rule C - Stormwater

1. For stormwater runoff not treated on-site, the applicant must indicate how total suspended solids on-site will be removed to the maximum extent practicable.
2. Submit monitoring records for the St. Anthony Water Reuse Facility for 2011 and 2012 so that those credits may be finalized/verified.

Rule D – Erosion and Sediment Control

3. Indicate on the plans where temporary rock construction entrances, silt fence, and bio-rolls will be used.
4. Submit the following information per Rule D.4:
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (g) Documentation that that the project applicant has applied for the NPDES Permit from the Minnesota Pollution Control Agency (MPCA).

Administrative

5. Permit application must be signed by the successful bidder.
6. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.

Exhibits:

1. 2013 Street and Utility Improvement Plan set (sheets 1-51) including a SWPPP, dated 11-27-2012 and received 1-11-2013.
2. Permit application, dated and received 1-11-2013.
3. Project narrative dated and received 1-11-2013.
4. Email from Paul Hudalla regarding debit request, dated and received 1-24-2013.
5. Project boundary map, 10-7-2010 and received 1-24-2013.
6. Permit application checklist, not dated and received 1-24-2013.

Findings:

1. Description - The proposed project is classified as a public linear roadway project and is located within the municipal boundary of St. Anthony. The project includes the reconstruction of two streets: 36th Ave NE from Roosevelt St NE to Silver Lake Road and Edward St NE from 35th Ave NE to 36th Ave NE. A majority of the project is located outside of the RCWD legal boundary. Areas outside of the legal boundary are not regulated by RCWD. The only areas within the project that are regulated under District Rules are the northern half of 36th Ave NE, including the intersections. These reconstructed areas will disturb an impervious surface area of approximately 47,300± ft² of subcollector street and associated utilities. Drainage patterns and impervious surface area within the project will not be altered from existing conditions. The project stormwater flows to City storm sewer system and ultimately discharges to Silver Lake. The Silver Lake outlet is RCD 3, which eventually flows into RCD 2, and ultimately into the Lower Rice Creek.
2. Stormwater – The project is classified as a public linear project that will involve reconstruction of existing impervious surface. District Rule C.5 Water Quality and Volume (hereafter Volume) requirement is 0.8-inches over the new/reconstructed and directly connected impervious surfaces. The project will reconstruct 47,300 ft² of impervious surface which equates to a Volume requirement of 3,153± ft³. St. Anthony is requesting that 3,153 ft³ of their banked volume credit from their water reuse facility be utilized to meet the District's Volume requirements. The water reuse facility and the proposed project are both within St. Anthony's Mississippi WMO sub-watershed. District records indicate the St. Anthony water reuse facility (District Permit 08-016, which has been maintained according to the maintenance plan submitted 6-18-2008) has 44,286± ft³ of potential volume reduction credit. Further monitoring records from 2011 and 2012 are needed to finalize these credits.

In the District's 8-21-2012 MOA with The City of St. Anthony, a Sequencing Plan to address the water quality and volume control requirements of the District is defined. As a result of the Sequencing Plan, the District Engineer finds that the City of St. Anthony has "sequenced out" of the requirements to utilize infiltration BMP's specifically for public linear projects. St. Anthony has investigated on-site BMPs for the project such as biofiltration and filtration basins and found that they are not feasible or preferred due to the limited site area, the presence of existing trees, utility mains and service, driveways and existing topography would make placement of these basins within the right-of-way difficult or impossible to achieve. The MOA requires that the credit from the regional BMP used for a proposed project must be within the same St. Anthony sub-watershed. District Engineer concurs with the difficulty of constructing on-site BMPs and finds that the applicant must remove total suspended solids on-site to the maximum extent practicable in areas of the project that contain no stormwater treatment. District Engineer finds that if St. Anthony removes total suspended solids on-site to the maximum extent practicable, the project is in compliance with the District's Alternative Compliance Sequencing requirements under District Rule C.5(f)(2).

The applicant has not submitted a hydrologic model; however the project will not change the existing drainage pattern or impervious area within the project. Since the impervious area has

not changed from existing conditions there would be no change in curve number, and the other basic inputs for a hydrologic model (drainage area, time of concentration, and precipitation) are the same, post-development peak flow would equal to pre-development peak flow, for all drainage areas, and in aggregate, in compliance with Rule C.6.

3. Wetlands – There are no wetlands located within the project area.
4. Floodplain – The site is not in a regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include rock construction entrances, silt fence, straw bio-rolls, inlet protection, and blown compost seed. This project will disturb more than one acre of land, and a NPDES Permit is required. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.
6. Previous Permit Information – The St. Anthony 2012 Street and Utility Improvements (the reconstruction of three streets: Coolidge Street and Belden Drive from 34th to 36th and 35th Avenue between Harding Street and Belden Drive.) under District permit 12-016 are located to the south of this project.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

Chris Buntjer 2-21-13

Chris Buntjer
MN Reg. No 48745

Greg Bowles 2-21-2013

Greg Bowles
MN Reg. No 41929



Permit Application Number: 13-003
Permit Applicant Name: 2013 Street & Utility Improvement Project - Area F

Applicant:

Nick Debar
City of Mounds View
2401 County Road 10
Mounds View, MN 55112
Ph: (763) 717-4051
Fx: (763) 271-7401
nick.debar@ci.mounds-view.mn.us

Consultant:

Brad Schleeter
Stantec Consulting Services, Inc.
2335 Highway 36 W.
St. Paul, MN 55113
Ph: (651) 604-4801
Fx: (651) 636-1311
brad.schleeter@stantec.com

Cristina Mlejnek
Stantec Consulting Services, Inc.
Ph: (651) 967-4619
cristina.mlejnek@stantec.com

Project Name: 2013 Street & Utility Improvement Project - Area F

Purpose: S&UC – Street & Utility Plan; Street and utility improvement project to reconstruct 3.0 miles of residential city streets in Mounds View

Site Size: 12.970± acres of existing impervious area, 12.917± acres proposed impervious area

Location: Bronson Drive to Sherwood Road and Long Lake Road to Lois Drive, Mounds View

T-R-S: S ½ of Section 7, NW ¼ of Section 8, T30N, R23W

District Rule: C, D, G, I

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items:

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:
 - (b) Tabulation of the construction implementation schedule.
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (g) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).
 - (h) A Storm Water Pollution Prevention Plan for projects that require an NPDES Permit.

Administrative

2. Permit application must be signed by the successful bidder.
3. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.

4. The applicant must execute a maintenance agreement for Maintenance of Stormwater Management Facilities acceptable to District staff for proposed onsite stormwater management features. The maintenance agreement must include the regular inspection and maintenance of the pre-treatment sod strips. A draft document should be submitted to the District for consideration prior to execution. The process requires submittal of the final original signed agreement to the District. If the applicant needs an original signed agreement, then send two endorsed agreements.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations:

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans.
2. In accordance with the 2009 District-MV agreement, an executed maintenance agreement substantially conforming to the template attached to the 2009 agreement needs to be signed and delivered to the District within 30 days of substantial completion of the facilities.

Exhibits:

1. Revised plan sheets C1.02, C2.02, C5.02, C6.01-C6.07, C6.09, C6.10, C6.12, and C6.13 dated 2-6-2013 and received 2-7-2013.
2. Plan set containing 57 sheets dated 1-11-2013 and received 1-15-2013.
3. Permit application, dated 1-10-2013 and received 1-15-2013.
4. Permit application submittal, dated 1-11-2013 and received 1-15-2013, containing:
 - Narrative;
 - Appendix A - Permit application, Permit checklist, and Street and Utility improvement Program (SUIP) Map;
 - Appendix B – Stormwater Volume Management Agreement; and
 - Appendix C – Infiltration Feature Location Map, Infiltration Feature Characteristics Worksheet, Infiltration Multiplier Calculation, Geotechnical Evaluation Report, Area F Soil Classification Map, Select Project Specifications, Area F Project Plan Set.
5. North and South infiltration feature location maps, dated February 2013, received 2-7-2013.
6. Groundwater documentation, no date, received 2-7-2013.
7. Revised infiltration feature characteristic worksheet, dated February 2013, received 2-7-2013.
8. Ramsey Country storm sewer review, dated 2-4-2013 and received 2-7-2013.
9. Transmittal email with response to ER, dated and received 2-7-2013.

Findings:

1. Description – The proposed project is classified as a public linear roadway project, which will involve the reconstruction of approximately 3± miles of collector streets. The project area is located in Mounds View and generally located south of US 10 and west of I-35 and east of Long

Basin ID	Address	Volume (CF)	Basin ID	Address	Volume (CF)
GF-5.14	2335 Knoll Dr.*	398	GF-5I13	8085 Woodlawn Dr.	2,824
GF-6.18	2215 Lois Dr.	536	GF-5.13	Greenfield Park	332
GF-6.17	2215 Lois Dr.*	653	GF-5.15	Greenfield Park	1,276
GF-6.14	2278 Lois Dr.	550	GF-5.16	Greenfield Park	1,276

*City of Mound View property – Nearest address

The applicant proposes to provide the required stormwater treatment for the project by using 68 small scale infiltration features located within the public right-of-way, (as indicated by the typical road section of the plans, and by Ramsey County Parcel data) adjacent to the curb or on City owned property. The typical section of these infiltration features includes a depth of 0.5 feet to 1.0 feet, 4-inches of topsoil mixture, and typically, 26 inches of select granular borrow, similar to the previously approved features of the SUIP program. The applicant has provided modeling results that simulate the volume infiltrated during and 48 hours after a storm event that shows a provided volume reduction of 65,399 cubic feet, in aggregate for the project. The rain gardens are sited to treat the project to the maximum extent practicable. This equates to a potential water quality and volume control credit of 13,232 cubic feet for this project that will be applied to the outstanding volume debit with the District. To achieve credit, the infiltration features must function as infiltration basins, which must be verified by RCWD inspectors. The applicant must provide an as-built survey and revised volume calculations based on the methods outlined in the findings for all stormwater management BMPs (infiltration features, trenches, swales, etc.). The final volume debit or credit will be granted by the District based on the as-built information and calculations. Based on the submitted calculations, the applicant will fully meet the Volume requirement of C.5(f) through on-site infiltration.

The District standard banking process will be followed so that the resultant treatment volume outcome, based on as built conditions and calculations, will be applied to the current project phase prior to making any debit or credit adjustment to the applicants Stormwater volume account. The applicant has provided calculations to show that all features comply with the banking credit requirements of C.5(f)(3).

Given that the overall project will decrease the amount of impervious area, increase the amount of storage, and the drainage patterns remain the same, the District Engineer concurs with that the project meets the Rule C.6 rate control requirement in aggregate. Minor increases caused by the addition of the sidewalks along Hillview Road and Edgewood Drive (South of CR 1), will occur to Ramsey County storm sewer, however the County has reviewed these impacts and concurred with the no impact analysis by the applicant. The District Engineer concurs, and finds the project to be in compliance with Rule C.6.

Due to limited space within the right-of-way, pre-treatment has been provided by strips of sod between the back of curb and the bottom of the infiltration feature, which is adequate to comply with Rule C.8(a)(1).

The provided hydrologic soil map shows the project soil types as either hydrologic soil type A or B. The applicant performed soil borings throughout the project to document the existing groundwater elevation, to verify and corroborate the hydrologic soil types and to provide additional detail for specific soil layers. Based on these borings, all basins have at least 3 feet of separation from the bottom of the basin to the season high water per Rule C.8(a)(3) Infiltration rates used to calculate drawdown time were consistent with Table C1 of District rule (C.8(a)(2)).

The proposed BMPs are in compliance with Rule C.8(e) freeboard requirements for rain gardens.

3. Wetlands – There are no wetlands located within the project area.

Lake Road. County Road I bisects (but is not included in) the project. The project will disturb 12.970± acres of existing impervious area, ultimately reducing it to 12.917± acres. The project drains to various storm sewers, which outlets to ARJD-1 and ultimately to lower Rice Creek. This project is the fifth phase of the program (Part F or Area F). The history can be found in the engineers report for permit 11-004.

2. **Stormwater** – The Rule C.5 Water Quality and Volume (hereafter Volume) requirement for a collector street of a public linear road project is 0.8-inches over the reconstructed impervious area (12.917± acres) and the directly connected impervious area (7.412± acres) for a total project Volume requirement of 53,132± cubic feet, using a 0.9 runoff co-efficient.

The Volume requirement will be met through 68 infiltration basins as described below:

Basin ID	Address	Volume (CF)	Basin ID	Address	Volume (CF)
GF-4.11	7700 Bona Rd.	1,239	GF-6.13	2285 Lois Dr.	545
GF-4.12	7731 Bona Rd.	889	GF-6.12	2296 Lois Dr.	494
GF-4.13	7751 Bona Rd.	379	GF-5.115	2442 Sherwood Rd.	561
GF-4.118	7817 Bona Rd.	468	GF-5.116	2443 Sherwood Rd.	981
GF-4.119	7840 Bona Rd.	601	GF-5.112	2459 Sherwood Rd.	1,534
GF-5.11	7888 Bona Rd.	992	GF-5.117	2501 Sherwood Rd.	774
EW-6.114	7595 Edgewood Dr.	595	AA-2.12	2516 Sherwood Rd.	1,049
EW-6.110	7643 Edgewood Dr.	378	AA-2.11	2521 Sherwood Rd.	2,497
GF-4.121	7740 Edgewood Dr.	623	AA-2.13	8085 Sherwood Rd.	1,095
GF-4.120	2396 Pinewood Cir.	1,445	AA-2.14	8101 Long Lake Rd.	1,018
EW-6.111	7501 Greenfield Ave.	932	GF-4.15	2501 County Road I	880
EW-6.11	7504 Greenfield Ave.	847	GF-4.14	7701 Woodlawn Dr.	1,327
EW-6.12	7511 Greenfield Ave.	1,956	GF-4.16	7719 Woodlawn Dr.	337
EW-6.112	7531 Greenfield Ave.	1,897	GF-4.17	7739 Woodlawn Dr.	785
EW-6.13	7534 Greenfield Ave.	1,201	GF-4.114	7778 Woodlawn Dr.	756
EW-6.14	7580 Greenfield Ave.	789	GF-4.19	7800 Woodlawn Dr.	698
EW-6.15	7628 Greenfield Ave.	1,211	GF-4.18	7801 Woodlawn Dr.	890
EW-6.16	7641 Greenfield Ave.	1,851	GF-4.110	7820 Woodlawn Dr.	810
EW-6.18	7656 Greenfield Ave.	1,245	GF-4.111	7847 Woodlawn Dr.	1,325
EW-6.19	7660 Greenfield Ave.	228	GF-4.112	7875 Woodlawn Dr.	957
EW-6.17	7661 Greenfield Ave.	2,001	GF-4.113	7878 Woodlawn Dr.	1,081
EW-6.113	2370 County Road I	284	GF-5.14	7931 Woodlawn Dr.	1,093
GF-5.12	2426 Hillview Rd.	818	GF-5.15	7934 Woodlawn Dr.	1,107
GF-5.11	2442 Hillview Rd.	532	GF-5.13	7944 Woodlawn Dr.	913
GF-4.115	2508 Hillview Rd.*	689	GF-5.17	7984 Woodlawn Dr.	949
GF-4.116	2520 Hillview Rd.	340	GF-5.18	7989 Woodlawn Dr.	2,465
GF-4.117	7865 Long Lake Rd.	145	GF-5.111	8000 Woodlawn Dr.	595
GF-6.16	2253 Knoll Dr.	505	GF-5.19	8046 Woodlawn Dr.	1,216
GF-6.15	2265 Knoll Dr.	790	GF-5.110	8051 Woodlawn Dr.	1,049
GF-6.11	2313 Knoll Dr.	551	GF-5.114	8080 Woodlawn Dr.	1,364

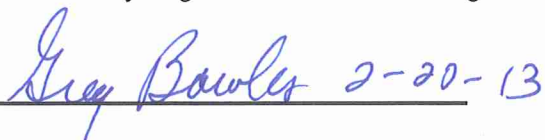
4. Floodplain – The site will not impact the regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, inlet protection and rip rap. An NPDES permit is required for the project. The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.
6. Bridges and Culvert Crossings on Public Drainage System – The proposed culvert replacement at the entrance to Greenfield Park is on public drainage system Anoka/Ramsey Judicial Ditch-1 (ARJD-1), Branch 5. The pipe is a 24-inch CMP culvert, with 15-inch diameter extensions on each end, which restrict capacity. The Applicant is proposing to replace the culvert with a 24-inch RCP, matching the inverts of the existing 24-inch pipe. Because the elevations of the upstream and downstream inverts of the 24-inch pipe can only be accessed by removing cover from the pipe and removal of the 15-inch diameter extensions, the elevations shall be determined by the Applicant at the time of construction and provided to the District Engineer prior to pipe placement. The design is not expected to cause scour issues.

Previous analysis completed by the District Engineer of the culvert under Hillview Road shows excessive head loss. The analysis also suggests that culvert under the entrance to Greenfield Park is improperly set. The District Engineer is in the process of completing a historical review of the ARJD 1 public drainage system, including a determination of the capacity (i.e. cross-section and profile) of the as-constructed and subsequently improved condition. This analysis will be completed in the coming months. This information will be provided to the Applicant to guide culvert installation at Hillview Road and Greenfield Park. The District Engineer will advise the Applicant relative to the placement at the current invert elevations or alternative elevations, subsequent to the Applicant providing the current elevations of the 24-inch pipe at the entrance to Greenfield Park.

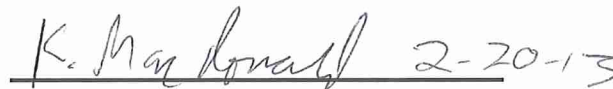
The applicant is proposing stabilization of an existing overflow point to the ditch on the south side of Lois Drive. This work will not alter the capacity, or change the flow of the ditch, and thus not regulated under Rules G and I.

7. Documenting Easements and Maintenance Obligations – Applicant must execute an agreement with the RCWD for the maintenance of the stormwater facilities to ensure proper functioning.
8. Previous Permit Information – A Street and Utility Improvement Program (SUIP) for the City of Mounds was approved by the Board in 2008, including a 2009 volume maintenance agreement. Permits 08-071, 09-106 11-004 and 12-002 have previously been reviewed within this frame work.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

 2-20-13

Greg Bowles
MN Reg. No 41929

 2-20-13

Katherine MacDonald
MN Reg. No 44590



WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers.

Permit Application Number:

13-006

Permit Applicant Name:

Rice Creek North Regional Trail Lexington Trailhead

Applicant:

Ramsey County Parks and Rec. Department – Brent Blumer
Ramsey County
2015 N Van Dyke St
Maplewood, MN 55109
Ph: 651-748-2500
Brett.blumer@co.ramsey.mn.us

Project Name: Rice Creek North Regional Trail Lexington Trailhead

Purpose: FSD – Final Site Drainage; Redevelop regional trailhead, parking lot for Rice Creek regional trail and water trail, parking for off leash dog area users

Site Size: Limits of Construction are approximately 2.54 acres, existing impervious area 0.427 acres, proposed impervious area 0.982 acres

Location: 5959 Lexington Ave., Shoreview, MN

T-R-S: Section 3, T30N, R23W

District Rule: C, D, E

Recommendations: CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items.

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:

(c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures

(g) Documentation that the project applicant has applied for the NPDES Permit from the MPCA, if project disturbance is one acre or more. Applicant must provide an area disturbed for verification.

(h) A Storm Water Pollution Prevention Plan for projects that require an NPDES Permit.

Administrative

2. Provide the name and contact information of the successful bidder of the project, or indicate if Ramsey County Parks will construct the project.

3. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.

4. The applicant must execute a maintenance agreement for Maintenance of Stormwater Management Facilities acceptable to the District for proposed onsite stormwater management features. A draft document should be submitted to the District for consideration prior to execution. The process requires submittal of the final original signed agreement to the District. If the applicant needs an original signed agreement, then send two endorsed agreements.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans.
2. Temporary barrier fencing must be installed and maintained during construction activities around the canoe access to divert foot traffic until vegetation has been established.

Exhibits:

1. Plan set pages BD 1.0-BD 9.0, dated August 2012, received 1-22-2013.
2. Permit application, dated 1-18-2013, received 1-22-2013.
3. RCWD Checklist of Permit Submittal Requirements, received 1-22-2013.
4. Wetland Delineation Report, received 1-22-2013
5. Report of Geotechnical Exploration and Review, dated 12-3-2012, received 1-22-2013
6. Stormwater Management Calculations, dated 1-16-2013, received 1-22-2013
7. Stormwater management Calculations, dated and received 2-8-2013
8. Revised Plan set pages BD 4.0-BD 9.0, dated and received 2-8-2013

Findings:

1. Description – The proposed project is classified as a redevelopment project with 0.426 acres of existing impervious and 0.982 acres of proposed impervious. The existing impervious will be disturbed and 0.556 acres of new impervious area are proposed to be added. The project is located in Shoreview, MN approximately 1,600 feet south of the intersection of Co. Rd J and Lexington Avenue. The surrounding areas are regional trail corridor and county road right of way. The construction limits are approximately 2.54 acres. The project will add parking for users of the Rice Creek Regional Trail and Water Trail and parking for users of the off leash dog area. A canoe access and 16-foot by 24-foot restroom building with a porous bituminous trail to access the restrooms will also be constructed. Currently, a portion of site stormwater drains to a wetland to the south, a portion drains to a wetland to the north, and a portion drains to Rice Creek. All eventually drain to Lower Rice Creek.
2. Stormwater – The Water Quality and Volume (hereafter Volume) requirement of 2.8-inches over the new impervious area (0.556± acres) and 0.8-inches over the redeveloped impervious area (0.427± acres) equates to a total Volume requirement of 6,888± C.F. The applicant proposed to meet the Volume requirement with a rain garden and porous bituminous pavement. The area draining directly to Rice Creek does not currently have any impervious area; furthermore the applicant does not propose to add impervious surface or change the drainage area. Thus volume control is not required for this portion of the site.

The proposed rain garden has a bottom elevation of 901.0 and an overflow elevation of 903.5. The rain garden overflows to the proposed parking lot and eventually the porous bituminous pavement. The proposed rain garden has an available treatment volume of 1,771± cubic feet. The drainage area to the rain garden is 8,323 sq. ft., which results in a runoff volume of 1,942± cubic feet from a 2.8-inch storm event.

The porous bituminous pavement is located at the trailhead parking area. It is 4,044 square feet in total area. The stone bed extends beyond the curb under the surface of the porous bituminous pavement with an area of 4,650 square feet. The depth of the stone bed is 2.75 feet with porosity of 40%, the depth of the aggregate above the stone bed is 0.5 feet with porosity of 20%, and the depth of the porous pavement is 0.25 feet with porosity of 20% (area of 4,044 square feet). This results in a total volume provided of 5,782± cubic feet. The porous bituminous pavement overflows to the north wetland at an elevation of 889.2. A summary of the Volume requirement is described below:

Proposed BMP Description	Location	Pretreatment:	Volume Provided
Rain Garden	Near Off Leash area Parking	5' wide grass filter strip	1,771± cubic feet
Porous Bituminous Pavement	Near Trail Head Parking	Regular pavement sweeping, oils bind to porous pavement	5,782± cubic feet
			7,553± cubic feet

Thus the applicant meets the volume requirements of District Rule C.5.

The project area has type A and B soils. The geotechnical report includes results of five standard penetration test borings at the site to depths of 16 to 21 feet. The soil boring at the location of the proposed rain garden shows SM, SP-SM, and ML soil types. The soil boring at the porous bituminous pavement location shows SM, SP-SM, and SP soil types. The soil types are generally poorly graded sand and silty sand. The seasonal high water level at the construction site was found to be at an elevation of approximately 878.5. Thus the BMP's meet the requirements of District Rule C.8(a)(3) for a minimum of three feet of separation from the seasonal high water table.

Geotechnical analysis determined an infiltration rate of mostly 0.6-0.7 inches per hour. Thus infiltration is feasible below the fill material. The applicant has provided calculations indicating 39-hour and 70-hour draw down times for the rain garden and porous pavement respectively. This meets the required 48-hour and 72-hour requirements for surface and subsurface features. Thus the applicant meets the drawdown requirements of rule C.8(a).2.

The applicant provided a HydroCAD model output of the 2-year and 100-year 24 hour rainfall events and the 100-year 10-day snowmelt event. Discharges to Rice Creek, the north wetland, and the south wetland are generally slightly reduced or the same as existing. Discharges from the porous bituminous trail may channelize; however the District engineer finds the grass buffer between the trail and the south wetland acceptable. The District Engineer finds the project is in compliance with District Rule C.6

The proposed condition slightly reduces discharged volume to the south wetland, subsequently bounce and inundation are not a concern. The 2-yr and 100-yr 24 rainfall events increase volumes to the north wetland by 0.104 acre-feet and 0.234-acre feet respectively. Given the size of the north wetland and it's direct connection with Rice Creek, the bounce and inundation period are within the requirements of rule C.7(a), thus the applicant is in compliance with the bounce requirements of District Rule C.7.

The low floor of the proposed restroom facilities is 890.4 ft. The nearby 100-yr elevation of the Rice Creek and the south wetland is 885.49. This meets the freeboard requirements of District Rule C.8(e).

3. Wetlands – The submitted wetland delineation report shows two wetlands, one south of the proposed trail head parking lot and one north, to Rice Creek. A canoe landing is proposed just above the north wetland. The proposed ramp will be from elevation 877-880. Sufficient erosion control is proposed to prevent impacts to the wetlands (see Erosion Control section). The project will not impact onsite wetlands, thus the project is in compliance with District Rule F.
4. Floodplain – The site is within the floodplain, which has an elevation of 885.49. A canoe landing is proposed which will provide a ramp from elevation 877-880. The canoe landing will include grading and stabilizing a small area of the banks where the slopes will be lessened to enable canoe access. The applicant has indicated that there will be no filling as a part of the bank modification. The District Engineer concurs that the project will not create floodplain fill, thus the project is in compliance with District Rule E.
5. Erosion Control – Proposed erosion control methods include silt fence, rock construction entrances, inlet protection, landscaping, and turf. An NPDES permit is required for the project, if disturbance is one acre or more.

An area of concern for erosion control is the canoe landing area. The applicant is proposing to provide temporary stabilization of the access area with silt fence and erosion control blankets as well as barrier fencing to restrict the area from foot traffic until vegetation has been established. Access will be permanently stabilized with native seed. District Engineering doesn't anticipate any erosion concerns as long as vegetation is maintained.

The information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.

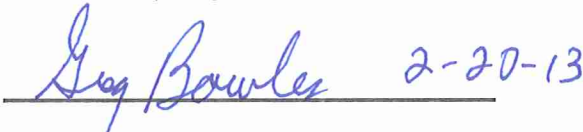
6. Documenting Easements and Maintenance Obligations - Applicant must execute an agreement with the RCWD for the maintenance of the stormwater facilities to ensure proper functioning.
7. Previous Permit Information – No previous permit information was found for this site.

I assisted in the preparation of this report under the supervision of the District Engineer.



Lisa Odens, EIT
ND Cert. No 12138

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.



Greg Bowles
MN Reg. No 41929



WORKING DOCUMENT: This Engineer's report is a draft or working document of RCWD staff and does not necessarily reflect action by the RCWD Board of Managers

Permit Application Number: 13-008
Permit Applicant Name: 2013 Street & Utility Improvement Project - Centerville

Applicant:

Dallas Larson
City of Centerville
1880 Main Street
Centerville, MN 55038
Ph: (651) 429-3232
Fx: (651) 429-8629
dlarson@ci.centervillemn.us

Consultant:

Mark Statz
Stantec Consulting Services, Inc.
2335 Highway 36 W.
St. Paul, MN 55113
Ph: (651) 604-4709
Fx: (651) 636-1311
mark.statz@stantec.com

Dan Edgerton
Stantec Consulting Services, Inc.
Ph: (651) 604-4820
dan.edgerton@stantec.com

Project Name: 2013 Street & Utility Improvement Project -Centerville

Purpose: S&UC – Street & Utility Plan; Center Street, Ivy and Sumac Cts: Full reconstruction of existing deteriorating street, including pavement, curb and gutter, and storm sewer. Fox Run, Hayfield Road, Houle Circle, Peterson Trail: Rehabilitation of bituminous pavement.

Site Size: 4.469± acres of existing impervious area, 4.365± acres proposed impervious area

Location: Center Street, Sumac Ct, Ivy Ct; Fox Run, Hayfield Road, Houle Circle, Peterson Trail, City of Centerville

T-R-S: Section 23, T31N, R22W

District Rule: C, D

Recommendations CAPROC

It is recommended that this Permit Application be given Conditional Approval Pending Receipt of Changes (CAPROC) and outstanding items related to the following items:

Rule D – Erosion and Sediment Control

1. Submit the following information per Rule D.4:
 - (b) Tabulation of the construction implementation schedule.
 - (c) Name, address and phone number of party responsible for maintenance of all erosion and sediment control measures.
 - (g) Provide documentation that an NPDES Permit has been applied for and submitted to the Minnesota Pollution Control Agency (MPCA).
 - (h) A Storm Water Pollution Prevention Plan for projects that require an NPDES Permit.

Administrative

2. Permit application must be signed by the successful bidder.

3. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to both the District and the District Engineer.
4. The applicant must execute a maintenance agreement for Maintenance of Stormwater Management Facilities acceptable to District staff for proposed onsite stormwater management features. The maintenance agreement must include the regular inspection and maintenance of the pre-treatment turf. A draft document should be submitted to the District for consideration prior to execution. The process requires submittal of the final original signed agreement to the District. If the applicant needs an original signed agreement, then send two endorsed agreements.

Stipulations: The permit will be issued with the following stipulations as conditions of the permit. By accepting the permit, applicant agrees to these stipulations:

1. An as-built survey of all stormwater BMPs (ponds, rain gardens, trenches, swales, etc.) is to be submitted to the District for verification of compliance with the approved plans.

Exhibits:

1. Plan set containing 47 sheets dated 1-29-2013 and received 2-8-2013.
2. Permit application, dated and received 1-18-2013.
3. Permit checklist and location map received 1-18-2013.
4. Project narrative dated and received 1-18-2013.
5. BMP location map and calculation worksheet received 1-18-2013.
6. Soil borings and map dated 10-30-2007 and received 1-18-2013.
7. Project specifications received 1-18-2013.
8. Excel version of the calculations worksheet received on 2-7-2013.
9. Review response narrative dated and received 2-8-13.

Findings:

1. Description – The project area is located in the City of Centerville. The proposed project is classified as a public linear roadway project, which will involve the reconstruction of approximately 0.4± miles of subcollector streets (Center Street, Ivy Court and Sumac Court) and the rehabilitation of approximately 0.6 ± miles of subcollector streets (Fox Run, Hayfield Road, Houle Circle, Peterson Trail). Reconstruction activities will include replacement of existing deteriorating street, including pavement, curb and gutter, and storm sewer. Rehabilitation activities will include replacement of pavement, shaping the surface of the aggregate base and incidental installation of draitile near existing storm sewer catch basins. The project will disturb 4.469± acres of existing impervious area, ultimately reducing it to 4.365± acres for proposed conditions. The project drains to city storm sewer, which outlets the JD-3 main trunk and ultimately to Peltier Lake. The project is in the middle Rice Creek contributing drainage area.
2. Stormwater – The Rule C.5 Water Quality and Volume (hereafter Volume) requirement for a subcollector street of a public linear road project is 0.8-inches over the reconstructed impervious area of 95,972 SF (2.20± acres) and the directly connected impervious area of 28,792 (0.66± acres) for a total project Volume requirement of **7,486± cubic feet**, using a 0.9 runoff co-efficient. Incidental work created by the installation of the draitile will involve approximately 1% of the

existing rehabilitated impervious surface; therefore Volume requirements are not applicable for this portion of the project.

The Volume requirement will be met through 10 biofiltration basins as described below:

Basin ID	Proposed BMP Description	Address	Pretreatment	Volume provided (CF)
RG-1	Biofiltration basin	6927 Ivy Ct	8' of turf	1,850
RG-2	Biofiltration basin	6928 Ivy Ct	8' of turf	1,273
RG-4	Biofiltration basin	1925 Center St	8' of turf	610
RG-6	Biofiltration basin	1850 Center St	8' of turf	52
RG-7	Biofiltration basin	1882 Center St	8' of turf	477
RG-8	Biofiltration basin	6933 Sumac Ct	8' of turf	185
RG-9	Biofiltration basin	1950 Center St	8' of turf	278
RG-10	Biofiltration basin	1902 Center St	8' of turf	1,569
RG-11	Biofiltration basin	1965 Center St	8' of turf	1,100
RG-12	Biofiltration basin	6923 Sumac Ct	8' of turf	429

*City of Centerville property – Nearest address
 TBD – To be determine

The applicant proposes to provide the required stormwater treatment for the project by using 10 small scale biofiltration features located within the right-of-way adjacent to the curb or on City owned property. Anoka County records indicate the right-of-way along Center Street, Ivy Court and Sumac Street was dedicated to the City as part of the Center Oaks 2. The typical section of these biofiltration features are 1.35 feet in depth with 1.25-feet of planting media (clean sand and leaf compost) surrounding a 4-inch draintile connected to the stormsewer system along the street. The applicant has submitted calculations that show a provided volume treatment of **7,824 cubic feet**. The District Engineer concurs with these calculations, thus the project is in compliance with Volume requirements of Rule C.5(f).

A total of six soil borings were completed within the reconstructed portion of the project area. The borings indicate fill overlying lean clay which would be considered within hydrologic soil type D, thus infiltration is not feasible. One boring indicated groundwater at a depth of 10 feet which is well below the biofiltration features draintile elevation.

The applicant has not submitted any hydrologic modeling infiltration. Since there no increase in impervious area and the existing stormwater flow patterns have not been altered, the basic inputs for a hydrologic model (drainage area, curve number, time of concentration, runoff storage and precipitation) have not changed. Thus, there is no change in flow, demonstrating compliance with Rule C.6.

Due to limited space within the right-of-way, pre-treatment has been provided by approximately eight feet of vegetated turf between the back of curb and the bottom of the infiltration feature, which is adequate to comply with Rule C.8(a)(1).

The proposed BMPs are in compliance with Rule C.8(e) freeboard requirements for rain gardens.

3. Wetlands – There are no wetlands located within the project area.
4. Floodplain – The site will not impact the regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, rock construction entrances, inlet protection, and biorolls. An NPDES permit is required for the project. The

information listed under the Erosion and Sedimentation Control Recommendations needs to be submitted. Otherwise, the project complies with RCWD Rule D requirements.

6. Documenting Easements and Maintenance Obligations – Applicant must execute an agreement with the RCWD for the maintenance of the stormwater facilities to ensure proper functioning.
7. Previous Permit Information – No previous permit information was found for this site.

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the state of Minnesota.

 2-20-13

Greg Bowles
MN Reg. No 41929

 2-20-13

Katherine MacDonald
MN Reg. No 44590

ITEMS REQUIRING BOARD ACTION

1. Consider Proposed Amendment to Citizen Advisory Committee Operating Procedure.
(Kyle Axtell)

MEMORANDUM
Rice Creek Watershed District

Date: February 12, 2013
To: RCWD Board of Managers
From: Kyle Axtell, Water Resource Specialist
Subject: Proposed Amendment to Citizen Advisory Committee Operating Procedure

BACKGROUND

The Minnesota Association of Watershed District handbook identifies “education and outreach” as a key function of a Watershed District’s Citizen Advisory Committee (CAC). RCWD Staff recently completed a discussion with our CAC regarding its operating procedure and its role in the District’s education and outreach programming. As an outcome of that discussion, the committee settled on some proposed changes to the CAC operating procedure related to the duties of the CAC (see attached draft). Staff has also proposed some minor amendments along with the addition of the CAC’s educational role. Changes to the CAC operating procedure must be approved by the Board of Managers.

RECOMMENDATION

At its February 6, 2013 meeting, the RCWD CAC unanimously recommended that the Board of Managers adopt the proposed amendments to the CAC Operating Procedure. RCWD Staff supports this recommendation.

Proposed motion:

Manager _____ moves to adopt the amended RCWD Citizen Advisory Committee Operating Procedure.

Attachment: Proposed CAC Operating Procedure (DRAFT, from 02-06-13 CAC Meeting)

**Rice Creek Watershed District
Citizen Advisory Committee Operating Procedure**

ADOPTED: XX-XX-XXXX

Background:

The RCWD By-Laws and MN Watershed Law (MS 103D) state:

Section 1. ADVISORY COMMITTEE REQUIRED: Pursuant to MS 103D.331, Subd. 1. *“The managers must annually appoint an advisory committee to advise and assist the managers on all matters affecting the interests of the watershed district and make recommendations to the managers on all contemplated projects and improvements in the watershed district.”*

Section 2. MEMBERS OF ADVISORY COMMITTEE: MS 103D.331, Subd. 2 Members:

(a) *“The advisory committee consists of at least five members. If practicable, the advisory committee members selected should include a representative from each soil and water conservation district, a representative of each county, a member of a sporting organization, and a member of a farm organization. Other advisory committee members may be appointed at the discretion of the managers. The members must be residents of the watershed district, except representatives from soil and water conservation districts and counties, and serve at the pleasure of the managers.”*

(b) *“In addition, the managers may appoint other interested and technical persons who may or may not reside within the watershed district to serve at the pleasure of the managers.”*

Purpose:

The purpose for this operating procedure is to implement the Rice Creek Watershed District’s (RCWD) Board of Managers desire to:

- Appoint a citizen advisory committee (CAC) to advise and assist the managers on all matters affecting the interests of the watershed district and make recommendations to the managers on all contemplated projects and improvements in the watershed district (MS 103D.331, Subd. 1)
- Have CAC members be broadly distributed across the District.
- Have CAC members represent a broad range of interests.
- Have CAC members generally serve for more than one year, to take advantage of the knowledge gained of RCWD operations in their first year.
- Have staggered terms, so that at least half of the CAC members have a year of experience.
- Have CAC members attend a majority of meetings throughout the year.

Membership:

The minimum number of CAC members required by law is five, (MS 103D.331, Subd. 2). The District has in the past had a makeup of CAC members that has routinely exceeded that number. With this operating procedure the District establishes the following guidelines:

- Membership of the CAC will be limited to twelve individuals.
- Geographic area location of CAC members will be **up to** four each from Anoka, Ramsey, and Washington Counties, with one from each county being a Conservation District representative, appointed by their respective District Board of Supervisors. **One of the twelve members may be an at-large representative from Hennepin County.**
- Areas of representation. Minnesota statute provides for the following groups and or entities to be represented on the CAC. It is important to note that these are suggested not mandatory.

- Representative from each SWCD
- Representative from each County
- Member of a Sporting Organization
- Member of a Farm Organization
- Others at the discretion of the Managers (reside in the District)
- Other Technical persons who may or may not reside in the District at the pleasure of the Managers.

In addition to the CAC the District is also required to have a Technical Advisory Committee pursuant to the Metropolitan Surface Water Management Act (MS 103D.337). Counties and other technical representatives that may otherwise be represented on the CAC will be asked to serve on the Rice Creek Watershed District Technical Advisory Committee.

Appointment Process:

- All appointments will be made annually (MS 103D.331, Subd. 1) however, CAC members will be expected to serve a minimum of two years.
- Solicitation of Interest (Starting in October of each year)
 - Letter to each City asking for their assistance in noticing in local newsletters, etc..
 - Notice in Local Papers
 - Notice on RCWD web-site
- Application – all applicants will be required to submit an application including but not limited to:
 - Name
 - Address
 - Interest
 - Experience
- Screening of applications to verify residency in the District with the exception of the CD representative.
- Roster of Eligible Applicants (December). Staff will prepare a list of eligible applicants and present to the Board of Managers.
- Selection of individuals for interviews (January)
- Appointment of CAC members (February)

Term of Office:

- Statutory Term is one year
- District desire for two-year commitment, except CD representatives which are appointed by their respective Board of Supervisors.
- Staggered terms

Meeting Schedule:

- The CAC typically meets ten times a year with no meetings scheduled for the months of July and December.
- Meetings are held the first Wednesday of each month from 5:30 pm to 7:30 pm

Reappointment/Removal:

The expectation of the Board of Managers is that CAC members attend a minimum of 8 meetings a year, unless excused by prior notice to the District Administrator.

- A member’s record of attendance will be considered during the annual CAC member appointment process.
- For CAC members missing 3 consecutive meetings, the Board may consider it cause for removal.

Duties:

- Elect a chair from its membership
- Elect a recorder from its membership
- Establish a meeting schedule at the first meeting of the year
- Consider issues pertinent to the functions and purposes of the watershed district
 - Administrator and Chair set agenda
 - Members should bring issues to the Chair
- Review and comment on reports, minutes, activities, and proposed projects of the managers including but not limited to:
 - Water quality cost-share program applications
 - Urban Stormwater Remediation C-S program applications
 - Watershed Plan Revisions
 - Watershed Rule Revisions
 - Work plans and budgets
- Report to managers the general content of advisory committee meetings and resulting recommendations including but not limited to:
 - RCWD Board participation, a member of the Board of Managers will be in attendance at each CAC meeting. The schedule for Board member attendance will be set in January of each year along with setting of the Board of Managers calendar year schedule.
 - RCWD staff participation, the Administrator is expected to attend each CAC meeting unless otherwise approved by the Board President. Other District staff attendance will be directed by the Administrator. Staff will be responsible for:
 - Taking minutes
 - Assisting the CAC Chair in all matters related to the running the meetings
 - Preparing agendas
 - Preparing background information for items requiring CAC action
 - Assure attendance by consultants and other staff as needed
 - Prepare Board memorandums to communicate CAC recommendations to the Board of Managers.
- **Act as an ambassador for the RCWD by assisting with education, outreach and communication activities including by not limited to:**
 - **Discussing education, outreach and communication activities at each meeting;**
 - **Representing RCWD at community events;**
 - **Leading cost-share presentations;**
 - **Reviewing grant proposals;**
 - **Drafting and/or updating literature, presentations, etc.**

Expenses Reimbursement:

- The managers may reimburse members of the citizen advisory committee for actual traveling and other necessary expenses incurred in the performance of duties in the amount as provided for state employees (MS 103D.331, Subd. 3)

ITEMS REQUIRING BOARD ACTION

2. Consider W12-01 White Bear Yacht Club Cost-Share Amendment & Update. (Kyle Axtell)

MEMORANDUM

Rice Creek Watershed District

Date: February 21, 2013
To: RCWD Board of Managers
From: Kyle Axtell, Water Resource Specialist
Subject: W12-01 White Bear Yacht Club – Lakeshore Restoration
Water Quality BMP Cost-Share Contract/Project Amendment

BACKGROUND

The RCWD Board of Managers approved a cost-share contract for Phase I of this project on July 25, 2012 for up to \$7,174.42, not to exceed 33% of total eligible project expenses, which were estimated at \$21,687.49. Phase I was to include only rock riprap work along the toe of the slope at the southeastern end of the site, avoiding areas where capital improvements were scheduled to be implemented. Phase II would then finish the riprap work in the central and northern portions of the shoreline and complete the upland buffer plantings.

As construction has occurred at the White Bear Yacht Club this fall and winter associated with the capital improvements, there has been an opportunity presented to alter the scope of work for Phase I of the shoreline restoration. A revised Phase I plan set and cost estimate from the Washington SWCD is attached to this memo which relocates the Phase I work to the central (most severe erosion) area of the shoreline, where the old boat house used to be. The revised cost estimate for this work is \$33,572.31, including a 10% contingency. RCWD staff views one component of the project (boulder retaining wall) as an aesthetic improvement and not eligible for cost-share. The RCWD-revised total eligible cost (with 10% contingency) for Phase I is then reduced to \$26,807.31.

This plan presents several improvements over the previously approved plan set:

1. Phase I now includes full restoration of the proposed area, including upland buffer plantings.
2. This Phase can be completed as a standalone project, not requiring the implementation of a future Phase to be fully successful.
3. The revised work area is the more severe area of erosion on the property.

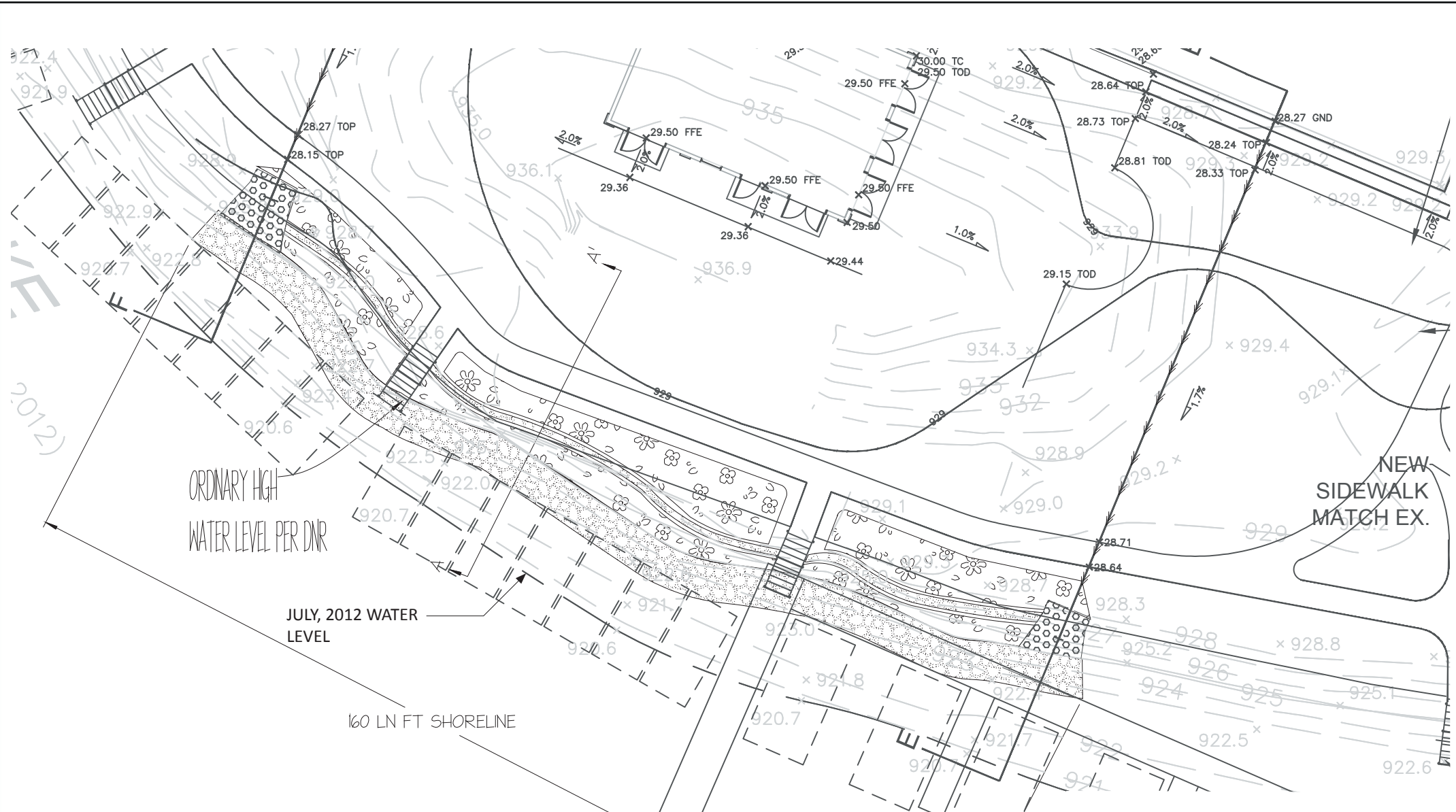
It is expected that a cost-share application for the remaining Phase II of this project may be submitted to the RCWD for review by the CAC and Board during March 2013.


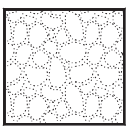

RECOMMENDATION

RCWD Staff recommends that the RCWD Board of Managers approve an amendment to Water Quality BMP Cost-Share Contract W12-01 for the White Bear Yacht Club's lakeshore restoration project by incorporating the revised plan set dated 02-19-2013 and by increasing the maximum cost-share amount to \$8,935.77, not to exceed 33% of total eligible project costs.

Proposed motion:

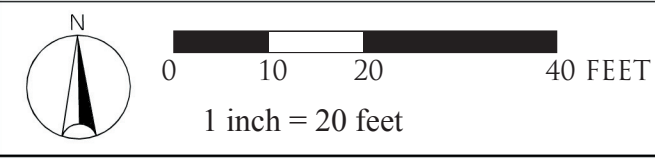
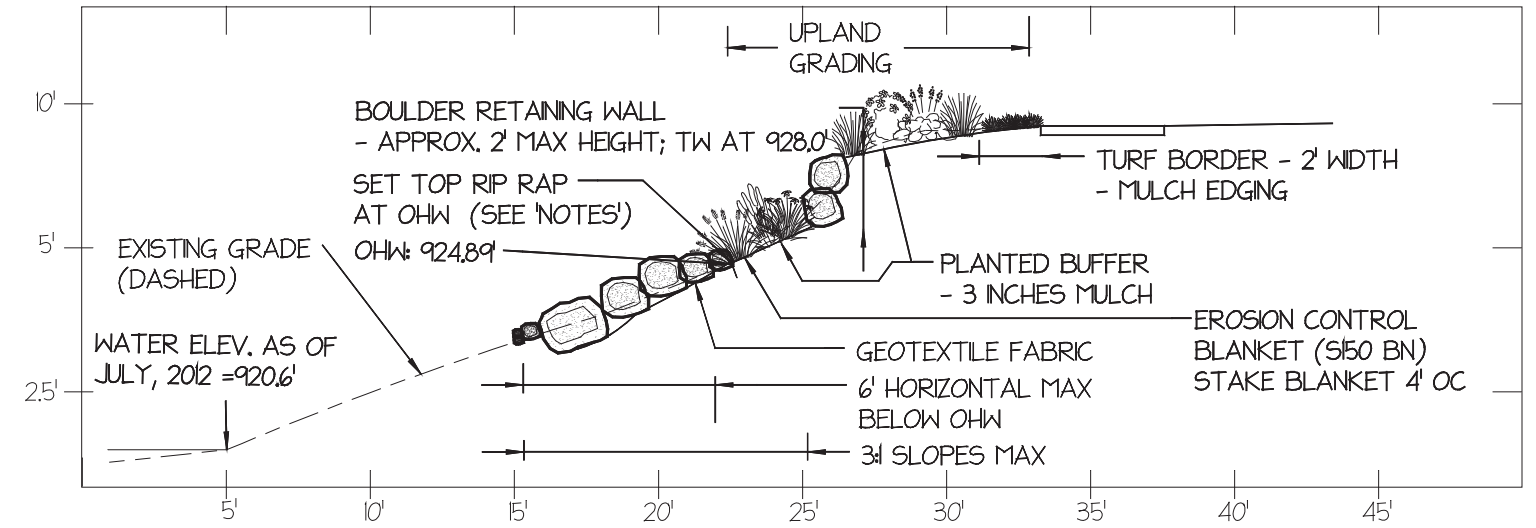
Manager _____ moves to amend RCWD Water Quality BMP Cost-Share Contract W12-01 for the White Bear Yacht Club's lakeshore restoration project, incorporating the revised plan set dated 02-19-2013 and increasing the maximum cost-share amount to \$8,935.77, not to exceed 33% of eligible project expenses, in accordance with established program guidelines.



-  UPLAND PLANTINGS: MIXED PERENNIAL GRASSES AND FORBS (PLUG TO GALLON POTS) - SEE BID SHEET FOR PLANT QUANTITIES AND SIZES
-  SHORELINE RIP-RAP (MIXTURE OF SALVAGED AND IMPORTED ROCK)
-  BOULDER RETAINING WALL

- NOTES:
1. HAVE UTILITIES MARKED BEFORE BEGINNING WORK
 2. WALKWAY AND DRAINAGE ALIGNMENTS ARE PROPOSED
 3. RIP RAP: TRENCH IN 36" DIA (AVG.) BOULDERS - 1/2 TO 2/3 DEPTH AT TOE OF SLOPE; TIGHTLY SET; GRADATE DIA. UPSLOPE 6" MIN - 24" MAX; SALVAGE EXISTING RIP RAP APPROPRIATE FOR REUSE
 4. EXISTING RIPRAP DIAMETER PERCENTAGES (APPROXIMATE): 2" - 6", 30 6" - 12", 40 12" - 18", 15 18" - 36", 15
- BASEMAP CONDITIONS FROM PARTNER AND SIRNY ARCHITECTS
- VIA ZEMAN CONSTRUCTION - 2.2013

Shoreline Section - A to A' : PROPOSED CONDITIONS



PREPARED BY
AJS

WASHINGTON
CONSERVATION DISTRICT



PROJECT NAME
White Bear Yacht Club
56 Dellwood Avenue
Dellwood, MN 55110

DRAWING
Phase 1 Shoreline Stabilization -
- PROPOSED CONDITIONS -

WCD PROJECT ID	1
DATE	2 - 19 - 13

Rice Creek Watershed District BMP Program

Cost Estimate - Shoreline Restoration Project - PHASE 1

Landowner: White Bear Yacht Club
Project Address: 56 Dellwood Ave, Dellwood, MN 55110
Mailing Address: PO Box 10696, White Bear Lake, MN 55110
Property ID (Geocode): 1803021120010
Date: 2.19.2013

Work or Material	Detail Description	Qty	Unit	Unit Cost		Amount
Mobilization & deliveries		1	JOB	\$	2,000.00	\$ 2,000.00
Site prep (stockpiling of existing rip rap to salvage, regrading)		2500	SF	\$	4.00	\$ 10,000.00
Woven Geotextile Fabric (underneath boulders and behind retaining wall) w/staples	Geotex 801 or equiv.	140	SY	\$	6.00	\$ 840.00
Erosion control blanket w/staples	Straw, Bionet 150	80	SY	\$	4.00	\$ 320.00
Enhanced rock toe (<i>reusing existing boulders on shoreline, supplementing with 36" diameter boulders - rip rap toe - and 12"- 24" diameter boulders as needed</i>)		980	SF	\$	10.00	\$ 9,800.00
Retaining Wall - Boulder - 12" to 18" diameter	face sq ft	246	SF	\$	25.00	\$ 6,150.00
Mulch - double shredded hardwood	3" depth	10.5	CY	\$	30.00	\$ 315.28
Plants - plugs at 18" spacing O.C., grasses and forbs	570 sqft (1/2 total planted area)	240	per	\$	3.00	\$ 720.00
Plants - 1 gallon pots at 24" spacing O.C., grasses and forbs	570 sqft (1/2 total planted area)	125	per	\$	15.00	\$ 1,875.00
Repair damaged turf areas after project completion		1	JOB	\$	500.00	\$ 500.00
				SUBTOTAL	\$	30,520.28
				10% Contingency	\$	3,052.03
				TOTAL PROJECT COST ESTIMATE	\$	33,572.31

Cost for retaining wall is not considered an eligible expense by RCWD staff. Total eligible cost is reduced to \$26,807.31.

RICE CREEK WATERSHED DISTRICT WATER QUALITY BMP COST-SHARE ASSISTANCE APPLICATION AND CONTRACT

GENERAL INFORMATION

Contract Number W12-01	Individual / Group Group	Other Cost-Share Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Amendment <input checked="" type="checkbox"/> Cancelled <input type="checkbox"/> Date: 02-27-2013 Date:
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APPLICANT INFORMATION

Applicant WHITE BEAR YACHT CLUB (WBYC)	Phone 651-429-4567	Email JHHOOLEY@MSN.COM	
Mailing Address P.O. Box 10696	City White Bear Lake	State MN	Zip 55110

CONSERVATION PRACTICE / PROJECT LOCATION

Physical Address 56 DELLWOOD AVENUE			Municipality WHITE BEAR LAKE		
County WASHINGTON	Township 030	Range 021	Section 18	¼, ¼ SW, NE	Parcel ID 1803021120010
Nearest lake, stream or wetland that the proposed practice drains to WHITE BEAR LAKE				Approximate distance to nearest waterbody 0' (ADJACENT TO SHORELINE)	

PROJECT INFORMATION

<p>Project Description (Attach additional sheets if necessary)</p> <p>See attached Washington SWCD plan sheet dated 02-19-2013.</p>

CONTRACT INFORMATION

I (we), the undersigned, do hereby request cost-share assistance from the Rice Creek Watershed District (RCWD) to help defray the cost of installing the following practice(s) listed in this contract. This Cost-Share Contract is for support of water resource protection and education efforts between the RCWD, a public body with powers set forth at Minnesota Statutes 103B and 103D, and White Bear Yacht Club (Owner). It is understood that:

1. The Owner is responsible for the operation and maintenance of practices applied under this program to ensure that the conservation objective of the practice is met and the effective life, a minimum of 10 years, is achieved. Should the Owner fail to maintain the practice during its effective life, the Owner is liable to the RCWD for the amount up to 100% of the amount of financial assistance received to install and establish the practice. The Owner is not liable for cost-share assistance received if the failure was caused by reasons beyond the Owner's control, or if conservation practices are applied at the Owner's expense that provide equivalent protection of the soil and water resources.

In no case shall the RCWD provide cost-share assistance to an Owner for the reapplication of a practice that was removed by the Owner during its effective life without consent of the RCWD or that failed due to improper maintenance. The specific operation and maintenance requirements for the conservation practice listed are described in the operation and maintenance plan prepared for this contract by the RCWD's technical representative, and is attached and incorporated to this contract. If title to this land is transferred to another party before expiration of the aforementioned life, it shall be the responsibility of the Owner who signed this contract to advise the RCWD before the sale or transfer of property containing the conservation practice.

2. Best management practices must be planned and installed in accordance with the technical standards and specifications of the Washington Conservation District.

3. This contract, upon approval by the RCWD board, will remain in effect unless canceled by mutual agreement except where installations of practices covered by this contract have not been started by 04-15-2013 (dd/mm/yy) this contract will be automatically terminated on that date.

4. Practices will be installed by 10-31-2013 (dd/mm/yy) unless this contract is amended by mutual consent to reschedule the work and funding.

5. Items of cost for which reimbursement is claimed on the Voucher and Practice Certification Summary Form are to be supported by invoices/receipts for payments and will be verified by the RCWD board as practical and reasonable. The RCWD board has the authority to make adjustments to the costs submitted for reimbursement. Reimbursement will be made only upon execution of a RCWD-approved Operation and Maintenance Agreement.

6. Owner will permit the RCWD at its cost and discretion, to place reasonable signage on Owners property informing the public about the BMP and the RCWD Cost-Share Program. Owner will cooperate with the RCWD in permitting members of the public to periodically enter the property to view the BMP in the company of a RCWD representative. This paragraph does not create any right of public entry onto Owners property except as coordinated with Owner and accompanied by a RCWD representative.

7. Owner is responsible for complying with all permits and/or other legal requirements applicable to the work. In performing the work that is subject to this contract, Owner will ensure that no person is excluded from full employment rights or participation in or benefits of any program, service, or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public assistance status, or national origin, and that no person protected by applicable federal or state laws, rules, or regulations against discrimination is subject to discrimination.

APPLICANT SIGNATURES

The Owner's signature indicates their agreement to:

1. Grant the RCWD and its representative(s) access to the parcel where the conservation practice will be located and authority to perform monitoring and/or sampling of the practice.
2. Obtain all permits and approvals required in conjunction with the installation and establishment of the practice prior to starting construction of the practice.
3. Be responsible for the operation and maintenance of conservation practices applied under this program in accordance with an operation and maintenance plan prepared by the RCWD technical representative.

Landowner / Legal Representative		Date	
Mailing Address P.O. Box 10696	City White Bear Lake	State MN	Zip 55110

CONSERVATION PRACTICE

Eligible recognized practice(s) Shoreline Restoration, Riprap & Buffer	Other practice(s)	Total Cost Estimate \$26,807.31
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TECHNICAL ASSESSMENT AND COST ESTIMATE

I have reviewed the site where the above listed conservation practice(s) are to be installed and find that they are needed and that the estimated quantities and costs are practical and reasonable.

Conservation District Technical Representative	Date
--	------

AMOUNT AUTHORIZED FOR COST-SHARE (ENCUMBRANCE)

Cost-sharing is not to exceed \$8,935.77 or 33 percent of the total eligible cost, whichever is less.

Rice Creek Watershed District Board President	Board Meeting Date
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ITEMS REQUIRING BOARD ACTION

3. Consider Minnesota Department of Transportation (MNDOT) Resolution - Waiving Requirement to Convey Drainage and Flowage Easements On MNDOT Right Of Way. (Phil Belfiori)

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers **Date:** February 21, 2013
From: Phil Belfiori
Subject: MNDOT permitting for work relating to right of way; restrictions on drainage system maintenance

Background / Discussion

As a follow-up to the consensus discussion at the February 11, 2013 Board workshop meeting, please find attached for Board consideration Resolution 2013-03 regarding waiving requirement to convey drainage and flowage easements on MNDOT right of way.

Please also find attached a legal opinion from the District's Drainage Counsel identifying that the District does have a right to maintain drainage systems as related to this matter, see except from the Rinke Noonan memo below:

Public policy favors public collaboration in the use of public rights of way. There is nothing in Minnesota case law or statutory law that would suggest that MNDOT has been granted authority to regulate roads and highways in a way that would interfere with the obligation of drainage authorities to meet their statutory responsibility to maintain the hydraulic capacity for established drainage systems. On the contrary, Minnesota Statutes fully protect the right of public drainage authorities to maintain drainage systems, and it is quite clear that public roads must accommodate and facilitate that drainage.

Where the drainage authority intends to locate equipment on the highway because use of the highway to conduct maintenance is necessary, prudence would dictate that the drainage authority submit a permit request, if a trunk highway is involved. In all other circumstances, it makes sense for drainage engineer and highway authorities to maintain the usual collegial collaborative communication.

Given the attached opinion, the proposed resolution waives the requirement that MNDOT convey drainage and flowage easements to the District within MNDOT right of way as a condition of District stormwater management and floodplain protection permits in the future. The resolution also authorizes staff to waive the compliance of permits previously issued to MNDOT and for which the conveyance of such an easement is outstanding.

Recommendation

At this time staff recommends the Board approve resolution 2013-03 Waiving Requirement to Convey Drainage and Flowage Easements on MNDOT Right of Way.

Attachments:

- Resolution 2013-03
- Rinke Noonan memo dated February 6, 2013
- Letter from MNDOT dated February 6, 2013

RESOLUTION 2012-03

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**WAIVING REQUIREMENT to CONVEY DRAINAGE and FLOWAGE EASEMENTS
on MnDOT RIGHT of WAY**

Manager _____ offered the following resolution and moved its adoption, seconded by
Manager _____:

WHEREAS the Stormwater Management and Floodplain Alteration rules of the Rice Creek Watershed District (District), adopted pursuant to Minnesota Statutes §103D.341, require a permit applicant, as a condition of approval, to convey to the District a drainage and flowage easement on a public drainage system located on the property subject to the permit;

WHEREAS the purpose of this rule requirement is to make of record secondary easements acquired for the inspection and maintenance of the drainage system in the proceedings establishing or subsequently improving the drainage system. The District believed the rule would foster the District's ability to perform maintenance on public ditch systems and otherwise fulfill its responsibilities as drainage authority under Minnesota Statutes chapter 103E;

WHEREAS the Minnesota Department of Transportation (MnDOT) periodically must obtain a District permit when it performs work on MnDOT right-of-way within District boundaries; and MnDOT has represented to the District that its policy does not permit the granting of easements within its right of way. However, state law indicates that the MnDOT right-of-way is subject to both the drainage system and the drainage authority's obligations to maintain the drainage system;

WHEREAS MnDOT also represents that it cooperates with public agencies to ensure that both parties can fulfill their public responsibilities without impeding the other, and the District's experience with MnDOT is consistent with that;

WHEREAS it is further in MnDOT's interest to facilitate the District's access for maintenance within MnDOT right of way;

WHEREAS a malfunctioning drainage system can cause injury not only to private property but also to highway infrastructure;

WHEREAS Minnesota Statutes 103E.521, subd. 2 states, "[b]ridges and culverts on public roads required by the construction or improvement of a drainage project or system must be constructed and maintained by the road authority responsible for keeping the road in repair";

WHEREAS it is in both MnDOT's and the District's interest to facilitate the District's performance of routine maintenance of public drainage systems, include those portions of systems crossing MnDOT right-of-way; and

WHEREAS these unique circumstances support a policy of coordinating with MnDOT on public drainage system access for maintenance and related purposes, in place of requiring that MnDOT convey drainage and flowage easements;

THEREFORE BE IT RESOLVED that the District Administrator hereafter will forbear from requiring that MnDOT convey drainage and flowage easements to the District within MnDOT right of way as a condition of District stormwater management and floodplain protection permits; and

BE IT FURTHER RESOLVED that with respect to any permit previously issued to MnDOT and for which the conveyance of such an easement is outstanding, the District Administrator may waive compliance with that condition and shall document that waiver in the District's permit file.

The question was on the adoption of the Resolution and there were __ yeas and __ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
WALLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAAKE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OGATA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WAGAMON	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PREINER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the Chair declared the Resolution _____..

Dated: February 27, 2013

Harley Ogata, Secretary

* * * * *

I, Harley Ogata, Secretary of the Rice Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcript thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27th day of February, 2013.

Harley Ogata, Secretary



RINKE NOONAN
attorneys at law

1015 W. St. Germain St., Ste. 300, P.O. Box 1497
St. Cloud, Minnesota 56302-1497
Direct Dial 320-656-3508
Telephone 320-251-6700, Fax 320-656-3500
Email: jkolb@rinkenoonan.com

Office Memorandum

To: Rice Creek Watershed District Board of Managers
From: John C. Kolb
Re: MNDOT Permitting for work relating to right of way; restrictions on drainage system maintenance
Our File: 16266-0002
Date: February 6, 2013

On November 12, 2012, staff and President Preiner met with MNDOT Metro District staff and legal counsel to discuss issues related to District permitting of MNDOT projects and MNDOT permitting of certain drainage system maintenance activities within MNDOT right-of way. MNDOT legal counsel raised several issues related to its opinion on the status of public drainage systems crossing MNDOT right-of-way which were inconsistent with state law and administrative rule. The purpose of its opinion was to bolster MNDOT's insistence that it (1) has limited obligation to recognize the drainage systems and maintain or allow maintenance of crossings; and (2) to challenge the Drainage Authority assertion that it possesses, for the benefit of benefitted properties, easements and rights of entry for the existence and maintenance of the drainage systems.

The Board asked for our opinion of MNDOT's position and for our opinion of the status of public drainage systems in relating to state and other highways and roads. In this memorandum we address the Drainage Authority's and MNDOT's obligations relative to public drainage systems and roadways.¹

Public policy favors public collaboration in the use of public rights of way. There is nothing in Minnesota case law or statutory law that would suggest that MNDOT has been granted authority to regulate roads and highways in a way that would interfere with the obligation of drainage authorities to meet their statutory responsibility to maintain the hydraulic capacity for established drainage systems. On the contrary, Minnesota Statutes fully protect the right of

¹ The analysis contained herein applies equally to county, city or township road authorities.

public drainage authorities to maintain drainage systems, and it is quite clear that public roads must accommodate and facilitate that drainage.

The drainage code establishes the following principles governing public roads of all kinds:

- A drainage authority has the right to assess benefits of drainage system to road and bridge authorities.² The rationale for this statutory principle is quite straightforward. The bed for a road or highway cuts off the natural flow of water in a way that would interfere with the riparian-like rights of upstream and downstream landowners and would impermissibly interfere with existing watercourses. The work that must be done to move water from one side of the highway (with bridges or culverts), to the other is an expense of the road system.
- The detailed survey report prepared for the system governs the hydraulic capacity of any bridge or culvert underlying the road or highway that crosses the system, unless approval is obtained from the Director of Division of Waters to deviate from that established capacity.³ This statutory principle rebuts any suggestion that MNDOT or other road authorities possess any regulatory authority that would interfere with the performance of drainage functions. See also Town of Lisbon v. Counties of Yellow Medicine and Lac Qui Parle, 172 N.W. 125 (Minn. 1919) (The report of the engineer as to the size and character of bridges in a drainage proceeding, when affirmed by the order establishing the ditch, is conclusive); In re Judicial Ditch No. 24 Renville, Sibley and Mcleod Counties, 200 N.W. 816 (Minn. 1924); Slosser v. Great Northern Railway Company, 16 N.W.2d 47 (Minn. 1944) (The legislature has given to the order establishing a public ditch all of the final and binding force of a judgment in rem... the plans and specifications of the engineer, in respect to the installation of culverts with gates, "where specified" by him, became a part of the final order establishing the ditch).
- Bridges and culverts on public roads required by the construction or improvement of a drainage project or system must be constructed and maintained by the road authority responsible for keeping the road in repair. § 103E.525 Subd. 2.

² 103E.315 Subd. 3. Public roads. If a public road or street is benefited or damaged, the state, county, or political subdivision that is the governmental unit with the legal duty of maintaining the road or street, must be assessed benefits or damages to the road or street, except that benefits and damages for bridges and culverts must be assessed to the governmental unit that has the legal duty to construct and maintain the bridge or culvert under section 103E.525.

³ 103E.525 Subdivision 1. Hydraulic capacity. A public or private bridge or culvert may not be constructed or maintained across or in a drainage system with less hydraulic capacity than specified in the detailed survey report, except with the written approval of the director of the division of waters. If the detailed survey report does not specify the hydraulic capacity, a public or private bridge or culvert in or across a drainage system ditch may not be constructed without the director's approval of the hydraulic capacity.

- Roads and Bridges that obstruct the drainage system are subject to the Drainage Authority's power to order removal or other remedial relief. § 103E.075.
- As we have stated in other memoranda for the Watershed District, Minnesota law recognizes the secondary easement principle that along with the drainage system comes an easement sufficient to maintain. Establishment of a drainage system confers a property right in the drainage authority, and that property right includes the right to maintain the system.

Minnesota Chapters 160, 161 and 162 contain a number of provisions which touch on the relationship between road authorities and drainage authorities. None of them indicate that the legislature intended to detract from the drainage authority's statutory responsibility to maintain the flow of water across roadway barriers.

In this next section of the memorandum, we discuss each of these provisions.

Since before the turn of the century, Minnesota Courts have been committed to the view that the use of rights of way by utilities for locating their facilities is one of the proper and primary uses for which highways and roads are designed, even though their principal use is for surface travel and transportation of persons and property. Minneapolis Gas Company v. Zimmerman, 253 Minn. 164, 91 N.W.2d 642 (1958); Cater v. Northwestern Telephone Exchange Company, 60 Minn. 539, 63 N.W. 111 (1895) (public easement in a highway is not limited to travel or transportation of persons or property in movable vehicles). Minnesota, by judicial decision, regards public roads as available to pipelines, sewers, transmission lines and other utilities. Opinion Attorney General 387-g, December 31, 1980. See also In the recent case, People for Environmental Enlightenment and Responsibility (PEER), Inc. v. Minnesota Environmental Quality Council and NSP, 266 N.W.2d 858 (1978) (Minnesota is committed to the principle of "maximum utilization of existing and proposed rights of way.")

Section 161.045 (Utility on Right of Way). Section 161.045⁴ states that certain utilities, including ditches, "which, under the laws of this state or the ordinance of any city, may be constructed, placed, or maintained across or along any trunk highway or the roadway thereof, by any person, persons, corporation, or any subdivision of the state, may be so maintained or hereafter constructed only in accordance with such rules as may be prescribed by the commissioner."

⁴ Electric transmission, telephone, or telegraph lines; pole lines; community antenna television lines; railways; ditches; sewers; water, heat, or gas mains; gas and other pipelines; flumes; or other structures which, under the laws of this state or the ordinance of any city, may be constructed, placed, or maintained across or along any trunk highway, or the roadway thereof, by any person, persons, corporation, or any subdivision of the state, may be so maintained or hereafter constructed only in accordance with such rules as may be prescribed by the commissioner who shall have power to prescribe and enforce reasonable rules with reference to the placing and maintaining along, across, or in any such trunk highway of any of the utilities hereinbefore set forth. Nothing herein shall restrict the actions of public authorities in extraordinary emergencies nor restrict the power and authority of the commissioner of commerce as provided for in other provisions of law. Provided, however, that in the event any local subdivision of government has enacted ordinances relating to the method of installation or requiring underground installation of such community antenna television lines, the permit granted by the commissioner of transportation shall require compliance with such local ordinance.

This statute presents two questions: (1) is it intended to apply at all to public drainage systems, (2) if it does apply to public drainage systems, then what is the limit of the Commissioner's authority? Let us begin by making clear that this statute's reach is limited entirely to designated trunk highways. The implementing regulations governing utilities expressly states that the scope of those regulations is limited to trunk highways.

It is our opinion that section 161.045 is not intended to reach public drainage systems. There are a variety of indications that this is the case. First, section 161.045 applies to ditches that are "maintained across or along any trunk highway, or the roadway thereof, by any person, persons, corporation, or any subdivision of the state..." Public drainage systems are not maintained across or along trunk highways. If they are carried from one side of the highway to the other through a culvert, then they are located under, not across, the highway, in their own easement, established under terms established by Chapter 103E. If the highway accommodates the drainage system with a bridge-crossing, the establishment of that bridge is governed by specific provisions of section 103E.075, provisions which are not really consistent with the regulatory authority purportedly conferred by section 161.045, and the highway right of way is running across the waterway, not the reverse. Moreover, it is crystal clear that MNDOT has no authority to limit the hydraulic capacity of a drainage system that carries water from one side of a trunk highway to the other, without the permission of the Director of Division of Waters, and proceedings under the drainage code that do not defer to MNDOT's regulatory authority.

Our view that section 161.045 does not apply to public drainage systems is reinforced by the provisions of section 161.28 which requires MNDOT to seek permission from the drainage authority to make minor alterations in a drainage system⁵. If the legislature believed that section 161.045 applied to drainage authorities and public drainage systems, section 161.28 would have been completely unnecessary. The two statutes are completely inconsistent with each other in terms of the authority granted and the procedures contemplated.

In addition, the regulations promulgated in connection with section 161.045 contain the following provisions which do not seek to impact public drainage systems:

- ❖ Except as otherwise permitted, utility construction and relocation on trunk highway right-of-way shall not be commenced until an application for a permit for construction has been made and such permit granted. Reg § 8810.3300 subpart 1. The procedure for construction of a drainage system across a highway is governed by and permitted by the drainage code.

⁵ Upon the filing of a petition by the commissioner with the appropriate county auditor setting forth that it would be advantageous or desirable in the construction or maintenance of a trunk highway to make a minor alteration or change in a public drainage system directly affecting a trunk highway and that the alteration or change will not affect the functioning or efficiency of the public drainage system, the auditor shall fix a time and place for hearing and give notice of the hearing by publication, as defined in section 103E.325. Upon the filing of the petition, the commissioner shall also file a plan showing in detail the alteration or change petitioned for. If upon the hearing it appears to the county board or joint county ditch authority that the alteration or change in the public drainage system will not affect or impair the efficiency of the drainage system, the board or authority shall make its order allowing the commissioner to make the alteration or change petitioned for.

- ❖ Subdivision 2 of that section states that “The utility shall obtain a work permit from the office of the assistant district engineer, maintenance, prior to performing service and maintenance operations on the interstate highways and shall also obtain a work permit prior to performing service and maintenance operations on the non-interstate highways when such operations require opening and disturbing the surface of the right-of-way thereof. Work conducted on drainage systems is conducted on the drainage system maintenance easement, not on the surface of the highway.
- ❖ Subdivision 2 continues: “In all other instances the utility shall notify the office of the assistant district engineer, maintenance, prior to performing service and maintenance operations on the non-interstate highways which interfere with the normal flow of traffic thereon.”
- ❖ Subdivision 3 gives the Commissioner of Transportation authority to make changes in the configuration of the “utility.” This provision clearly contravenes the provisions of Chapter 103E cited above.

In practical terms, there should be no reason for conflict between the drainage code and section 161.045. New construction will be ordered under the appropriate establishment procedure. If MNDOT has a problem with the proposed construction, it would make its concerns known during the drainage establishment proceedings themselves. Normally, maintenance work on the drainage system will occur within the easement for maintenance which belongs to the drainage system. If there is a special need to locate maintenance equipment on the travelled portion of the highway, common sense dictates that such work would fall within the regulatory sphere of MNDOT and require a permit, because work is impacting the flow of traffic.

We have reviewed in addition the provisions of Chapters 160 and 162. The provisions regarding drainage in those chapters seem clearly to involve road ditches or the process to connect upstream and downstream private drainage systems. See Minn. Stat. § 160.20.

Dealing with MNDOT’s Permitting Process/Requirement. In most cases where a drainage authority is engaged in repair or construction work, there will be no occasion for disputes with MNDOT over permitting power. Where the drainage authority intends to locate equipment on the highway because use of the highway to conduct maintenance is necessary, prudence would dictate that the drainage authority submit a permit request, if a trunk highway is involved. In all other circumstances, it makes sense for drainage engineer and highway authorities to maintain the usual collegial collaborative communication.



Minnesota Department of Transportation

Metropolitan District

Waters Edge
1500 West County Road B-2
Roseville, MN 55113-3174

February 6, 2013

Mr. Phil Belfiori
Rice Creek Watershed District
4325 Pheasant Ridge Drive NE #611
Blaine, MN 55449-4539

RECEIVED
FEB 8 - 2013
Rice Creek
Watershed District

RE: Shared Responsibilities

Dear Mr. Belfiori,

This letter summarizes the recent discussions between the staff of the Rice Creek Watershed District (RCWD) and the Minnesota Department of Transportation (MnDOT) regarding our shared responsibilities in locations where the drainage responsibilities of RCWD and the trunk highway responsibilities of MnDOT overlap.

Based on the information your engineer provided regarding the location of the RCWD public drainage systems, we have identified 71 locations where RCWD's public ditches traverse MnDOT's highway right-of-way on I-35E, I-35W, TH 244, TH 36, TH 51, US 10, and US 61 in the form of bridges, culverts, pipes, and ditches.

MnDOT acknowledges that RCWD has rights and responsibilities under applicable laws, including Minnesota Statutes chapters 103D and 103E, regarding the construction and maintenance of public drainage facilities. Similarly, MnDOT has rights and responsibilities under applicable laws, including Minnesota Statutes chapters 160, 161, and 165, regarding the construction, maintenance, and improvement of the trunk highway system. RCWD and MnDOT have a mutual interest in ensuring the RCWD public drainage systems receive appropriate maintenance and protect against stormwater damage to the trunk highway facilities.

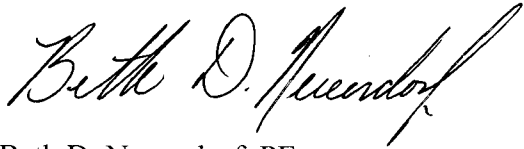
In our recent meeting, we discussed how MnDOT uses its Short Form Permit to facilitate work by other parties on trunk highway right-of-way. A work permit from MnDOT is necessary so that we can coordinate activities and arrange any necessary traffic control to assure the safety of both the maintenance workers and the traveling public. We understand that RCWD will use the MnDOT Short Form Permit for drainage maintenance work that needs to occur on MnDOT right-of-way. MnDOT, acting in good faith, anticipates taking action on these short form permits within two weeks. In situations where RCWD has emergency requests, please call our

Permits Office to alert MnDOT of the desire for an expedited review. As we discussed, open and frequent communication is key to coordinating our mutual responsibilities.

Please update us on the status of the resolution to waive the requirement to convey drainage and flowage easements to the RCWD on MnDOT right-of-way and on the status of the CN number review.

If you have any questions, please contact me at 651-234-7520.

Sincerely,

A handwritten signature in cursive script that reads "Beth D. Neuendorf". The signature is written in black ink and is positioned above the typed name.

Beth D. Neuendorf, PE
MnDOT Metro District Water Resources Engineer

cc Dave Seykora, MnDOT Office of Chief Counsel
Laura Nehl-Trueman, MnDOT Office of Chief Counsel
Buck Craig, MnDOT Permits Office
File

ITEMS REQUIRING BOARD ACTION

4. Consider Check Register dated 2/27/2013, in the amount of \$247,366.39 prepared by HLB Tautges Redpath.

Rice Creek Watershed District
Check Register
February 14, 2013 - February 27, 2013
Approved at the February 27, 2013 Board Meeting

Check #	Date	Payee	Description	Amount	
18725	02/07/13	Brian Fischer	Telecommunications	\$75.98	Issued 2/07/13
18726	02/11/13	MN Board of Water & Soil Resources	Wetland Banking Application	1,000.00	Issued 2/11/13
18727	02/11/13	Postmaster	Postage-ACD 10-22-32	310.01	Issued 2/11/13
18772	02/27/13	Assurant Employee Benefits	Employee Benefits	536.02	
18773	02/27/13	Kyle Axtell	Employee Reimbursement	97.72	
18774	02/27/13	Philip Belfiori	Employee Reimbursement	494.79	
18775	02/27/13	Blue Water Science	Plant Survey-2012	12,780.00	
18776	02/27/13	Jessica Bromelkamp	Employee Reimbursement	872.19	
18777	02/27/13	City of Shoreview	Training & Education	100.00	
18778	02/27/13	Comfy Chair Consulting, Inc.	Contracted Services	440.00	
18779	02/27/13	County of Anoka-Property Records	Professional Services	2,117.00	
18780	02/27/13	Tara R. Daun	Employee Reimbursement	4.52	
18781	02/27/13	Delta Dental	Employee Benefits	770.60	
18782	02/27/13	Dynamex	Postage	28.77	
18783	02/27/13	Emmons & Olivier Resources, Inc.	January Engineering Expense	32.75	
18784	02/27/13	HealthPartners	Employee Benefits	5,259.60	
18785	02/27/13	HLB Tautges Redpath, Ltd	January, 2013 Accounting	4,714.60	
18786	02/27/13	Holiday Credit	Vehicle Expense	240.04	
18787	02/27/13	Elizabeth M. Hosch	Employee Reimbursement	14.04	
18788	02/27/13	Houston Engineering, Inc.	January, 2013 Engineering	65,440.43	
18789	02/27/13	Integra Telecom, Inc.	Telecommunications	99.96	
18790	02/27/13	Integra Telecom, Inc.	Telecommunications	518.42	
18791	02/27/13	Matthew J. Kocian	Employee Reimbursement	393.78	
18792	02/27/13	Jordan M. Kudrna	Employee Reimbursement	54.64	
18793	02/27/13	Lawn Chair Gardener	Contracted Services-Blue Thumb Workshop	300.00	
18794	02/27/13	Living Waters Tree Service	Contracted Services	374.94	
18795	02/27/13	MN Association of Watershed Districts	2013 Dues	3,500.00	
18796	02/27/13	MEPT Blaine, LLC	March Rent	4,984.49	
18797	02/27/13	Metro Blooms	Contracted Services-Blue Thumb Workshop	300.00	
18798	02/27/13	Jenn Morrow	Meeting Supplies	17.17	
18799	02/27/13	Northwestern College	Construction-BMP Costshare (re-issue)	38,816.08	
18800	02/27/13	Premium Waters, Inc.	Meeting Supplies/Expense	62.10	
18801	02/27/13	Patricia Preiner	Manager Per Diem/Expense	568.13	
18802	02/27/13	Rinke Noonan	January, 2013 Legal Fees	15,818.00	
18803	02/27/13	Thomas E. Schmidt	Employee Reimbursement	30.51	
18804	02/27/13	Smith Partners	January, 2013 Legal Fees	13,319.08	
18805	02/27/13	Solbrekk, Inc.	Computer Software/Professional Services	1,155.36	
18806	02/27/13	Theresa Stasica	Employee Reimbursement	137.12	
18807	02/27/13	Staples Advantage	Office Supplies	94.84	
18808	02/27/13	Timesavers, Inc.	Professional Services	289.95	
18809	02/27/13	Nicholas A. Tomczik	Employee Reimbursement	217.21	
18810	02/27/13	United Parcel Service	Postage Expense	71.05	
18811	02/27/13	U.S. Bancorp Equipment Finance, Inc.	Equipment Lease	362.09	
18812	02/27/13	Verizon Wireless	Cell Phone Expense	587.86	
18813	02/27/13	VLAMO	Meeting Supplies	15.09	
18814	02/27/13	Steve Wagamon	Manager Per Diem/Expense	312.08	
18815	02/27/13	WSB & Associates, Inc.	January Engineering Expense	12,357.25	

Rice Creek Watershed District
Check Register
February 14, 2013 - February 27, 2013
Approved at the February 27, 2013 Board Meeting

Check #	Date	Payee	Description	Amount
10682	02/27/13	Guidant	Surety Release - #02-040 (re-issue)	15,000.00
10683	02/27/13	Harstad Companies	Surety Release - #05-010	500.00
10684	02/27/13	Louisa Builders, LLC	Surety Release - #05-010	12,000.00
Dir.Dep.	02/28/13	Kyle J. Axtell	02/28 Payroll	1,478.80
Dir.Dep.	02/28/13	Philip J. Belfiori	02/28 Payroll	2,572.47
Dir.Dep.	02/28/13	Jessica R. Bromelkamp	02/28 Payroll	1,522.36
Dir.Dep.	02/28/13	Christopher R. Buntjer	02/28 Payroll	1,859.75
Dir.Dep.	02/28/13	Tara R. Daun	02/28 Payroll	464.14
Dir.Dep.	02/28/13	Matthew J. Kocian	02/28 Payroll	1,576.70
Dir.Dep.	02/28/13	Jordan M. Kudrna	02/28 Payroll	1,064.03
Dir.Dep.	02/28/13	Elizabeth M. Hosch	02/28 Payroll	1,515.11
Dir.Dep.	02/28/13	Thomas E. Schmidt	02/28 Payroll	1,919.68
Dir.Dep.	02/28/13	Theresa M. Stasica	02/28 Payroll	1,684.44
Dir.Dep.	02/28/13	Nicholas A. Tomczik	02/28 Payroll	2,174.59
EFT	02/27/13	Card Services - Anchor Bank	February, 2013 Credit Card	753.97
EFT	02/27/13	Internal Revenue Service	02/27 Federal Withholding	114.75
EFT	02/28/13	Internal Revenue Service	02/28 Federal Withholding	5,827.53
EFT	02/28/13	Minnesota Dept. of Revenue	02/28 State Withholding	963.29
EFT	02/28/13	ING Retirement Services	02/28 Deferred Compensation	260.00
EFT	02/28/13	ING Retirement Services	02/28 Health Care Savings Plan	558.36
EFT	02/28/13	PERA	02/28 PERA	3,470.16
Total				<u><u>\$247,366.39</u></u>

Rice Creek Watershed District Budget Status Report
Administrative & Program Budget
Fiscal Year 2013
02/28/13

Combined General & Administrative	Budget Item	Account Number	Original Budget	Budget Adjustment	Current Month Expenses	Year-to-Date Expenses	Current Budget Balance	Percent of Budget
Manager	Per diems	4000	\$15,000.00	-	\$750.00	\$975.00	\$14,025.00	6.50%
	Manager expenses	4010	4,500.00	-	187.58	216.96	4,283.04	4.82%
Committees	Committee/Bd Mtg. Exp.	4800	-	-	-	-	-	-
Employees	Staff salary/taxes/benefits	4100-4140	140,605.00	-	11,448.40	22,434.62	118,170.38	15.96%
	District training & education	4265	1,890.00	-	100.00	100.00	1,790.00	5.29%
	Employee expenses	4320-4321	1,761.00	-	185.33	279.69	1,481.31	15.88%
Administration/ Office	Office/Meeting/Software	4200-4205	2,930.00	-	87.67	87.67	2,842.33	2.99%
	Printing	4208	594.00	-	-	-	594.00	0.00%
	Rent/Office	4210	17,851.00	-	1,115.53	2,290.66	15,560.34	12.83%
	Telecommunications	4240	3,129.00	-	237.84	475.03	2,653.97	15.18%
	Dues	4245	6,000.00	-	3,500.00	3,500.00	2,500.00	58.33%
	Publications	4250	210.00	-	-	-	210.00	0.00%
	Insurance	4270	3,251.00	-	-	-	3,251.00	0.00%
	Postage	4280	1,260.00	-	-	-	1,260.00	0.00%
	Legal Notices	4290	2,000.00	-	-	-	2,000.00	0.00%
	Office Equipment/Lease	4635	1,697.00	-	81.04	162.08	1,534.92	9.55%
	Bank Charges	4910	-	-	-	-	-	0.00%
Sub-Total-Administration:			202,678.00	-	17,693.39	30,521.71	172,156.29	15.06%
Consultants	Auditor/Accounting	4330	52,600.00	-	4,714.60	4,714.60	47,885.40	8.96%
	Legal	4410	25,000.00	-	1,942.87	1,942.87	23,057.13	7.77%
	Consultants/Professional Serv.	4420	16,550.00	-	289.95	419.80	16,130.20	2.54%
	Engineering-General	4500	42,000.00	-	3,250.00	3,250.00	38,750.00	7.74%
Sub-Total-Consultants:			136,150.00	-	10,197.42	10,327.27	125,822.73	7.59%
TOTAL			\$338,828.00	-	27,890.81	40,848.98	\$297,979.02	12.06%

Rice Creek Watershed District Budget Status Report
Administrative & Program Budget
Fiscal Year 2013
02/28/13

Revenue/Expenditures By Project	2013 Budget	2013 Year to date Revenue	2013 Current Month Expense	2013 Year to date Expense	2013 Current Budget Balance	Percent of Budget
10 - General and Administrative	\$338,828.00	\$47,087.32	\$27,890.81	\$40,848.98	\$297,979.02	12.06%
30 - Environmental Education	115,166.00	18,263.14	7,663.39	14,102.78	101,063.22	12.25%
35 - Information Management	107,889.00	15,980.17	6,377.75	9,656.20	98,232.80	8.95%
60 - Restoration Projects	973,929.00	249,785.70	16,702.10	22,227.69	951,701.31	2.28%
70 - Regulatory	762,550.00	110,798.62	49,047.37	73,074.26	689,475.74	9.58%
80 - Ditch & Creek Maintenance	1,125,692.00	168,634.26	66,640.64	105,831.47	1,019,860.53	9.40%
90 - Lake & Stream Management	1,506,011.00	209,031.16	21,911.98	30,752.94	1,475,258.06	2.04%
95 - District Facilities	155,000.00	22,958.19	289.50	289.50	154,710.50	0.19%
Total District Revenue/Expenditures	\$5,085,065.00	\$842,538.56	\$196,523.54	\$296,783.82	\$4,788,281.18	5.84%

Current Fund Balances:

Fund:	Unaudited Fund Balance @ 12/31/2012	1/1/2013 Fund Balance Transfers	Approved Fund Balance 1/1/2012	2013 Year to date Revenue	2013 Current Month Expense	2013 Year to date Expense	Unaudited Fund Balance @ 2/28/2013
10 - General Fund	\$174,667.94	-	174,667.94	\$47,087.32	\$27,890.81	\$40,848.98	\$180,906.28
30 - Environmental Education	84,578.95	-	84,578.95	18,263.14	7,663.39	14,102.78	88,739.31
35 - Information Management	35,390.56	-	35,390.56	15,980.17	6,377.75	9,656.20	41,714.53
60 - Restoration Projects	984,350.01	-	984,350.01	249,785.70	16,702.10	22,227.69	1,211,908.02
70 - Regulatory	303,196.73	-	303,196.73	110,798.62	49,047.37	73,074.26	340,921.09
80 - Ditch & Creek Maintenance	342,302.16	-	342,302.16	168,634.26	66,640.64	105,831.47	405,104.95
90 - Lake & Stream Management	1,672,784.65	-	1,672,784.65	209,031.16	21,911.98	30,752.94	1,851,062.87
95 - District Facilities	327,112.46	-	327,112.46	22,958.19	289.50	289.50	349,781.15
Total District Fund Balance:	\$3,924,383.46	-	\$3,924,383.46	\$842,538.56	\$196,523.54	\$296,783.82	\$4,470,138.20

Rice Creek Watershed District
Statement of Revenue and Expenditures - General Fund - 10
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>GENERAL FUND</u>				
Revenues				
General Property Tax	\$ 23,097.33	\$ 46,194.66	277,169.00	(230,974.34)
Interest Revenue	0.00	130.79	1,632.00	(1,501.21)
Investment Interest-Surety	0.00	761.87	24,500.00	(23,738.13)
Total Revenues	23,097.33	47,087.32	303,301.00	(256,213.68)
Expenses				
Manager Per Diem	750.00	975.00	15,000.00	(14,025.00)
Manager Expense	0.00	0.00	2,000.00	(2,000.00)
Manager Travel	187.58	216.96	2,500.00	(2,283.04)
Wages-General	8,615.45	16,866.23	100,857.00	(83,990.77)
Benefits	974.47	1,945.91	16,575.00	(14,629.09)
PERA Expense	624.61	1,222.77	7,312.00	(6,089.23)
HSA Contributions	558.36	1,116.72	6,145.00	(5,028.28)
Payroll Taxes	675.51	1,282.99	7,716.00	(6,433.01)
Payroll Taxes-Unemployment	0.00	0.00	2,000.00	(2,000.00)
Office Supplies	25.57	25.57	1,680.00	(1,654.43)
Supplies-Field	0.00	0.00	250.00	(250.00)
Meeting Supplies/Expense	62.10	62.10	1,000.00	(937.90)
Printing	0.00	0.00	594.00	(594.00)
Rent	1,115.53	2,290.66	17,851.00	(15,560.34)
Telecommunications	237.84	475.03	3,129.00	(2,653.97)
Dues	3,500.00	3,500.00	6,000.00	(2,500.00)
Publications	0.00	0.00	210.00	(210.00)
Training & Education	100.00	100.00	1,890.00	(1,790.00)
Insurance & Bonds	0.00	0.00	3,251.00	(3,251.00)
Postage	0.00	0.00	1,260.00	(1,260.00)
Legal Notices-General	0.00	0.00	2,000.00	(2,000.00)
Staff Travel	185.33	279.69	1,761.00	(1,481.31)
Audit & Accounting	4,714.60	4,714.60	52,600.00	(47,885.40)
Professional Services-General	289.95	419.80	16,550.00	(16,130.20)
Legal Fees-General	1,942.87	1,942.87	25,000.00	(23,057.13)
Engineering-General	3,250.00	3,250.00	42,000.00	(38,750.00)
Equipment Lease	81.04	162.08	1,697.00	(1,534.92)
Total Expenses	27,890.81	40,848.98	338,828.00	(297,979.02)
Total Revenues Over/(Under)				
Expenditures - General Fund	(4,793.48)	6,238.34	(35,527.00)	41,765.34
Total Revenue Over/(Under) Expenditure	\$ (4,793.48)	6,238.34	(35,527.00)	41,765.34

Rice Creek Watershed District
Statement of Revenue and Expenditures - Environmental Education - 30
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>ENVIRONMENTAL EDUCATION MANAGEMENT - 30-00</u>				
Revenues				
General Property Tax	\$ 6,449.25	\$ 12,898.50	77,391.00	(64,492.50)
Interest Income	0.00	44.48	555.00	(510.52)
Total Revenues	6,449.25	12,942.98	77,946.00	(65,003.02)
Expenses				
Wages-Environmental	4,798.94	9,577.74	52,637.00	(43,059.26)
Benefits-Environmental	360.17	719.07	11,105.00	(10,385.93)
PERA-Environmental	347.93	694.39	3,816.00	(3,121.61)
Payroll Taxes-Environmental	318.67	635.80	4,026.00	(3,390.20)
Office Supplies	8.91	8.91	720.00	(711.09)
Printing	0.00	0.00	255.00	(255.00)
Rent	468.04	961.09	7,651.00	(6,689.91)
Telecommunications	134.05	191.70	1,341.00	(1,149.30)
Publications	0.00	0.00	90.00	(90.00)
Training & Education	30.00	30.00	810.00	(780.00)
Insurance and Bonds	0.00	0.00	1,393.00	(1,393.00)
Postage	0.00	0.00	540.00	(540.00)
Staff Travel	38.87	92.27	755.00	(662.73)
Legal Fees	0.00	0.00	500.00	(500.00)
Engineering-Environ.	0.00	0.00	1,000.00	(1,000.00)
Equipment-Environmental	0.00	0.00	500.00	(500.00)
Equipment-Lease	34.00	68.00	727.00	(659.00)
Total Expenses	6,539.58	12,978.97	87,866.00	(74,887.03)
Total Revenues Over/(Under)				
Expenditures - Environmental Education	(90.33)	(35.99)	(9,920.00)	9,884.01
<u>WATER EDUCATION & OUTREACH - 30-02</u>				
Revenues				
General Property Tax	1,329.58	2,659.16	15,955.00	(13,295.84)
Total Revenues	1,329.58	2,659.16	15,955.00	(13,295.84)
Expenses				
Printing	0.00	0.00	4,500.00	(4,500.00)
Training & Education	9.58	9.58	6,000.00	(5,990.42)
Contracted Services	0.00	0.00	7,500.00	(7,500.00)
Total expenses	9.58	9.58	18,000.00	(17,990.42)
Total Revenues Over/(Under)				
Expenditures - Water Educ. & Outreach	1,320.00	2,649.58	(2,045.00)	4,694.58

Rice Creek Watershed District
Statement of Revenue and Expenditures - Environmental Education - 30
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>BLUE THUMB - 30-03</u>				
Revenues				
General Property Tax	295.50	591.00	3,546.00	(2,955.00)
Income-Blue Thumb Media	0.00	0.00	1,700.00	(1,700.00)
Income-Blue Thumb Membership	25.00	1,525.00	2,200.00	(675.00)
Income-Blue Thumb Training	505.00	505.00	1,400.00	(895.00)
Blue Thumb-Display User Fee	0.00	40.00	0.00	40.00
Total Revenues	825.50	2,661.00	8,846.00	(6,185.00)
Expenses				
Meeting Supplies	74.23	74.23	0.00	74.23
Printing	0.00	0.00	2,300.00	(2,300.00)
Training & Education	0.00	0.00	2,000.00	(2,000.00)
Public Education & Information	0.00	0.00	1,500.00	(1,500.00)
Contracted Services	1,040.00	1,040.00	3,500.00	(2,460.00)
Total expenses	1,114.23	1,114.23	9,300.00	(8,185.77)
Total Revenues Over/(Under)				
Expenditures - Blue Thumb	(288.73)	1,546.77	(454.00)	2,000.77
Total Revenue Over/(Under) Expenditure	\$ 940.94	\$ 4,160.36	(12,419.00)	16,579.36

Rice Creek Watershed District
Statement of Revenue and Expenditures - Information & Technology Management - 35
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>INFORMATION MANAGEMENT - 35-00</u>				
Revenues				
General Property Tax	\$ 4,992.92	\$ 9,985.84	59,915.00	(49,929.16)
Interest Revenue	0.00	41.67	520.00	(478.33)
Total Revenues	4,992.92	10,027.51	60,435.00	(50,407.49)
Expenses				
Wages-Information Mgmt.	2,040.39	4,120.52	24,983.00	(20,862.48)
Benefits-Information Mgmt.	64.30	128.44	1,127.00	(998.56)
PERA-Information Mgmt.	147.92	298.73	1,811.00	(1,512.27)
Payroll Taxes-Information Mgmt	154.66	312.35	1,911.00	(1,598.65)
Office Supplies	1.13	1.13	80.00	(78.87)
Computer Software	141.06	892.64	4,710.00	(3,817.36)
Printing	0.00	0.00	28.00	(28.00)
Rent	59.32	121.80	850.00	(728.20)
Telecommunications	57.36	64.67	149.00	(84.33)
Publications	0.00	0.00	10.00	(10.00)
Training & Education	0.00	0.00	90.00	(90.00)
Insurance and Bonds	0.00	0.00	155.00	(155.00)
Postage	0.00	0.00	60.00	(60.00)
Staff Travel	0.00	0.00	84.00	(84.00)
Professional Services	1,014.30	1,014.30	14,710.00	(13,695.70)
Engineering	0.00	0.00	2,000.00	(2,000.00)
Equipment-Computer	0.00	0.00	14,950.00	(14,950.00)
Equipment Lease	4.31	8.62	81.00	(72.38)
Total Expenses	3,684.75	6,963.20	67,789.00	(60,825.80)
Total Revenues Over/(Under) Expenditures - Information Management	1,308.17	3,064.31	(7,354.00)	10,418.31
<u>PERMITTING MAPPER APPLICATION HOSTING - 35-05</u>				
Revenues				
General Property Tax	2,976.33	5,952.66	35,716.00	(29,763.34)
Total Revenues	2,976.33	5,952.66	35,716.00	(29,763.34)
Expenses				
Engineering	2,693.00	2,693.00	40,100.00	(37,407.00)
Total expenses	2,693.00	2,693.00	40,100.00	(37,407.00)
Total Revenues Over/(Under) Expenditures - Permitting Mapper	283.33	3,259.66	(4,384.00)	7,643.66
Total Revenue Over/(Under) Expenditure	\$ 1,591.50	\$ 6,323.97	(11,738.00)	18,061.97

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>RESTORATION PROJECT MANAGEMENT - 60-00</u>				
Revenues				
General Property Tax	\$ 5,877.92	\$ 11,755.84	70,535.00	(58,779.16)
Interest Revenue	0.00	376.02	4,692.00	(4,315.98)
Total Revenues	5,877.92	12,131.86	75,227.00	(63,095.14)
Expenses				
Wages-Restoration Projects	4,525.61	8,696.71	50,751.00	(42,054.29)
Benefits-Restoration Projects	265.75	530.59	6,554.00	(6,023.41)
PERA-Restoration Projects	328.11	630.52	3,679.00	(3,048.48)
Payroll Taxes-Restoration	325.38	623.65	3,882.00	(3,258.35)
Office Supplies	6.41	6.41	640.00	(633.59)
Printing	0.00	0.00	226.00	(226.00)
Rent	336.95	691.91	6,801.00	(6,109.09)
Telecommunications	112.80	224.65	1,192.00	(967.35)
Publications	0.00	0.00	80.00	(80.00)
Training & Education	0.00	0.00	720.00	(720.00)
Insurance and Bonds	0.00	0.00	1,239.00	(1,239.00)
Postage	0.00	0.00	480.00	(480.00)
Staff Travel	0.00	0.00	671.00	(671.00)
Legal Fees	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	7,500.00	(7,500.00)
Equipment Lease	24.48	24.48	646.00	(621.52)
Total Expenses	5,925.49	11,428.92	86,061.00	(74,632.08)
Total Revenues Over/(Under)				
Expenditures - Restoration Management	(47.57)	702.94	(10,834.00)	11,536.94
<u>RICE CREEK MEANDER RESTORATION - 60-03</u>				
Revenues				
General Property Tax	14,773.08	29,546.16	177,277.00	(147,730.84)
Total Revenues	14,773.08	29,546.16	177,277.00	(147,730.84)
Expenses				
Legal Notices	0.00	0.00	10,000.00	(10,000.00)
Contracted Services	0.00	0.00	50,000.00	(50,000.00)
Engineering-Rice Creek Meander	0.00	0.00	140,000.00	(140,000.00)
Total expenses	0.00	0.00	200,000.00	(200,000.00)
Total Revenues Over/(Under)				
Expenditures - Rice Creek Meander	14,773.08	29,546.16	(22,723.00)	52,269.16

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>COLUMBUS RMP - 60-17</u>				
Revenues				
General Property Tax	1,846.67	3,693.34	22,160.00	(18,466.66)
Total Revenues	1,846.67	3,693.34	22,160.00	(18,466.66)
Expenses				
Legal Fees	0.00	0.00	5,000.00	(5,000.00)
Engineering	69.00	69.00	20,000.00	(19,931.00)
Total expenses	69.00	69.00	25,000.00	(24,931.00)
Total Revenues Over/(Under)				
Expenditures - Columbus RMP	1,777.67	3,624.34	(2,840.00)	6,464.34
 <u>JD4 RMP IMPLEMENTATION - 60-18</u>				
Revenues				
General Property Tax	10,415.00	20,830.00	124,980.00	(104,150.00)
Income-Land	113,875.00	113,875.00	0.00	113,875.00
Total Revenues	124,290.00	134,705.00	124,980.00	9,725.00
Expenses				
Supplies-Field	326.25	326.25	0.00	326.25
Telecommunications	22.16	44.32	0.00	44.32
Postage	71.05	71.05	0.00	71.05
Professional Services	127.02	127.02	30,000.00	(29,872.98)
Contracted Services-JD4 RMP	0.00	0.00	50,000.00	(50,000.00)
Legal Fees	2,468.00	2,468.00	10,000.00	(7,532.00)
Engineering	3,204.63	3,204.63	50,000.00	(46,795.37)
Construction	1,000.00	1,000.00	1,000.00	0.00
Total expenses	7,219.11	7,241.27	141,000.00	(133,758.73)
Total Revenues Over/(Under)				
Expenditures - JD4 RMP Implement.	117,070.89	127,463.73	(16,020.00)	143,483.73
 <u>DISTRICT-WIDE SWMM MODEL-PHASE 2 - 60-19</u>				
Revenues				
General Property Tax	738.67	1,477.34	8,864.00	(7,386.66)
Total Revenues	738.67	1,477.34	8,864.00	(7,386.66)
Expenses				
Engineering-SWMM	403.00	403.00	10,000.00	(9,597.00)
Total expenses	403.00	403.00	10,000.00	(9,597.00)
Total Revenues Over/(Under)				
Expenditures - District-Wide SWMM	335.67	1,074.34	(1,136.00)	2,210.34

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Two Months Ending February 28, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>ACD 53/62 RMP IMPLEMENTATION - 60-21</u>				
Revenues				
General Property Tax	10,848.42	21,696.84	130,181.00	(108,484.16)
Total Revenues	10,848.42	21,696.84	130,181.00	(108,484.16)
Expenses				
Printing	0.00	0.00	1,000.00	(1,000.00)
Legal Notices	0.00	0.00	1,000.00	(1,000.00)
Contracted Services-RMP Imp.	0.00	0.00	10,000.00	(10,000.00)
Legal Fees	425.00	425.00	20,000.00	(19,575.00)
Engineering	0.00	0.00	114,868.00	(114,868.00)
Total expenses	425.00	425.00	146,868.00	(146,443.00)
Total Revenues Over/(Under)				
Expenditures - ACD 53/62 RMP Impleme	10,423.42	21,271.84	(16,687.00)	37,958.84
<u>LINO LAKES RMP IMPLEMENTATION - 60-22</u>				
Revenues				
General Property Tax	1,108.00	2,216.00	13,296.00	(11,080.00)
Total Revenues	1,108.00	2,216.00	13,296.00	(11,080.00)
Expenses				
Legal Fees	0.00	0.00	2,500.00	(2,500.00)
Engineering	0.00	0.00	12,500.00	(12,500.00)
Total expenses	0.00	0.00	15,000.00	(15,000.00)
Total Revenues Over/(Under)				
Expenditures - Lino Lakes RMP	1,108.00	2,216.00	(1,704.00)	3,920.00
<u>SW URBAN LAKE FLOOD MGMT. IMPLEMENTATION - 60-24</u>				
Revenues				
General Property Tax	22,159.58	44,319.16	265,915.00	(221,595.84)
Total Revenues	22,159.58	44,319.16	265,915.00	(221,595.84)
Expenses				
Contracted Services	0.00	0.00	20,000.00	(20,000.00)
Legal Fees	2,660.50	2,660.50	30,000.00	(27,339.50)
Engineering	0.00	0.00	200,000.00	(200,000.00)
Construction	0.00	0.00	50,000.00	(50,000.00)
Total expenses	2,660.50	2,660.50	300,000.00	(297,339.50)
Total Revenues Over/(Under)				
Expenditures - Southwest Urban Lake	19,499.08	41,658.66	(34,085.00)	75,743.66

Rice Creek Watershed District
Statement of Revenue and Expenditures - Restoration Projects - 60
For the One Month and Two Months Ending February 28, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>JD 4/ACD 15 WMD - 60-25</u>				
Revenues				
JD 4-Special Assessments	0.00	0.00	51,793.00	(51,793.00)
Total Revenues	0.00	0.00	51,793.00	(51,793.00)
Expenses				
Contracted Services	0.00	0.00	9,000.00	(9,000.00)
Acquisitions	0.00	0.00	1,000.00	(1,000.00)
Engineering Expense	0.00	0.00	20,000.00	(20,000.00)
Construction-JD4	0.00	0.00	20,000.00	(20,000.00)
Total expenses	0.00	0.00	50,000.00	(50,000.00)
Total Revenues Over/(Under)				
Expenditures - JD 4/ACD 15 WMD	0.00	0.00	1,793.00	(1,793.00)
Total Revenue Over/(Under) Expenditure	\$ 164,940.24	\$ 227,558.01	(104,236.00)	331,794.01

Rice Creek Watershed District
Statement of Revenue and Expenditures - Regulatory Projects - 70
For the One Month and Two Months Ending February 28, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>REGULATORY PROJECT MANAGEMENT - 70-00</u>				
Revenues				
General Property Tax	\$ 26,422.17	\$ 52,844.34	317,066.00	(264,221.66)
Interest Revenue	0.00	294.44	3,674.00	(3,379.56)
Total Revenues	26,422.17	53,138.78	320,740.00	(267,601.22)
Expenses				
Wages-Regulatory	17,692.39	34,655.57	207,887.00	(173,231.43)
Wages - Interns	0.00	0.00	3,500.00	(3,500.00)
Benefits-Regulatory	1,970.96	3,937.39	23,891.00	(19,953.61)
PERA-Regulatory	1,282.70	2,512.53	15,072.00	(12,559.47)
Payroll Taxes-Regulatory	1,334.26	2,612.65	16,171.00	(13,558.35)
Office Supplies	53.04	53.04	2,480.00	(2,426.96)
Meeting Supplies	0.00	0.00	877.00	(877.00)
Rent	1,664.82	3,418.59	26,352.00	(22,933.41)
Telecommunications	432.10	860.77	4,619.00	(3,758.23)
Publications	0.00	0.00	310.00	(310.00)
Training & Education	50.00	285.00	2,790.00	(2,505.00)
Insurance and Bonds	0.00	0.00	4,799.00	(4,799.00)
Postage	28.77	28.77	1,860.00	(1,831.23)
Staff Travel-Regulatory	285.99	336.67	2,600.00	(2,263.33)
Vehicle Expense	60.01	60.01	3,437.00	(3,376.99)
Professional Services	0.00	0.00	33,400.00	(33,400.00)
Legal Fees	0.00	0.00	1,500.00	(1,500.00)
Engineering-Regulatory	0.00	0.00	5,000.00	(5,000.00)
Equipment	0.00	0.00	500.00	(500.00)
Equipment Lease	120.94	241.88	2,505.00	(2,263.12)
Total Expenses	24,975.98	49,002.87	359,550.00	(310,547.13)
Total Revenues Over/(Under)				
Expenditures - Regulatory Management	1,446.19	4,135.91	(38,810.00)	42,945.91
<u>RULE/PLAN REVISIONS - PERMIT GUIDANCE - 70-01</u>				
Revenues				
General Property Tax	1,113.67	2,227.34	0.00	2,227.34
Market Value Credit	0.00	0.00	13,364.00	(13,364.00)
Total Revenues	1,113.67	2,227.34	13,364.00	(11,136.66)
Expenses				
Legal Fees	2,072.00	2,072.00	7,500.00	(5,428.00)
Engineering	10,279.25	10,279.25	7,500.00	2,779.25
Total expenses	12,351.25	12,351.25	15,000.00	(2,648.75)
Total Revenues Over/(Under)				
Expenditures - Rule/Plan Revisions	(11,237.58)	(10,123.91)	(1,636.00)	(8,487.91)

Rice Creek Watershed District
Statement of Revenue and Expenditures - Regulatory Projects - 70
For the One Month and Two Months Ending February 28, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>PERMIT REVIEW - 70-03</u>				
Revenues				
General Property Tax	20,120.58	40,241.16	241,447.00	(201,205.84)
Permit Fees	4,500.00	4,500.00	45,000.00	(40,500.00)
Total Revenues	24,620.58	44,741.16	286,447.00	(241,705.84)
Expenses				
Legal Fees	1,575.21	1,575.21	50,000.00	(48,424.79)
Engineering-Permit Review	7,561.00	7,561.00	266,000.00	(258,439.00)
Total expenses	9,136.21	9,136.21	316,000.00	(306,863.79)
Total Revenues Over/(Under) Expenditures - Permit Review	15,484.37	35,604.95	(29,553.00)	65,157.95
 <u>EARLY COORDINATION/ROAD AUTHORITY - 70-07</u>				
Revenues				
General Property Tax	5,345.67	10,691.34	64,148.00	(53,456.66)
Total Revenues	5,345.67	10,691.34	64,148.00	(53,456.66)
Expenses				
Legal Fees	0.00	0.00	5,000.00	(5,000.00)
Engineering-Road Auth.	2,583.93	2,583.93	67,000.00	(64,416.07)
Total expenses	2,583.93	2,583.93	72,000.00	(69,416.07)
Total Revenues Over/(Under) Expenditures - Early Coordination	2,761.74	8,107.41	(7,852.00)	15,959.41
 Total Revenue Over/(Under) Expenditure	 \$ 8,454.72	 \$ 37,724.36	 (77,851.00)	 115,575.36

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>DITCH & CREEK MANAGEMENT - 80-00</u>				
Revenues				
General Property Tax	\$ 14,922.08	\$ 29,844.16	179,065.00	(149,220.84)
Interest Revenue	0.00	434.68	5,424.00	(4,989.32)
Total Revenues	14,922.08	30,278.84	184,489.00	(154,210.16)
Expenses				
Wages-Ditch & Creek Maint.	7,640.93	14,971.29	91,255.00	(76,283.71)
Benefits-Ditch & Creek Maint.	987.74	1,973.26	8,964.00	(6,990.74)
PERA-Ditch & Creek Maint.	553.97	820.42	6,616.00	(5,795.58)
Payroll Taxes-Ditch & Creek	575.15	1,391.52	6,981.00	(5,589.48)
Office Supplies	15.58	15.58	1,520.00	(1,504.42)
Supplies-Field	0.00	0.00	500.00	(500.00)
Printing	0.00	0.00	538.00	(538.00)
Rent	818.95	1,681.66	16,151.00	(14,469.34)
Telecommunications	187.00	373.42	2,831.00	(2,457.58)
Publications	0.00	0.00	190.00	(190.00)
Training & Education	0.00	0.00	1,710.00	(1,710.00)
Insurance and Bonds	0.00	0.00	2,942.00	(2,942.00)
Postage	0.00	0.00	1,140.00	(1,140.00)
Staff Travel	85.15	150.69	1,593.00	(1,442.31)
Vehicle Expense	166.06	166.06	0.00	166.06
Professional Services	0.00	0.00	14,027.00	(14,027.00)
Legal Fees-Ditch & Creek	0.00	0.00	10,000.00	(10,000.00)
Engineering-Ditch & Creek	911.00	911.00	8,000.00	(7,089.00)
Equipment	0.00	0.00	2,000.00	(2,000.00)
Equipment Lease	59.49	143.46	1,535.00	(1,391.54)
Total Expenses	12,001.02	22,598.36	178,493.00	(155,894.64)
Total Revenues Over/(Under)				
Expenditures - Ditch & Creek Mgmt.	2,921.06	7,680.48	5,996.00	1,684.48
<u>DITCHES - GENERAL - 80-02</u>				
Revenues				
General Property Tax	15,864.58	31,729.16	190,375.00	(158,645.84)
Total Revenues	15,864.58	31,729.16	190,375.00	(158,645.84)
Expenses				
Supplies-Field	0.00	0.00	3,000.00	(3,000.00)
Professional Services	0.00	0.00	1,000.00	(1,000.00)
Contracted Services-General	374.94	28,968.43	160,000.00	(131,031.57)
Legal Fees	0.00	0.00	3,000.00	(3,000.00)
Engineering Fees	0.00	0.00	12,000.00	(12,000.00)
Construction Expense	0.00	0.00	5,000.00	(5,000.00)
Total expenses	374.94	28,968.43	184,000.00	(155,031.57)
Total Revenues Over/(Under)				
Expenditures - Ditches - General	15,489.64	2,760.73	6,375.00	(3,614.27)

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
For the One Month and Two Months Ending February 28, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>REPAIR REPORTS - 80-03</u>				
Revenues				
General Property Tax	7,501.17	15,002.34	90,014.00	(75,011.66)
Total Revenues	7,501.17	15,002.34	90,014.00	(75,011.66)
Expenses				
Legal Fees	3,085.50	3,085.50	8,000.00	(4,914.50)
Engineering	15,365.97	15,365.97	79,000.00	(63,634.03)
Total expenses	18,451.47	18,451.47	87,000.00	(68,548.53)
Total Revenues Over/(Under)				
Expenditures - Repair Reports	(10,950.30)	(3,449.13)	3,014.00	(6,463.13)
<u>ACD 10-22-32 Repair Report/Implementation - 80-06</u>				
Revenues				
General Property Tax	21,382.67	42,765.34	256,592.00	(213,826.66)
Total Revenues	21,382.67	42,765.34	256,592.00	(213,826.66)
Expenses				
Printing	0.00	0.00	1,000.00	(1,000.00)
Postage	0.00	0.00	1,000.00	(1,000.00)
Legal Notices	310.01	310.01	2,000.00	(1,689.99)
Professional Services	1,905.30	1,905.30	0.00	1,905.30
Contracted Services	0.00	0.00	20,000.00	(20,000.00)
Legal Fees	1,224.00	1,224.00	10,000.00	(8,776.00)
Engineering	14,287.40	14,287.40	25,000.00	(10,712.60)
Construction	0.00	0.00	189,000.00	(189,000.00)
Total expenses	17,726.71	17,726.71	248,000.00	(230,273.29)
Total Revenues Over/(Under)				
Expenditures - Drainage Records	3,655.96	25,038.63	8,592.00	16,446.63
<u>JD-2/Hugo - 80-15</u>				
Revenues				
General Property Tax	3,448.83	6,897.66	41,386.00	(34,488.34)
Total Revenues	3,448.83	6,897.66	41,386.00	(34,488.34)
Expenses				
Contracted Services	0.00	0.00	40,000.00	(40,000.00)
Total expenses	0.00	0.00	40,000.00	(40,000.00)
Total Revenues Over/(Under)				
Expenditures - JD-2/Hugo	3,448.83	6,897.66	1,386.00	5,511.66

Rice Creek Watershed District
Statement of Revenue and Expenditures - Ditch & Creek Maintenance - 80
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>JD 2/Weir - 80-16</u>				
Revenues				
Total Revenues	0.00	0.00	0.00	0.00
Expenses				
Legal Fees-JD2/Weir Litigation	13,511.00	13,511.00	0.00	13,511.00
Engineering Expense	3,864.50	3,864.50	0.00	3,864.50
Total expenses	17,375.50	17,375.50	0.00	17,375.50
Total Revenues Over/(Under) Expenditures - JD-2/Weir	(17,375.50)	(17,375.50)	0.00	(17,375.50)
<u>ACD 10-22-32 WMD - 80-17</u>				
Revenues				
General Property Tax	19,629.67	39,259.34	235,556.00	(196,296.66)
Special Assessments-10-22-32	2,701.58	2,701.58	160,530.00	(157,828.42)
Total Revenues	22,331.25	41,960.92	396,086.00	(354,125.08)
Expenses				
Legal Fees	0.00	0.00	10,000.00	(10,000.00)
Engineering Expense	711.00	711.00	30,000.00	(29,289.00)
Construction Expense	0.00	0.00	348,199.00	(348,199.00)
Total expenses	711.00	711.00	388,199.00	(387,488.00)
Total Revenues Over/(Under) Expenditures - 10-22-32 WMD	21,620.25	41,249.92	7,887.00	33,362.92
Total Revenue Over/(Under) Expenditure	\$ 18,809.94	\$ 62,802.79	33,250.00	29,552.79

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream - 90
For the One Month and Two Months Ending February 28, 2013
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>LAKE & STREAM MANAGEMENT - 90-00</u>				
Revenues				
General Property Tax	\$ 13,678.58	\$ 27,357.16	164,143.00	(136,785.84)
Interest Income	0.00	581.50	7,256.00	(6,674.50)
Total Revenues	13,678.58	27,938.66	171,399.00	(143,460.34)
Expenses				
Wages-Lake & Stream Mgmt.	6,723.53	13,009.91	78,909.00	(65,899.09)
Wages-Interns	0.00	0.00	3,500.00	(3,500.00)
Benefits-Lake & Stream Mgmt.	496.71	991.97	10,719.00	(9,727.03)
PERA-Lake & Stream Mgmt.	487.42	716.07	5,721.00	(5,004.93)
Payroll Taxes-Lake & Stream	486.71	1,167.08	6,304.00	(5,136.92)
Office Supplies	9.90	9.90	880.00	(870.10)
Printing-Lake & Stream	0.00	0.00	311.00	(311.00)
Rent	520.88	1,069.60	9,351.00	(8,281.40)
Telecommunications	148.91	297.40	1,639.00	(1,341.60)
Publications	0.00	0.00	110.00	(110.00)
Training & Education	50.00	50.00	990.00	(940.00)
Insurance and Bonds	0.00	0.00	1,703.00	(1,703.00)
Postage	0.00	0.00	660.00	(660.00)
Staff Travel	0.00	0.00	922.00	(922.00)
Vehicle Expense	0.00	0.00	3,427.00	(3,427.00)
Legal Fees	0.00	0.00	1,000.00	(1,000.00)
Engineering	0.00	0.00	15,000.00	(15,000.00)
Equipment Lease	37.83	75.66	889.00	(813.34)
Repairs & Maint.-Lake & Stream	0.00	400.00	0.00	400.00
Total Expenses	8,961.89	17,787.59	142,035.00	(124,247.41)
Total Revenues Over/(Under)				
Expenditures - Lake & Stream Mgmt.	4,716.69	10,151.07	29,364.00	(19,212.93)
<u>BMP COST-SHARE PROGRAM - 90-01</u>				
Revenues				
General Property Tax	10,148.92	20,297.84	121,787.00	(101,489.16)
Total Revenues	10,148.92	20,297.84	121,787.00	(101,489.16)
Expenses				
Contracted Services	0.00	0.00	30,000.00	(30,000.00)
Engineering-BMP Cost-Share	0.00	0.00	70,000.00	(70,000.00)
Total expenses	0.00	0.00	100,000.00	(100,000.00)
Total Revenues Over/(Under)				
Expenditures - BMP Cost-Share Program	10,148.92	20,297.84	21,787.00	(1,489.16)

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream - 90
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>LAKE & STREAM MONITORING - 90-04</u>				
Revenues				
General Property Tax	20,297.83	40,595.66	243,574.00	(202,978.34)
Total Revenues	20,297.83	40,595.66	243,574.00	(202,978.34)
Expenses				
Supplies-Field	0.00	0.00	3,000.00	(3,000.00)
Computer Software	0.00	0.00	1,095.00	(1,095.00)
Printing	0.00	0.00	350.00	(350.00)
Telecommunications	0.00	0.00	1,000.00	(1,000.00)
Publications	0.00	0.00	300.00	(300.00)
Training & Education	0.00	0.00	1,975.00	(1,975.00)
Staff Travel	125.78	141.04	0.00	141.04
Vehicle Expense	60.01	60.01	1,500.00	(1,439.99)
Contracted Services	0.00	0.00	95,145.00	(95,145.00)
Legal Fees	0.00	0.00	500.00	(500.00)
Engineering	0.00	0.00	53,200.00	(53,200.00)
Equipment	149.37	149.37	19,435.00	(19,285.63)
Repairs & Maintenance	0.00	0.00	500.00	(500.00)
Lab Expense	0.00	0.00	22,000.00	(22,000.00)
Total expenses	335.16	350.42	200,000.00	(199,649.58)
Total Revenues Over/(Under)				
Expenditures - Lake & Stream Montr.	19,962.67	40,245.24	43,574.00	(3,328.76)
<u>BALD EAGLE LAKE TMDL - 90-06</u>				
Revenues				
General Property Tax	26,488.75	52,977.50	317,865.00	(264,887.50)
Total Revenues	26,488.75	52,977.50	317,865.00	(264,887.50)
Expenses				
Professional Services	0.00	0.00	50,000.00	(50,000.00)
Legal Fees	0.00	0.00	10,000.00	(10,000.00)
Engineering Expense	0.00	0.00	70,000.00	(70,000.00)
Construction Expense	0.00	0.00	131,000.00	(131,000.00)
Total expenses	0.00	0.00	261,000.00	(261,000.00)
Total Revenues Over/(Under)				
Expenditures - Bald Eagle Lake TMDL	26,488.75	52,977.50	56,865.00	(3,887.50)

Rice Creek Watershed District
Statement of Revenue and Expenditures - Lake & Stream - 90
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	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>TMDL IMPLEMENTATION - 90-23</u>				
Revenues				
General Property Tax	27,402.08	54,804.16	328,825.00	(274,020.84)
Total Revenues	27,402.08	54,804.16	328,825.00	(274,020.84)
Expenses				
Contracted Services	0.00	0.00	150,000.00	(150,000.00)
Legal Fees	173.00	173.00	5,000.00	(4,827.00)
Acquisitions	0.00	0.00	35,000.00	(35,000.00)
Engineering	0.00	0.00	80,000.00	(80,000.00)
Total expenses	173.00	173.00	270,000.00	(269,827.00)
Total Revenues Over/(Under)				
Expenditures - TMDL Implementation	27,229.08	54,631.16	58,825.00	(4,193.84)
<u>BALD EAGLE LAKE WMD - 90-24</u>				
Revenues				
Bald Eagle-Special Assessment	0.00	0.00	65,000.00	(65,000.00)
Income-Grants	0.00	0.00	30,000.00	(30,000.00)
Total Revenues	0.00	0.00	95,000.00	(95,000.00)
Expenses				
Legal Notices	0.00	0.00	2,000.00	(2,000.00)
Professional Services	84.68	84.68	2,000.00	(1,915.32)
Contracted Services	0.00	0.00	48,976.00	(48,976.00)
Legal Fees	0.00	0.00	1,000.00	(1,000.00)
Engineering Expense	0.00	0.00	5,000.00	(5,000.00)
Total expenses	84.68	84.68	58,976.00	(58,891.32)
Total Revenues Over/(Under)				
Expenditures - Bald Eagle Lake WMD	(84.68)	(84.68)	36,024.00	(36,108.68)
<u>BALD EAGLE LAKE STORMWATER REUSE PROJECT - 90-25</u>				
Revenues				
General Property Tax	6,208.67	12,417.34	74,504.00	(62,086.66)
Grants-BWSR CWL	0.00	0.00	412,825.00	(412,825.00)
Total Revenues	6,208.67	12,417.34	487,329.00	(474,911.66)
Expenses				
Contracted Services	0.00	0.00	29,000.00	(29,000.00)
Legal Fees	0.00	0.00	5,000.00	(5,000.00)
Engineering	12,357.25	12,357.25	80,000.00	(67,642.75)
Construction Expense	0.00	0.00	360,000.00	(360,000.00)
Total expenses	12,357.25	12,357.25	474,000.00	(461,642.75)
Total Revenues Over/(Under)				
Expenditures - Bald Eagle Lake WMD	(6,148.58)	60.09	13,329.00	(13,268.91)
Total Revenue Over/(Under) Expenditure	\$ 82,312.85	\$ 178,278.22	259,768.00	(81,489.78)

Rice Creek Watershed District
Statement of Revenue and Expenditures - District Facilities - 95
For the One Month and Two Months Ending February 28, 2013
See Accountant's Compilation Report

	Current Month	Year to Date	Annual Budget	Over/(Under) Budget
<u>LONG LAKE SEDIMENT BASIN - 95-01</u>				
Revenues				
General Propety Tax	\$ 4,397.92	\$ 8,795.84	52,774.00	(43,978.16)
Interest	0.00	59.87	747.00	(687.13)
Total Revenues	<u>4,397.92</u>	<u>8,855.71</u>	<u>53,521.00</u>	<u>(44,665.29)</u>
Expenses				
Contracted Services	0.00	0.00	52,000.00	(52,000.00)
Legal Fees	0.00	0.00	2,000.00	(2,000.00)
Engineering	0.00	0.00	6,000.00	(6,000.00)
Total Expenses	<u>0.00</u>	<u>0.00</u>	<u>60,000.00</u>	<u>(60,000.00)</u>
Total Revenues Over/(Under)				
Expenditures - Long Lake Sediment Basi	<u>4,397.92</u>	<u>8,855.71</u>	<u>(6,479.00)</u>	<u>15,334.71</u>
<u>OUTFALL & STRUCTURE ASSESSMENT& REPAIR - 95-03</u>				
Revenues				
General Propety Tax	5,566.75	11,133.50	66,801.00	(55,667.50)
Total Revenues	<u>5,566.75</u>	<u>11,133.50</u>	<u>66,801.00</u>	<u>(55,667.50)</u>
Expenses				
Legal Fees	0.00	0.00	5,000.00	(5,000.00)
Engineering	289.50	289.50	30,000.00	(29,710.50)
Construction	0.00	0.00	40,000.00	(40,000.00)
Total expenses	<u>289.50</u>	<u>289.50</u>	<u>75,000.00</u>	<u>(74,710.50)</u>
Total Revenues Over/(Under)				
Expenditures - Outfall & Structure	<u>5,277.25</u>	<u>10,844.00</u>	<u>(8,199.00)</u>	<u>19,043.00</u>
<u>EASEMENT OPERATION & MAINTENANCE - 95-04</u>				
Revenues				
General Propety Tax	1,484.49	2,968.98	17,814.00	(14,845.02)
Total Revenues	<u>1,484.49</u>	<u>2,968.98</u>	<u>17,814.00</u>	<u>(14,845.02)</u>
Expenses				
Supplies-Field	0.00	0.00	3,000.00	(3,000.00)
Contracted Services	0.00	0.00	9,000.00	(9,000.00)
Engineering	0.00	0.00	3,000.00	(3,000.00)
Equipment	0.00	0.00	5,000.00	(5,000.00)
Total expenses	<u>0.00</u>	<u>0.00</u>	<u>20,000.00</u>	<u>(20,000.00)</u>
Total Revenues Over/(Under)				
Expenditures - Wall Wetland Restoration	<u>1,484.49</u>	<u>2,968.98</u>	<u>(2,186.00)</u>	<u>5,154.98</u>
Total Revenue Over/(Under) Expenditure	<u>\$ 11,159.66</u>	<u>\$ 22,668.69</u>	<u>(16,864.00)</u>	<u>39,532.69</u>

ITEMS FOR DISCUSSION AND INFORMATION

1. 2012 Drainage and District Facilities Report.
(Tom Schmidt)

RICE CREEK WATERSHED DISTRICT

PUBLIC DRAINAGE SYSTEM AND DISTRICT FACILITIES INSPECTION REPORT

2012-2013



Tom Schmidt
RCWD Public Drainage Inspector



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Rice Creek Watershed District

2012-2013 Public Drainage System Inspection Report

The Rice Creek Watershed District, as the Drainage Authority for all public drainage systems within its boundaries, is required by the Minnesota Board of Water and Soil Resources to report on drainage system activities, including inspections performed and buffer strips installed, for the previous year. This report both fulfills that requirement as well as also providing the RCWD Board of Managers with a concise summary of the previous years drainage system activities. The contents of this report will be used to plan for the upcoming year's maintenance activities and to provide for a predictable and orderly program of inspection and maintenance of the District's drainage assets.

Due to time constraints and major ongoing projects, a report for 2012 was not produced; that report has been integrated with 2013 to create this report.

This report contains information about all of the drainage systems in the district, including when they were last inspected and if maintenance work was performed. Minnesota statute 103E.067 states:

The drainage authority shall annually submit a report to the Board of Water and Soil Resources for the calendar year including:

- (1) The number and types of actions for which viewers were appointed;*
- (2) The number of miles of buffer strips established according to section 103E.021;*
- (3) The number of drainage system inspections conducted; and*
- (4) The number of violations of section 103E.021 identified and enforcement actions taken. History: 207 c 57 art 1 s 111*

Any questions or comments regarding the content of this report can be submitted to:

Tom Schmidt - Public Drainage Inspector
Rice Creek Watershed District
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Blaine, MN. 55449
763-398-3070
tschmidt@ricecreek.org

**RCWD PUBLIC DRAINAGE SYSTEM INSPECTION,
MAINTENANCE & REPAIR REPORT SCHEDULE
2011-2013**

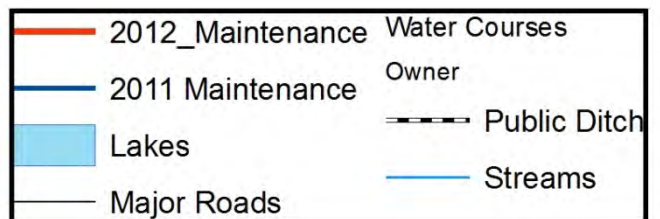
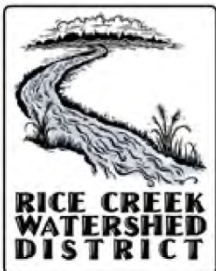
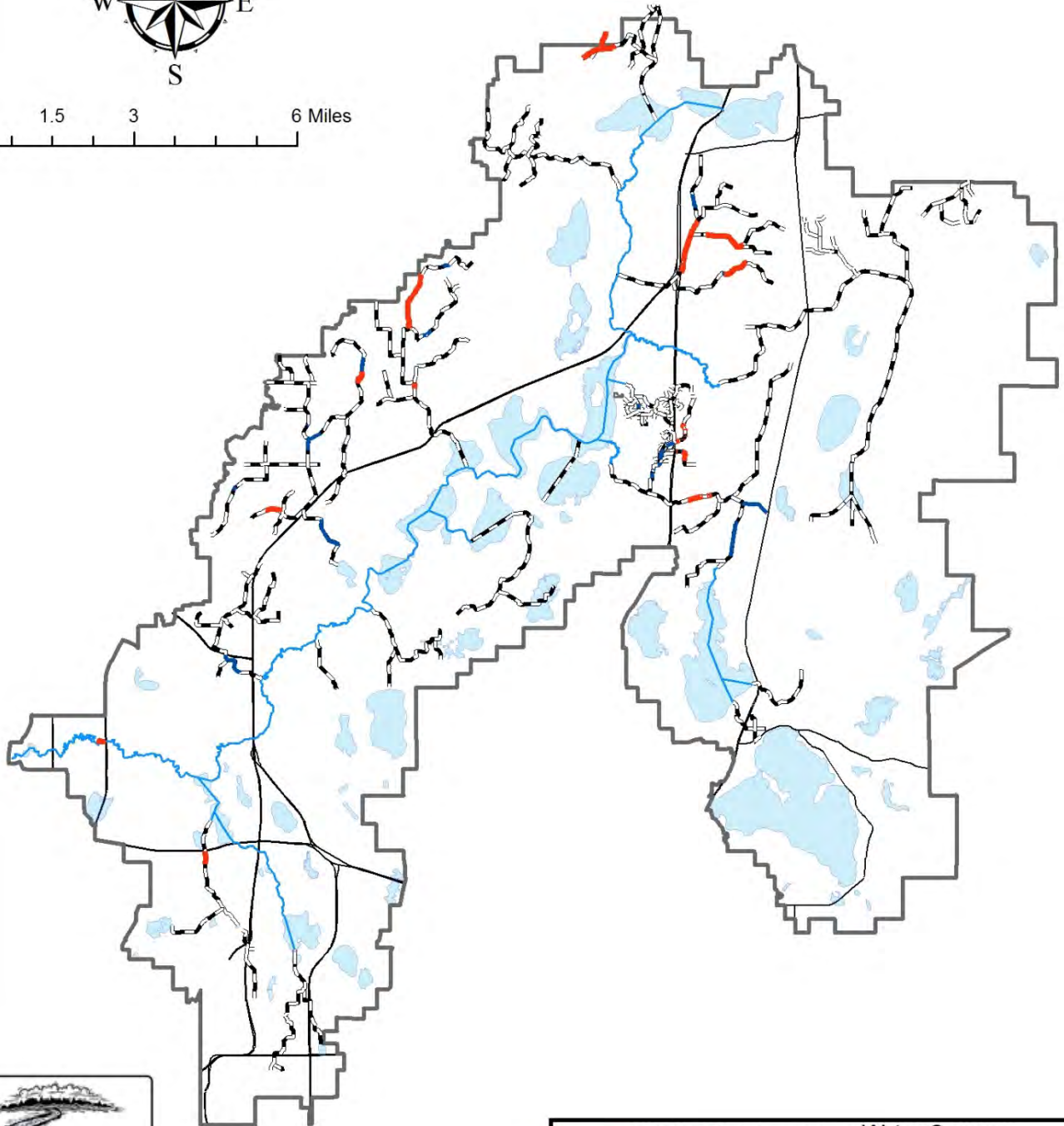
(Note: Trunk Systems and Rice Creek Are Inspected Yearly by Air)

SYSTEM NAME	INSPECTION		MAINTENANCE		REPAIR REPORT	
	2011-2012 PERFORMED	2013 PLANNED	2011-2012 PERFORMED	2013 PLANNED	Year Initiated	2013 PLANNED
Anoka (ACD)						
#10-22-32	X (partial)		X	X	2010	
15	X		X	X	2008	
25						
31	X		X		2009	
46					2009	
53-62	X (partial)	X (partial)	X	X	2012	
55	X		X	X	2011	
72	X (outlet)	X	X	X		2013
Ramsey (RCD)						
1		X				
2 (Trunk System)	X	X	X	X		
3	X (outlet)	X (outlet)		X (OUTLET)		
4	X (partial)					
5	X (inlet & outlet)	X (inlet & outlet)		X		
8		X				
11		X				
Washington (WJD)						
5	X (partial)	X (outlet)				
6	X (outlet)	X (outlet)	X			
7	X (partial)	X (outlet)		X		
Anoka & Ramsey (ARJD)						
JD #1	X (partial)	X (full)	X	X		2013
Washington (WJD) and Anoka & Washington (AWJD)						
WWJD #2 (Trunk System)	X (Hugo)	X (Hugo)	X (Hugo)	X (Hugo)		
AWJD #3 (Trunk System)	X	X	X	X		
AWJD #4	X		X	X	2008	
Ramsey & Washington (RWJD)						
JD #1		X				

2011-2012 Drainage System Maintenance Locations



0 1.5 3 6 Miles



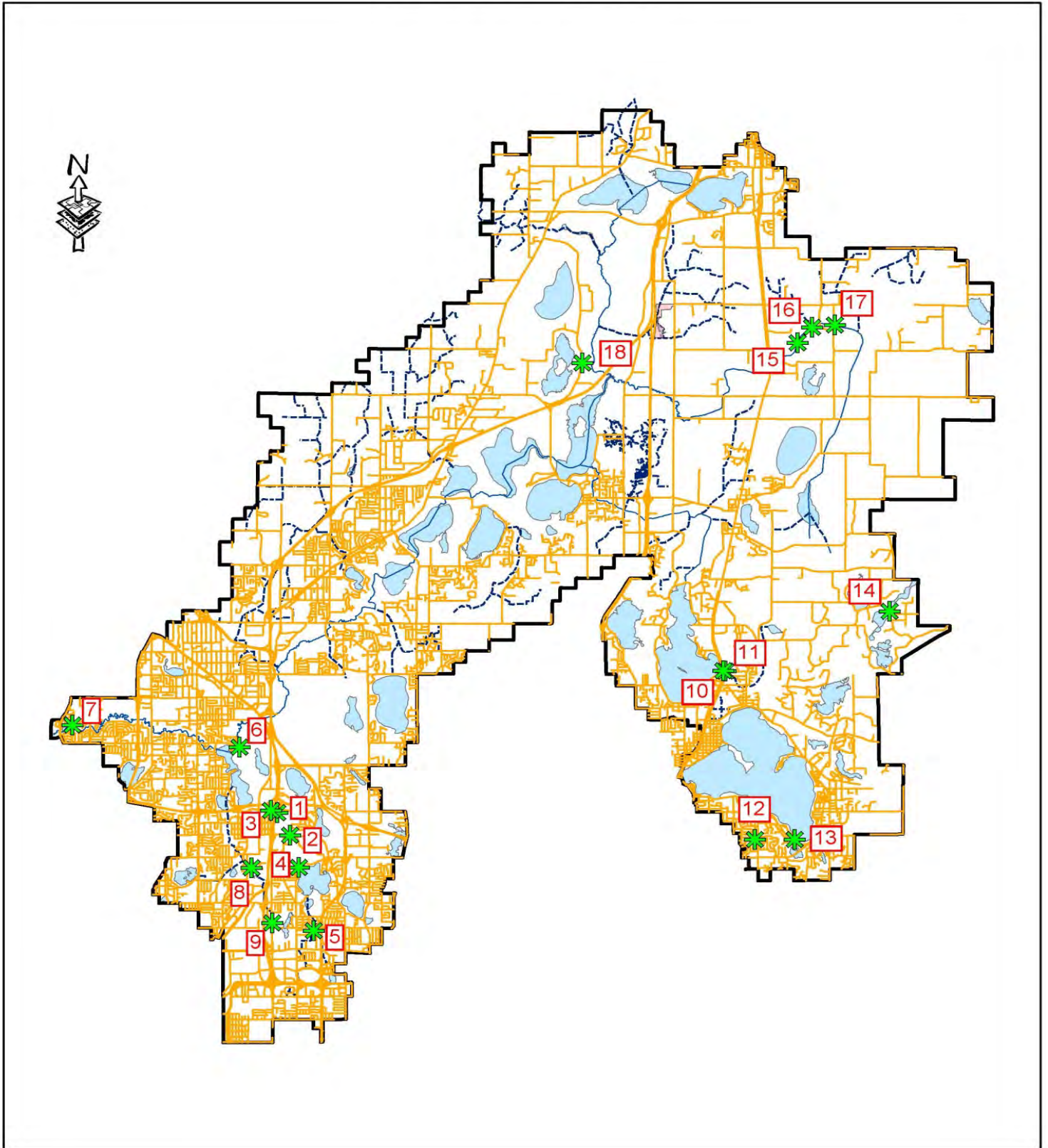
2013 Recommended Drainage System Maintenance Projects

1. ACD #53-62 Main branch
 - General maintenance from 121st to Lexington
2. ACD #53-62 Branch #1 (north of Main St.)
 - Ditch cleaning from Lever to Main St.
3. ACD #10-22-32 Main
 - Ditch cleaning from 137th to east of Jodrell Ave.
4. AWJD #4 Branches #3 & #4/ ACD#15
 - Tile replacement/blind intake installation
 - Branch #3, Lat. #1
 - Branch #4 from east of Fenway west 1200'
 - Culvert replacement at Schmiegs driveway
5. ARJD #1 Main and Branch #5
 - Main branch north from US 10 to 93rd Ave.
 - Branch #5 from 0+00 through city park
6. WCD #7 Main branch
 - Tile line repair in Mrs. Leib's field (less than 100 feet)
7. RCD #3 Main
 - Outlet repair
8. AWJD #3 Main branch
 - Debris/tree removal downstream of Otter Lake Road
 - Minor maintenance on Branches # 1 and #4
9. RCD #5 Main west of RR tracks
10. ACD #55 Main and Branch 8
 - Tile repair/replacement
11. ACD #72 Main
 - Tile repair/replacement

**RCWD DISTRICT FACILITIES
INSPECTION, MAINTENANCE & REPAIR SCHEDULE
2011-2013**

DISTRICT FACILITY NAME	INSPECTION		MAINTENANCE/REPAIR	
	2011-2012 PERFORMED	YEAR PLANNED	YEAR LAST PERFORMED	YEAR PLANNED
DISTRICT OWNED STRUCTURES (map key)				
E2 Wetland Weir (Operable) (1)	X	Annual	2012	2013
North E2 Wetland Weir (2)	X	Annual		2013
New Brighton FSC Weir (35W SW Quadrant) (3)	X	Annual		2012
Lake Johanna Outlet (Operable) (4)	X	Annual	2009	
Oasis Pond Weir (5)	X	Annual	2010	
Long Lake Sedimentation Basin (6)	X	2016	2012	2017
Locke Lake Sedimentation Basin (7)	X	2013		
Jones Lake Outlet Weir (8)	X	2013		
RCD #5 Inlet Structure (Operable) (9)	X	Annual		
RWJD #1 Fish Barrier (10)	X	Annual		
Hwy 61 Treatment pond/Skimmer (11)	X	As needed		2010
Priebe Lake Outfall (12)	X	As needed		
Hall's Marsh Outlet Structure (13)	X	As needed		
Long Lake (Hugo) Outlet Structure (14)		As needed		
82-201w Repair Weir (15)		As needed		
82-201w Outlet (16)		As needed		
82-205w Outlet (17)		As needed		
Rondeau Fish Barrier (Operable) (18)	X	Annual	2011	
DISTRICT EASEMENTS				
Walls Brothers Wetland Banking Easement	X	Annual	2012	2013
Malmstrom Conservation Easement (WJD #2)		As needed		
Eagle Brook Church (Lino Lakes) Easement	X	As needed		
Bredahl Conservation Easement (WJD #2)		As needed		
Rice Creek Corridor Conservation Easement		As needed		

District Owned Facilities (Not To Scale)



Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Anoka Ramsey Judicial Ditch 1

Location: Parts of Sections 26, 27, 33, 34, & 35 Township 31 North, Range 23 West, and parts of Sections 4 & 5, Township 30 North, Range 23 West, in the cities of Lexington, Blaine, Shoreview, & Mounds View, Anoka & Ramsey Counties, Minnesota

Year Established: 1911

Profile: Yes (non adopted) filed in District Office

Length: 7.2 miles (total length)

Improvement / alterations Extensive

Last Maintenance: 2011

Last Inspection: 2010 (Partial)

Next Inspection: 2011

Background:

Anoka Ramsey Judicial Ditch 1 consists of a main line with five lateral branches, flowing in a southwesterly direction before entering Rice Creek in the City of Shoreview. Extensive alterations have been made to this system due in large part to the construction of Interstate 35W and area wide development. Land use classifications include a diverse mix between residential, commercial, and industrial zones. Today this drainage system functions solely as a storm water conveyance system.

Recent Inspection/Maintenance Narrative:

Branch #5 received minor maintenance work in 2010 (tree and debris removal). The culvert under Hillview Road remains a potential issue that will be addressed by the City of Mounds View in 2013. The main line enters a storm pipe within Greenfield Park before traveling several hundred feet under Interstate 35W. The grate and rock rip rap protecting this pipe has the tendency to back water up during heavy rain periods causing local flooding problems.

Recommendation:

The reach west of I-35W and north of US Hwy 10 and Branch #5 should be considered for maintenance in 2013. The pipe entrance in Greenfield Park needs to be checked several times throughout the year.



Trapped beaver from ARJD #1 in Blaine fall of 2011



Beaver dam removal from ARJD #1 in Blaine winter 2011

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Anoka County Ditch #10-22-32
Location:	Parts of Sections 31 & 32, Township 32 North, Range 22 West, and parts of Sections 5, 6, 7, 17, & 18, Township 31 North, Range 22 West, in the cities of Columbus and Lino Lakes, Anoka County, Minnesota
Year Established:	1890; Consolidated in 2010
Profile:	Official profile adopted 2010
Length:	30 miles (approximate)
Survey:	1986, 1988, & 1991, 2004, 2009
Last Maintenance:	2012
Last Inspection:	2012 (as part of Repair Proceeding)
Next Inspection:	2013 (repair project)

Background:

Anoka County Ditch #10-22-32 was originally a compilation of three ditches with several public and private laterals joining the system. This water conveyance system currently drains land under agricultural production and functions as a storm water outlet for Lino Lakes. The upper reaches of this system are mainly agriculture / rural. This system was consolidated by Board order in 2010 as part of the repair report.

Recent Inspection/Maintenance Narrative (2012):

Maintenance as part of the repair project was performed on the main branch from the junction of Branch 4 to 137th Ave. (approx. 1 mile). This work involved replacement/installation of culverts and cleaning ditch to the adopted repair profile. An additional 24" culvert was installed under Jodrell St. at the correct elevation.

Recommendation:

The reach of the main branch will be cleaned from 137th Ave. to a point east of Jodrell St. in 2013, completing the minor maintenance portion of the repair project. The overall repair project will be implemented at the end of 2013.



ACD #10-22-32 maintenance north of Pine Street February 2012



ACD #10-22-32 maintenance north of Pine Street September 2012

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Anoka County Ditch 25

Location: Parts of Sections 21, 22, 28, 32-34 Township 31 North, Range 22 West, in the City of Lino Lakes, Anoka County, Minnesota

Year Established: 1895

Profile: Cross section profile in District office, uncertain of the validity

Length: 4.5 miles

Survey/ Improvement: 2005

Last Maintenance: 2009

Last Inspection: 2009

Next inspection: 2014 (As part of Repair Report)

Background:

Anoka County Ditch 25 (ACD #25) was originally constructed around 1895 and was designed to drain land for agricultural practices in Sections 28, 32, 33 and 34 of Lino Lakes. The ditch historically drained north through Wards Lake to Centerville Lake. At some later date, not identified in historic records, the ditch was reconfigured to drain to Reshanau Lake from Wards Lake. In 1915 a repair was performed on the majority of ACD #25 which included deepening most of the system along with an apparent rerouting of a portion of the Main Ditch.

Recent Inspection/Maintenance Narrative:

Beaver activity was high on this system north of Birch Street. Several beaver were trapped and dams removed in 2009.

Recommendation:

Continued management of beaver activity will be done on an as needed basis. A historical review memo is recommended for 2014.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Anoka County Ditch 31

Location: Parts of Sections 1, 2, & 11 – 14, Township 32 North, Range 22 West, in the City of Columbus and Linwood Township, Anoka County, Minnesota

Year Established: 1898, repaired in 1914

Profile: Yes, filed in District office

Length: 4.2 – 8.6 miles

Survey: September 1988 & 2004, winter of 2008-2009

Last Maintenance: 2012

Last Inspection: 2012

Next Inspection: 2014 (as part of repair)

Background:

About ¼ mile of this ditch system drains to the north into the Sunrise River Watershed. The rest of this system drains to the south / southwest into Howard Lake. The ditch was constructed in 1898 and may have been repaired in 1914.

Recent Inspection/Maintenance Narrative:

Maintenance was performed on branches 2 and 7. This work involved removal of sediment and trees from the ditch and cutting of brush on the banks.

Recommendation:

Most maintenance needs will be addressed through the repair process slated to start in 2015. Spot maintenance will be performed as requested by landowners.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Anoka County Ditch 46
Location:	Parts of Sections 16, 20-23, Township 32 North, Range 22 West, in the City of Columbus, Anoka County, Minnesota
Year Established:	1907
Profile:	Yes, filed in District office
Length:	3.5 – 7.6 miles
Survey	September 1988, spring of 2004, Winter of 2008-2009
Last Maintenance:	2008
Last Inspection:	2008-2009
Next inspection:	2014

Background:

This open ditch system consists of a main line and five lateral branches. Portions of the ditch have been realigned and segmented back into the main line at some point. This system was originally constructed for agricultural purposes and somewhat functions for that intention today. Land use changes have added homes and roadways to the area. The ditch system drains to the south and then east before emptying into Rice Creek a mile and a half south of Howard Lake.

Recent Inspection/Maintenance Narrative:

The District Engineer surveyed and inspected this system as part of a repair report in 2008-2009. A culvert on Branch #5 was replaced by the City of Columbus in 2008.

Recommendation: Any maintenance needs will be addressed through the repair process slated to start in 2016. Spot maintenance will be performed as requested by landowners.

2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Anoka County Ditch 53-62
Location:	Parts of Sections 1, 10, 11, 12, 13, 14, 22, 23, 24, 25, 26, & 27, Township 31 North, Range 23 West, in the cities of Circle Pines & Blaine, Anoka County, Minnesota
Year Established:	1890 – 1917; Consolidated 2012
Length:	> 25 miles (entire system)
Profile:	Adopted (2012)
Survey/ Improvement	1988 / many
Last Maintenance:	2012
Last Inspection:	2011
Next inspection:	2013 (north of 109 th Ave.); Yearly south of 109 th Ave.

Background:

Anoka County Ditch 53-62 is a compilation of five ditch systems built over a period of 19 years. Much of the system drains within the Rice Creek Watershed District, with the outlet at Golden Lake in the City of Circle Pines, but flat sections of this ditch may also flow into the Coon Creek Watershed District. Extensive studies have been conducted over the years regarding drainage issues surrounding this complex ditch system.

Recent Inspection/Maintenance Narrative (2012):

Branch 1 south Main Street to 121st Ave. was cleaned in 2012. Multiple sections of Branch 1 from 121st Ave. to downstream of Lexington Ave. were cleaned in 2011. This work also included replacement of some damaged culverts.

Recommendation:

Minor maintenance north of Main Street to Lever St. is recommended in 2013. RCWD is currently finalizing a repair report for Branch 1 that will be implemented in 2014.



ACD 53-62 Branch #1 maintenance upstream of Lexington Ave. 2012



ACD 53-62 Branch #1 maintenance between Main St. and 121st Ave 2011

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Anoka County Ditch 55
Location:	Parts of Sections 12, 13, & 24 Township 31 North, Range 22 West, in Cities of Lino Lakes & Centerville in Anoka County, Minnesota
Year Established:	1915; Consolidated 2012
Profile:	Adopted 2012
Length:	2.3 miles
Survey/ Improvement	2011
Last Maintenance:	2012
Last Inspection:	2012
Next inspection:	2014 (selected locations) (Outlet yearly)

Background:

Anoka County Ditch 55 drains agriculture land on the east and west sides of Interstate 35E. The City of Lino Lakes is currently reviewing a large track of agricultural land adjacent to I-35E for development.

Recent Inspection/Maintenance Narrative (2012):

Major tile repair work was performed on the main branch, branch 8, and the outlet in 2011 and 2012. Surface inlets were added in several key locations and multiple blowouts were repaired. The District undertook a consolidation and division proceeding in 2012, abandoning all laterals and sub-laterals of less than 6" in size. The resulting system now consists of the former main branch and branch 8. A repair report is being under taken in 2013.

Recommendation:

Branch #8 has an open ditch section that will be replaced with a French drain/tile in 2013.



Tile Repair on ACD #55, Branch #8 (April 2012)



Tile Repair on ACD #55 main branch (July 2012)

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Anoka County Ditch 72

Location: Parts of Sections 11, 12, & 13 Township 31 North, Range 22 West, in cities of Lino Lakes, & Centerville in Anoka County, Minnesota

Year Established: 1923

Profile: Cross Section Profile in District Office

Length: 1.5 miles (estimate)

Survey/ Improvement Re-routed at outlet 2003

Last Maintenance:

Last Inspection: 2012

Next inspection: 2013 (selected locations) (Outlet yearly)

Background:

This extensive tile system drains agricultural land and then opens into a small ditch just before entering Peltier Lake. The surrounding land is currently under agricultural production, but a large parcel has been developed (Eagle Brook Church).

Recent Inspection/Maintenance Narrative (2012):

Tile ruptures were repaired in the areas between Rehbein St and 77th St in Lino Lakes in 2011. Multiple tile blow-outs/failures were identified and marked for future repair in 2012.

Recommendation:

Inspect the outlet yearly to check for blockages. Begin working on tile repairs as crop conditions and budget allows. This system should be considered for a repair report in 2014.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Washington Judicial Ditch #2 (Hardwood Creek)
Location:	Parts of Sections 3, 4, 5, 7, 10, 15, 16, & 21, Township 31 North, Range 21 West, and Parts of Sections 3 & 34, Township 32 North, Range 21 West, and Parts of Sections 1 & 12, Township 31 North, Range 22 West in the cities of Hugo, Forest Lake, and Lino Lakes, Anoka and Washington Counties of Minnesota
Year Established:	1908
Profile:	Yes, located in District Office
Length:	9.6 miles – original assessment
Survey	1987, 2003 & 2004
Last Maintenance:	2010
Last Inspection:	2010 (City of Hugo)
Next Inspection:	2011 (partial-City of Hugo)

Background:

Washington Judicial Ditch #2 (WJD#2), also known as Hardwood Creek, drains portions of the above-mentioned sections; consisting of a main line, two branches, and a natural stream channel. The landscape surrounding this expansive drainage system varies from gently to moderate rolling topography to relatively flat landscape, with soil characteristics ranging from poorly drained to well-drained. Washington Ditch #5 and Washington Ditch #7 established in 1921 were both placed within portions of historic branches #3 & #4 of WJD #2. Since 1921, these tile systems represent separate drainage systems that empty into WJD #2 (See individual reports).

Recent Inspection/Maintenance Narrative (2012):

The City of Hugo, under a memo of understanding with RCWD (renewed in 2012), is responsible for the inspection and maintenance of WJD #2. RCWD provides up to \$40,000 for inspection and minor maintenance for WJD #2. The culvert under Hwy 61 was cleaned in 2009, with repairs to the road slope/ditch interface on the east side of the highway. Hugo completed a maintenance project at the end of 2011/Early 2012 from 157th Street to 165th Street.

RCWD, in cooperation with the City of Hugo, developed BMP's for ditch maintenance activities that were included in the Hardwood Creek TMDL. These BMP's will allow for ditch maintenance on WJD #2 during and after the TMDL study is completed. Hugo initiated a maintenance project at the end of 2012 from 165th Street to Washington County Road 4.

Recommendation:

The City of Hugo is responsible for inspection and maintenance for WJD #2. RCWD will ensure that the ditch is inspected at least once every 5 years, as required by BWSR.



WJD #2 Maintenance at 165th Street culvert in Hugo (January 2012)

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Anoka/Washington Judicial Ditch #3 (Clearwater Creek)

Location: Parts of Sections 8, 17, 19, 20, 30, & 31 Township 31 North, Range 21 West, and Parts of Sections 14, 23, 24, 25, 26, & 36 Township 31 North, Range 22 West, in the cities of Hugo, Lino Lakes, and Centerville, Anoka and Washington Counties of Minnesota

Year Established: 1914

Length: 11.3 miles (main line & 4 branches) Branch 5 was replaced with drain tile in 1915 and is designated Anoka County Ditch 55.

Survey: 1959

Profile: Yes, located at District Office

Last Maintenance: 2012

Last Inspection: 2012 (partial)

Next Inspection: 2013 (partial)

Background:

Anoka/Washington Judicial Ditch #3 (AWJD #3), also known as Clearwater Creek, begins at the north end of Bald Eagle Lake. The main line flows to the north and then northwesterly before emptying into Peltier Lake. The RCWD Management Plan designates Clearwater Creek as one of the trunk drainage systems. This drainage system functions both as a storm water conveyance system and an agricultural drainage ditch.

Recent Inspection/Maintenance Narrative (2012):

RCWD removed debris/trees from the main branch from south of Clearwater Creek Environmental Preserve to HD sod fields in 2011. Branch #2 was inspected in 2010 as requested by landowners. Deadfall and tree encroachment on the banks were noted and removed in 2011. Minor deadfalls and beaver dams were removed through the Victor Gardens community to Otter Lake Road in 2012.

Recommendation:

Minor maintenance is needed on Branches #1 and #4. Most of this work should consist of tree/debris removal, although spot sediment removal/channel width re-establishment will likely be needed. Trees should be removed entirely from at least one side of the ditch bank to allow for maintenance access. Inspect for beaver activity throughout the year.



AWJD #3, Branch #2 Maintenance in Hugo (April 2011)



Beaver dam in AWJD #3, downstream of Victor Gardens in Lino Lakes (October 2011)

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Anoka/Washington Judicial Ditch #4

Location: Parts of Sections 19, 20, 29, & 30, Township 32 North, Range 21 West and Parts of Sections 25, 35, & 36, Township 32 North, Range 22 West; In the Cities of Forest Lake and Columbus, Washington and Anoka Counties of Minnesota

Year Established: 1914

Profile: Cross Section Profile in District Office

Length: 12.4 Miles

Survey Performed: Main line culvert inverts and channel cross-sections 1987, 2004 & 2005 survey

Last Maintenance: 2010

Last Inspection: 2009 (Repair Report); 2012 (partial)

Next Inspection: Full inspection in 2015; portions yearly; Tile outlets yearly

Background:

Anoka/Washington Judicial Ditch #4 (AWJD #4) drains approximately 3,840 acre in the above-mentioned sections. The general landscape is level to gently undulating with moderately well-drained to poorly drained soils. AWJD #4 was legally established in 1914 consisting of a main line with 4 branches and two laterals. The main line functions as an open ditch with the branches being drain tile.

Recent Inspection/Maintenance Narrative (2012):

Multiple maintenance projects were completed on this system in 2011 and 2012. These include: Major tile replacement on branches #3 and #4, with a new outlet on branch #4; sediment removal on the main branch from 141st street to 35E; and the implementation of the AWJD #4 repair that included the re-route of the main branch around the former Houle WMA.

Recommendation:

Branch #3, Lateral #1 needs extensive maintenance and is scheduled for replacement of tile. Branch #4 from east of Fenway Ave. to where the 2012 tile replacement project stopped, will also be replaced in 2013. Continued observation of the new ditch will be undertaken and corrective maintenance will be initiated when and where needed.



New tile outlet and headwall on AWJD #4, Branch #4 (March 2012)



Tile Repair on AWJD #4, Branch #3 in Forest Lake (December 2012)

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Washington County Judicial Ditch #5
Location:	Parts of Sections 22, 27, 28 & 34, Township 32 North, Range 21 West, in the City of Forest Lake, Washington County, Minnesota
Year Established:	1921
Profile:	Cross Section Profile – unsure of validity
Length:	3.2 miles
Survey	yes
Last Maintenance:	2010
Last Inspection:	2004 (lower half); 2009 (upper half)
Next Inspection:	Tile system - outlet and select locations yearly

Background:

Washington County Judicial Ditch #5 (WJD #5) begins near the intersection of Ingersoll Avenue and 202nd Street North, draining in a southerly direction and eventually into Judicial Ditch 2 or Hardwood Creek. This system is mostly tiled, ranging in size from 8 to 20 inches in diameter.

Recent Inspection/Maintenance Narrative (2010):

The upper reaches were inspected in 2010 based on landowner complaints. A large section of tile was replaced from the head of the system to where repairs stopped in 2009. The inlet of the pond was replaced and made adjustable for the landowner.

Recommendation:

A repair report should be completed for this system within the next two years.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Washington County Judicial Ditch #6
Location:	Parts of Sections 23, 25, & 26 Township 32 North, Range 21 West, in the City of Forest Lake, Washington County, Minnesota
Year Established:	1921, Altered in 1973
Profile:	Profile in District office, unsure of validity
Length:	2.0 miles
Survey	unknown
Last Maintenance:	2012
Last Inspection:	2008 (partial)
Next Inspection:	Tile system - outlet and select locations yearly

Background:

Washington County Judicial Ditch #6 (WJD #6) is located east of WJD #5 on the north and south sides of 202nd St, all draining to the north and eventually into Forest Lake. The southern reaches of this tile system are within the Rice Creek Watershed District and north of 202nd St. the system is in the Forest Lake watershed. This system is 95% tile, ranging in size from 14 to 24 inches in diameter, opening into a 4-foot wide ditch with 1:1 side slopes. A private ditch system drains adjacent to the tile system in areas and was in poor condition based on previous reports. This system continues to drain lands under agricultural production with larger residential lots moving into several areas adjacent to this line. The tile line splits several wetland types along its route. General repairs were made to the tile line, permitted under RCWD #94-97.

Recent Inspection/Maintenance Narrative (2012):

The 2000 management plan identifies this system as an underground drainage tile and therefore not included in the ditch inspection schedule. A section of this tile line was repaired in 2008 at the Kelly Hoff property. Two blowouts were repaired and an intake installed to facilitate drainage of a connected private ditch. This repair was "repaired in 2012 after the installed inlet failed.

Recommendation:

Inspect 202nd Street crossing and tile / ditch interface yearly to insure functionality of the system. This system outlets into Forest Lake and should be transferred to FL/CLWD.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Washington County Judicial Ditch #7
Location:	Parts of Sections 28, 29, 32, & 33 Township 32 North, Range 21 West, in the City of Forest Lake, Washington County, Minnesota
Year Established:	1921
Profile:	Cross section profile in District Office
Length:	2.9 miles
Survey	Main Line 2001 & 2002
Last Maintenance:	2010
Last Inspection:	General and outlet inspection in 2009
Next Inspection:	Tile system - outlet and select locations yearly

Background:

Washington County Judicial Ditch #7 (WJD #7) was originally designated as Branch #3 of WJD #2 and currently empties into it west of Harrow Ave. in the City of Forest Lake. This ditch system was originally constructed with drain tile ranging from 8 to 15 inches in diameter. The tile line consists of a main line, and five branches.

Recent Inspection/Maintenance Narrative (2010):

Branch #3 was re-connected under 190th St N to the main branch in 2009. An inspection/cleanout manhole was installed in Mr. Bill Burrow's farmyard, as well as three intakes in his pasture. The entire length of branch #3 was then hydraulically flushed and vacuumed to remove accumulated sediment. The outlet bulkhead at Hardwood Creek was discovered to be missing in 2009 and was subsequently replaced. Additionally, 300' of old drain tile was replaced under a MN DNR Public Waters wetland.

Recommendation:

The outlet at WJD #2 should be monitored yearly to insure a free flowing outlet. Tile intakes should be inspected during high water events. Inspect system again in 2014 or as needed. A section of the main branch downstream of 190th street requires minor maintenance due to tree roots incursion and will be completed in 2013.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Ramsey County Ditch 1
Location:	West ½ of Section 3, Township 30 North, Range 23 West City of Shoreview, Ramsey County, Minnesota
Year Established:	1901
Profile:	None
Length:	1.1 Miles
Survey Performed:	April 1989
Last Maintenance:	2010
Last Inspection:	2007
Next Inspection:	2013

Background:

Ramsey County Ditch 1 was established in 1901 with no tributary branches. This system begins at the northern end of Marsden Lake within the boundary of TCAAP and drains northwesterly through the City of Shoreview, crossing under Hamline and Lexington Avenues before discharging into Rice Creek east of Lexington Avenue. The surrounding land use is residential to open space.

Recent Inspection/Maintenance Narrative:

This ditch was inspected in the late winter of 2004 due to a complaint about beaver problems and trees being cut down. No obstructions were identified during the inspection and old cuttings were observed in one area. The ditch is significantly covered with vegetation but water flow was observed during inspection. Debris removal at a county culvert was conducted (by Ramsey County) as outlined in the 2001 maintenance report.

In 2007, RCWD staff inspected this system from County RD I to the confluence with Rice Creek. While choked with vegetation, it was observed to be flowing adequately and no major obstructions were noted.

Recommendation:

Inspect in 2013 or as needed.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Ramsey County Ditch #2
Location:	In parts of Sections 20, 29, and 32, Township 30 North, Range 23 West, in the City of New Brighton, Ramsey County, Minnesota
Year Established:	1906
Profile:	None identified in District Office
Length:	2.05 miles
Survey / Improvement	1960's improvement
Last Maintenance:	2009
Last Inspection:	2010 (partial)
Next Inspection:	2013 (partial)

Background:

Ramsey County Ditch #2 (RCD #2) may lie within its original alignment, but significant changes in the 1960's altered the drainage capacity of this system. Branch 1 has been converted to a piped storm water system, managed and maintained by the City of New Brighton. Land use in the area is industrial to residential with a few areas designated as open green space. The Rice Creek Watershed District Management Plan designates RCD #2 as one of the trunk drainage systems. This drainage system functions solely as a storm water conveyance system.

Recent Inspection/Maintenance Narrative (2012):

Several trees were removed in 2011 and 2012 that were identified by local citizen who patrols the ditch from Hansen Park to I-694.

Recommendation:

This system is in need of stabilization in the stretch inspected. Numerous bank sloughs were noted. Continual garbage patrol is needed as this stretch is a popular dumping ground. We have made arrangements with a local resident who is interested in "patrolling" the ditch and removing small items and contacting us for removal of larger debris. A petition is being prepared by the Cities of New Brighton, St. Anthony and Roseville for a regional drainage project for this system.



Flooding on RCD #2 (Garden View Apartments) (July 2011)



Train Derailment at Rice Creek crossing in Fridley (July 2011)

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Ramsey County Ditch #3

Location: The S ½ of the NE ¼ of Section 31 and the NW ¼ of Section 32, Township 30 North, Range 23 West, City of New Brighton, Ramsey County, Minnesota

Year Established: 1906

Profile: Unknown

Length: 0.4 miles open & 1.2 mile storm sewer

Survey / Improvement 1967 improvement

Last Maintenance:

Last Inspection: 2012

Next Inspection: Inlet and Outlet yearly

Background:

Ramsey County Ditch #3 (RCD #3) was established in 1907 with no tributary branches. This system begins at Silver Lake in the City of St. Anthony and flows east via storm pipe, past Popular Lake, before joining with Ramsey County Ditch #5 emptying into RCD #2. The entire ditch is now a subsurface storm water system and has no resemblance to the original ditch.

Recent Inspection/Maintenance Narrative:

The inlet and outlet were inspected in 2011 and 2012. The outlet is in need of repair as the pipe joints are separating. Erosion around the end section of the pipe is also evident.

Recommendation:

The inlet and outlet should be inspected yearly for functionality. The outlet should be repaired in 2013 or 2014.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Ramsey County Ditch #4

Location: Parts of Sections 4, 9, 10 Township 29 North, Range 23 West and Parts of Section 33, Township 30 North, Range 23 West, in the cities of Roseville and Arden Hills, Ramsey County, Minnesota

Year Established: 1907

Profile: None

Length: 2.8 miles with a single branch #designated Lateral 1

Survey / Improvement 1944 Survey, 1967 partial conversion to storm sewer, 1985

Last Maintenance: 2010

Last Inspection: 2010 (partial – open ditch sections only)

Next Inspection: 2013

Background:

Ramsey County Ditch #4 (RCD #4) is a mix of open ditches and buried pipes, functioning as a storm water conveyance system for the developed parcels in the immediate area. Lateral 1 flows north out of Zimmerman Pond, through a residential neighborhood joining the main line south of the industrial park. The main ditch receives a large portion of storm water from the Rosedale Mall and adjacent industrial park, all flowing north through Oasis Pond, Little Lake Johanna and eventually Lake Johanna.

Recent Inspection/Maintenance Narrative (2010):

The ditch banks from County Road C2 north to Oasis Pond are in need of stabilization. Overbank runoff from parking lots and industrial areas are causing a lot of erosion. This is another ditch that has become a public dump, with lots of refrigerators, computer monitors, and car batteries to be found. Winter snow dumping introduces sediment and poses a potential flooding problem in the spring. The outlet weir of Oasis Pond was replaced as part of the Oasis Pond Project. Some tree clearing by the City of Roseville was noted in the County Road C2 to Oasis Pond reach.

Recommendation:

Continue to work with Roseville on garbage/debris removal. Repairs to this ditch should be implemented as proposed in the Southwest Urban Lakes Study.



RCD #4 downstream of County Road C2 (March 2012)



RCD #4 upstream of Oasis Pond (March 2012)

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number: Ramsey County Ditch #5

Location: Parts of Section 32, Township 30 North, Range 23 West, and Parts of Sections 4 & 5 Township 29 North, Range 23 West, in the cities of Roseville and New Brighton, in the County of Ramsey, Minnesota

Year Established: 1906

Profile: None

Length: 0.7 miles open ditch & 0.6 miles buried storm pipe

Survey / Improvement Yes / 1967

Last Maintenance: 2002

Last Inspection: 2010 (open channel only)

Next Inspection: 2013 (inlet and outlet control structures yearly)

Background:

Ramsey County Ditch #5 (RCD #5) was constructed in 1906 with one lateral designated Branch 1. Branch 1 has been converted to a storm pipe system (0.15 miles) as are other sections of the main line of this ditch system. High flow rates have eroded the banks along the lower reaches of this system.

Recent Inspection/Maintenance Narrative (2010):

The inlet control structure adjacent to Cleveland Avenue was inspected and was determined to be in good condition. There is a stop-log structure on the inlet that can be used to manipulate water levels in the pond. From this point the ditch carries storm waters westerly in a pipe before day-lighting on the west side of Interstate 35W. The open ditch meanders a bit from its original channel but flows do not appear to be affected within this flashy storm system

Recommendation:

Minor maintenance (tree and debris removal) as well as minor bank repair was recommended on the lower reaches of the system for 2011 but was delayed. This work is planned for 2013.

General Information:

Ditch Number: Ramsey County Ditch #8

Location: Parts of Section 31, Township 31 North, Range 22 West, and parts of Sections 1 & 2, Township 30, Range 23 West, in the cities of Shoreview and Lino Lakes, Ramsey County Minnesota

Year Established: 1910

Profile: none

Length: 3.3 miles (total length)

Survey/ Improvement 1983 improvement

Last Maintenance:

Last Inspection: 2007

Next Inspection: 2013

Background:

Ramsey County Ditch #8 (RCD #8) consists of a main line and two branches all flowing northwesterly. The system begins in Shoreview in a collection of ponds known as Kerry Lake, eventually emptying into Rice Creek south of Baldwin Lake. Land use in the area has converted from agricultural to residential housing with segments of open park spaces and wetland complexes. The ditch system functions primarily as a storm water conveyance system for the immediate area and other natural water flowage.

Recent Inspection/Maintenance Narrative (2007):

A large beaver dam was discovered upstream of the Ash Street / County Road J culvert this fall. The dam was holding back 4 plus feet of water causing water problems to several residences upstream of this obstruction. RCWD trapped three beavers and then Ramsey County Public Works Department removed the dam, alleviating the flooding.

Recommendation:

Manage beaver problems as they arise.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Ramsey County Ditch #11
Location:	Parts of Sections 11 & 12, Township 30 North, Range 22 West, located in the City of White Bear Lake and White Bear Township, Ramsey County, Minnesota
Year Established:	1913
Length:	2.1 miles (original)
Profile:	Yes, in District File
Survey/ Improvement	1948
Last Maintenance:	2009
Last Inspection:	2008
Next Inspection:	2013

Background:

Ramsey County Ditch #11 consists of a main line and three branches draining approximately 0.35 square miles, serving as an outlet to White Bear Lake draining to the southwest into Bald Eagle Lake. General complaints and repair projects highlight the District file but no major repairs have been made since the RCWD gained jurisdiction over this system in 1972.

Recent Inspection/Maintenance Narrative (2012):

Minor maintenance involving the removal of 1 – 2 feet of sediments from within the ditch and culverts was completed September of 2003. Sediments and debris were removed from branch #2 in 2004. 2008 inspection revealed sedimentation at the upper reaches. Downstream sections are faring better

Recommendation:

Monitor Ditch 11 during spring melt and after heavy precipitation periods. White Bear Township is planning on replacing the culvert under East St. in 2013.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Ramsey Washington Judicial Ditch #1
Location:	Parts of Sections 6 & 7, Township 30 North, Range 21 West, and Parts of Sections 1 & 12, Township 30 North, Range 22 West, located in the City of Dellwood, Grant, and White Bear Townships, in Ramsey and Washington Counties of Minnesota
Year Established:	1905
Profile:	Cross section profile – unsure of authenticity
Length:	1.8 miles (estimate)
Survey/ Improvement	1995
Last Maintenance:	2010
Last Inspection:	2008
Next Inspection:	2013

Background:

Ramsey Washington Judicial Ditch #1 (RWJD #1) begins in Schuneman Marsh flowing to the south and then to the west before ending in Bald Eagle Lake. This ditch system drains approximately 10.9 square mile of generally flat to moderately rolling topography. Land use on the northern extent of this system still maintains an agriculture base but residential housing is becoming more common. The southern end of this system is entirely residential with forested patches between housing communities.

Recent Inspection/Maintenance Narrative:

Trees were removed from ditch near Grand Ave. in fall of 2011; removed damage end section from upstream end of Grand Ave. culvert at the same time. White Bear Township replaced the culvert under Grand Ave. in 2012.

Recommendation:

Inspect for beaver activity in the spring at the outlet of Schuneman marsh. Remove deadfalls as they arise. Monitor fish barrier near Bald Eagle Lake for potential blockages.

Rice Creek Watershed District
2013 Public Drainage System Inspection Report

General Information:

Ditch Number:	Rice Creek
Location:	Various sections, townships and ranges
Year Established:	RCWD 1972
Length:	Approximately 28 miles,
Total Drop:	Approximately 84 feet (from 890 ft. msl to 806ft. msl)
Last Maintenance:	2012
Last Inspection:	2011 helicopter and site
Next Inspection:	2013 helicopter and site

Background:

The Rice Creek Watershed District covers an area of 201 square miles in the northeast metropolitan area of the Twin Cities. Rice Creek is the main stream originating out of Howard Lake, meandering through a chain of lakes and emptying into the Mississippi River in Fridley. The two main tributaries are Hardwood Creek and Clearwater Creek. The landscape varies from rolling topography in the far eastern sections of the district to a flat landscape with numerous wetland complexes. (Referenced from the RCWD Water Resource Management Plan)

Recent Inspection/Maintenance Narrative:

The entire length of Rice Creek is inspected yearly by helicopter. The location of sites that may warrant further investigation are then recorded via GPS and site checked as conditions allow. Several trees were removed from lower Rice Creek downstream of Hwy 65 in Fridley, per the Boards Natural Channel Maintenance Policy.

Recommendation:

Continue to inspect portions of this system yearly for minor maintenance needs. Coordinate and conduct natural resource based restoration efforts throughout all waters within RCWD. Removal of deadfall occurs only when it is within the parameters of the Natural Channel Maintenance Policy. Maintenance of the "canoe route" should be coordinated with Anoka and Ramsey County parks, with RCWD contributing financially with the local partners providing for the actual maintenance work itself.

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ITEMS FOR DISCUSSION AND INFORMATION

2. Update on Proposed Drainage Legislation.

From: Larry Kramka
Sent: Thursday, February 21, 2013 10:44 AM
To: Phil Belfiori
Cc: Mark Deutschman
Subject: Drainage statute changes

Attached you will find HF66 and SF 113

The current House status is that it has passed the House. In the Senate it is awaiting a floor vote and is on general orders, so it could be considered at any time. The bills are alike so there will not need to be a conference committee. Please note the bolded sections in my summary below. I believe these are the ones that are most notable for the board.

Please call when you have had a chance to review this.

HF66/SF113 A bill amending 103E

Section 1, 2, and 3:

Adds clarity to the definition of Board, updates the definition of Director to reflect the change at DNR to the Division of Ecological and Water Resources, and adds the definition of Secretary to mean the Secretary of a WD.

Section 4:

Corrects the reference to the division of Waters.

Section 5:

Amends 103E.101 sub 3, provides the auditor or secretary as defined above to be the record keeper for records and allows for records to be stored in a readily useable, resilient, and secure manner eliminating the requirement for them to be in a bound book.

Section 6:

Allows for engineers documents to be filed with auditor or secretary.

Section 7:

Amends 103E.101 to add new provisions and standards for reestablishment of drainage system records. Provides clear authority and process for identifying when records are no longer available, the minimum investigations and report required by a PE required to reestablish records, initiation by drainage authority on motion, or by petition, hearing and notice requirements, and statement that the reestablished record constitutes the official record. It also provides that a finding of the drainage system right of way in the order to reestablish the record must be weighed in any subsequent judicial proceedings related to the nature and existence of property encumbrances.

This provides clear authority and process to deal with records that no longer exist. It is prescriptive in the minimum requirements which means that discretion by a drainage authority and the judgment of the engineer as to what appropriate methods and data to be used is lost. It provides that the reestablished records including profiles are the official record for the ditch, which limits future arguments as to ditch depth, plan, and profile.

Section 8:

Requires that necessary storage facilities be made available to the secretary

Section 9:

Clarifies responsibilities for the transfer of records to WD when systems are transferred from county or joint ditch authorities.

Section 10:

Clarifies that wetland or water quality enhancements can be incorporated into petitions to impound, reroute, or divert drainage systems.

Section 11:

Corrects for the change to Division of Ecological and Water Resources

Section 12:

Redefines repair. Changes the standard from same condition to same hydraulic capacity as originally constructed and subsequently improved. **This is a significant change. The language previously allowed for ditches to be maintained to their physical footprint on the landscape. This language would now require that hydraulic capacity be the measure of a repair.**

This section also changes the term waste banks to spoil banks.

Section 13:

Adds language to the section that currently allows wetland preservation, enhancement, and restoration measures as repairs to also include channel erosion practices and water quality enhancements.

Section 14:

Provides that repairs under the resloping of spoil banks can include multistage ditch cross section projects. It also requires that the resloping and tree removal activities in this section must benefit the specific property on which the activity will occur. **This is a significant change. These projects are typically conducted to maintain the benefit to the ditch as a whole, not to an individual landowner.**

Larry Kramka

Environmental Service Sector Lead

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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **66**

01/14/2013 Authored by Hansen, Torkelson, Poppe, Hamilton, Gunther and others
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy
01/17/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Government Operations
01/24/2013 Adoption of Report: Pass and Read Second Time

1.1 A bill for an act
1.2 relating to waters; modifying drainage system provisions; amending Minnesota
1.3 Statutes 2012, sections 103E.005, subdivisions 4, 6, by adding a subdivision;
1.4 103E.101, subdivisions 2, 3, 4, 5, by adding subdivisions; 103E.227, subdivision
1.5 1; 103E.525, subdivision 1; 103E.701, subdivisions 1, 6; 103E.715, subdivision 6.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 103E.005, subdivision 4, is amended to
1.8 read:

1.9 Subd. 4. **Board.** "Board" means the board of commissioners of the county, a joint
1.10 county board, the board of managers of the watershed district, or a metropolitan watershed
1.11 management organization that serves as the drainage authority where the drainage system
1.12 or project is located.

1.13 Sec. 2. Minnesota Statutes 2012, section 103E.005, subdivision 6, is amended to read:

1.14 Subd. 6. **Director.** "Director" means the director of the Division of ~~Waters~~
1.15 Ecological and Water Resources in the Department of Natural Resources.

1.16 Sec. 3. Minnesota Statutes 2012, section 103E.005, is amended by adding a subdivision
1.17 to read:

1.18 Subd. 28a. **Secretary.** "Secretary" means the secretary of the watershed district that
1.19 serves as the drainage authority for the applicable drainage system.

1.20 Sec. 4. Minnesota Statutes 2012, section 103E.101, subdivision 2, is amended to read:

1.21 Subd. 2. **Record requirements.** All maps, plats, profiles, plans, and specifications
1.22 prepared and used in relation to a proceeding must:

- 2.1 (1) be uniform;
- 2.2 (2) have each sheet ~~bound and~~ marked to identify the proceeding by the drainage
2.3 project and system number;
- 2.4 (3) show the name of the person preparing the sheet;
- 2.5 (4) show the date the sheet was prepared; and
- 2.6 (5) conform to rules and standards prescribed by the director ~~of the Division of Waters.~~

2.7 Sec. 5. Minnesota Statutes 2012, section 103E.101, subdivision 3, is amended to read:

2.8 Subd. 3. **Index of proceedings and records.** The auditor or secretary shall keep
2.9 all orders, exhibits, maps, charts, profiles, plats, plans, specifications, and records of
2.10 the proceedings. These records may not be removed except when the board makes a
2.11 written order to remove them. The auditor or secretary shall keep an accurate index of
2.12 the proceedings and related documents in a ~~bound book~~ readily usable, resilient, and
2.13 secure manner.

2.14 Sec. 6. Minnesota Statutes 2012, section 103E.101, subdivision 4, is amended to read:

2.15 Subd. 4. **Engineer's documents.** All original plats, profiles, records, and field
2.16 books made by the engineer during the proceedings or the construction of a drainage
2.17 project are public records and the property of the drainage authority. These public records
2.18 must be filed with the auditor or secretary under the direction of the drainage authority
2.19 when construction is completed or when the engineer stops acting for the drainage project,
2.20 whichever is earlier.

2.21 Sec. 7. Minnesota Statutes 2012, section 103E.101, is amended by adding a subdivision
2.22 to read:

2.23 Subd. 4a. **Reestablishment of drainage system records.** (a) If, after thorough
2.24 investigation of drainage system records, a drainage authority finds that records
2.25 establishing the alignment, cross-section, profile, or right-of-way of a drainage system that
2.26 it administers are lost, destroyed, or otherwise incomplete, it may, by order, reestablish
2.27 records defining the alignment; cross-section; profile; hydraulic structure locations,
2.28 materials, dimensions, and elevations; or right-of-way of the drainage system as originally
2.29 constructed or subsequently improved in accordance with this chapter. The procedure
2.30 for reestablishing drainage system records must involve, at a minimum, investigation
2.31 and a report of findings by a professional engineer licensed in Minnesota supported by
2.32 existing records and evidence, including, but not limited to, applicable aerial photographs,
2.33 soil borings or test pits, culvert dimensions and invert elevations, and bridge design

3.1 records. The existing and reestablished records together must define the alignment;
 3.2 cross-section; profile; hydraulic structure locations, materials, dimensions, and elevations;
 3.3 and right-of-way of the drainage system. Drainage system records reestablished under
 3.4 this subdivision do not interrupt prescriptive occupation.

3.5 (b) The description of a drainage system under this subdivision may be initiated by
 3.6 the drainage authority on its own motion or by any party affected by the drainage system
 3.7 filing a petition. If the system is under the jurisdiction of a county board, the petition must
 3.8 be filed with the auditor. If the system is under the jurisdiction of a joint county drainage
 3.9 authority, the petition must be filed with the auditor of the county with the largest area
 3.10 of property in the drainage system. If the system is under the jurisdiction of a watershed
 3.11 district board, the petition must be filed with the secretary.

3.12 (c) When a drainage authority directs by resolution or when a petition is filed under
 3.13 this subdivision, the drainage authority, in consultation with the auditor or secretary,
 3.14 shall set a time and location for a hearing after the engineer's report is complete. The
 3.15 auditor or secretary shall give notice of the hearing by mail to the commissioner of natural
 3.16 resources, the executive director of the Board of Water and Soil Resources, the petitioner
 3.17 or petitioners, and all property owners benefited or damaged by the drainage system and
 3.18 shall give notice to other interested parties either in a newspaper of general circulation in
 3.19 the drainage system area or by publication on a Web site of the drainage authority.

3.20 (d) Drainage system records reestablished under this subdivision constitute official
 3.21 drainage system records. A finding of drainage system right-of-way in the applicable
 3.22 order is a defense to a trespass claim and shall be given due weight in any subsequent
 3.23 court proceeding to establish the existence or nature of a property encumbrance.

3.24 Sec. 8. Minnesota Statutes 2012, section 103E.101, subdivision 5, is amended to read:

3.25 Subd. 5. **Filing and storage facilities.** County boards shall provide the auditor,₂
 3.26 and watershed district boards shall provide the secretary, with necessary filing and storage
 3.27 facilities to protect the files and records of all proceedings under its jurisdiction. The
 3.28 county boards and watershed district boards may provide for the copying and filing of the
 3.29 documents and records of proceedings by photographic devices as provided for public
 3.30 records under section 15.17. In the event of loss of the originals, the photographic copies
 3.31 are originals after authentication by the auditor or secretary.

3.32 Sec. 9. Minnesota Statutes 2012, section 103E.101, is amended by adding a subdivision
 3.33 to read:

4.1 Subd. 5a. **Transfer of drainage system records.** (a) When a watershed district
4.2 assumes authority for a drainage system according to section 103D.625, the county or
4.3 joint county board transferring authority shall transfer all of the original records for the
4.4 drainage system to the watershed district, except as provided in paragraph (b).

4.5 (b) Physical or electronic copies of drainage system records that are authenticated by
4.6 the county auditor having the original records may be used in place of the originals by the
4.7 watershed district until the watershed district has necessary records storage facilities to
4.8 protect the original records or, in the case of a partial transfer of a drainage system, until
4.9 the entire drainage system is transferred to the watershed district.

4.10 Sec. 10. Minnesota Statutes 2012, section 103E.227, subdivision 1, is amended to read:

4.11 Subdivision 1. **Petition.** (a) To conserve and make more adequate use of our water
4.12 resources or to incorporate wetland or water quality enhancing elements as authorized by
4.13 section 103E.011, subdivision 5, a person, public or municipal corporation, governmental
4.14 subdivision, the state or a department or agency of the state, the commissioner of natural
4.15 resources, and the United States or any of its agencies, may petition to impound, reroute,
4.16 or divert drainage system waters for beneficial use.

4.17 (b) If the drainage system is under the jurisdiction of a county drainage authority, the
4.18 petition must be filed with the auditor of the county. If the drainage system is under the
4.19 jurisdiction of a joint county drainage authority, the petition must be filed with the county
4.20 having the largest area of property in the drainage system, where the primary drainage
4.21 system records are kept, and a copy of the petition must be submitted to the auditor of each
4.22 of the other counties participating in the joint county drainage authority. If the system is
4.23 under the jurisdiction of a watershed district, the petition must be filed with the secretary
4.24 of the district. The auditor of an affected county or the secretary of a watershed district
4.25 must make a copy of the petition available to the public.

4.26 (c) The petition must contain the location of the installation, concept plans for the
4.27 proposed project, and a map that identifies the areas likely to be affected by the project.

4.28 (d) The petition shall identify the sources of funds to be used to secure the necessary
4.29 land rights and to construct the project and the amount and rationale for any drainage
4.30 system funds requested.

4.31 (e) The petitioner or drainage authority must also acquire a public waters work
4.32 permit or a water use permit from the commissioner of natural resources if required under
4.33 chapter 103G.

4.34 Sec. 11. Minnesota Statutes 2012, section 103E.525, subdivision 1, is amended to read:

5.1 Subdivision 1. **Hydraulic capacity.** A public or private bridge or culvert may not be
 5.2 constructed or maintained across or in a drainage system with less hydraulic capacity than
 5.3 specified in the detailed survey report, except with the written approval of the director
 5.4 ~~of the division of waters.~~ If the detailed survey report does not specify the hydraulic
 5.5 capacity, a public or private bridge or culvert in or across a drainage system ditch may not
 5.6 be constructed without the director's approval of the hydraulic capacity.

5.7 Sec. 12. Minnesota Statutes 2012, section 103E.701, subdivision 1, is amended to read:

5.8 Subdivision 1. **Definition.** The term "repair," as used in this section, means to
 5.9 restore all or a part of a drainage system as nearly as practicable to the same ~~condition~~
 5.10 hydraulic capacity as originally constructed and subsequently improved, including
 5.11 resloping of ditches and leveling of ~~waste~~ spoil banks if necessary to prevent further
 5.12 deterioration, realignment to original construction if necessary to restore the effectiveness
 5.13 of the drainage system, and routine operations that may be required to remove obstructions
 5.14 and maintain the efficiency of the drainage system. "Repair" also includes:

5.15 (1) incidental straightening of a tile system resulting from the tile-laying technology
 5.16 used to replace tiles; and

5.17 (2) replacement of tiles with the next larger size that is readily available, if the
 5.18 original size is not readily available.

5.19 Sec. 13. Minnesota Statutes 2012, section 103E.701, subdivision 6, is amended to read:

5.20 Subd. 6. **Wetland restoration and ~~mitigation~~ replacement; water quality**
 5.21 **protection and improvement.** Repair of a drainage system may include the preservation,
 5.22 restoration, or enhancement of wetlands; wetland replacement under section 103G.222;
 5.23 ~~and the realignment of a drainage system to prevent drainage of a wetland; and the~~
 5.24 incorporation of measures to reduce channel erosion and otherwise protect or improve
 5.25 water quality.

5.26 Sec. 14. Minnesota Statutes 2012, section 103E.715, subdivision 6, is amended to read:

5.27 Subd. 6. **Repair by resloping ditches, incorporating multistage ditch**
 5.28 **cross-section, leveling waste spoil banks, installing erosion control, and or removing**
 5.29 **trees.** (a) For a drainage system that is to be repaired by resloping ditches, incorporating
 5.30 a multistage ditch cross-section, leveling waste spoil banks, installing erosion control
 5.31 measures, or removing trees, before ordering the repair, the drainage authority must
 5.32 appoint viewers to assess and report on damages and benefits if it determines that:

6.1 (1) the resloping, incorporation of a multistage ditch cross-section, spoil bank
6.2 leveling, installing installation of erosion control measures, or tree removal will require
6.3 the taking of any property not contemplated and included in the ~~original~~ proceeding for
6.4 the establishment or subsequent improvement of the drainage system; or

6.5 (2) any ~~waste~~ spoil bank leveling or tree removal will directly benefit property where
6.6 the spoil bank leveling or tree removal is specified; ~~and~~.

6.7 ~~(3) the installation of erosion control measures will aid the long-term efficiency~~
6.8 ~~of the drainage system.~~

6.9 (b) The viewers shall assess and report damages and benefits as provided by sections
6.10 103E.315 and 103E.321. The drainage authority shall hear and determine the damages
6.11 and benefits as provided in sections 103E.325, 103E.335, and 103E.341. The hearing shall
6.12 be held within 30 days after the property owners' report is mailed. Damages must be paid
6.13 as provided by section 103E.315 as a part of the cost of the repair, and benefits must be
6.14 added to the benefits previously determined as the basis for the pro rata assessment for the
6.15 repair of the drainage system for the repair proceeding only.

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 113

(SENATE AUTHORS: SPARKS, Eken and Dahms)

DATE	D-PG	OFFICIAL STATUS
01/24/2013	93	Introduction and first reading Referred to Jobs, Agriculture and Rural Development
02/06/2013	152a 159	Comm report: To pass as amended Second reading
02/14/2013	167 224 228	General Orders: Stricken and re-referred to Environment and Energy Comm report: To pass Second reading

A bill for an act

1.1
 1.2 relating to waters; modifying drainage system provisions; amending Minnesota
 1.3 Statutes 2012, sections 103E.005, subdivisions 4, 6, by adding a subdivision;
 1.4 103E.101, subdivisions 2, 3, 4, 5, by adding subdivisions; 103E.227, subdivision
 1.5 1; 103E.525, subdivision 1; 103E.701, subdivisions 1, 6; 103E.715, subdivision 6.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2012, section 103E.005, subdivision 4, is amended to
 1.8 read:

1.9 Subd. 4. **Board.** "Board" means the board of commissioners of the county, a joint
 1.10 county board, the board of managers of the watershed district, or a metropolitan watershed
 1.11 management organization that serves as the drainage authority where the drainage system
 1.12 or project is located.

1.13 Sec. 2. Minnesota Statutes 2012, section 103E.005, subdivision 6, is amended to read:

1.14 Subd. 6. **Director.** "Director" means the director of the Division of ~~Waters~~
 1.15 Ecological and Water Resources in the Department of Natural Resources.

1.16 Sec. 3. Minnesota Statutes 2012, section 103E.005, is amended by adding a subdivision
 1.17 to read:

1.18 Subd. 28a. **Secretary.** "Secretary" means the secretary of the watershed district that
 1.19 serves as the drainage authority for the applicable drainage system.

1.20 Sec. 4. Minnesota Statutes 2012, section 103E.101, subdivision 2, is amended to read:

1.21 Subd. 2. **Record requirements.** All maps, plats, profiles, plans, and specifications
 1.22 prepared and used in relation to a proceeding must:

- 2.1 (1) be uniform;
- 2.2 (2) have each sheet ~~bound and~~ marked to identify the proceeding by the drainage
- 2.3 project and system number;
- 2.4 (3) show the name of the person preparing the sheet;
- 2.5 (4) show the date the sheet was prepared; and
- 2.6 (5) conform to rules and standards prescribed by the director ~~of the Division of Waters.~~

2.7 Sec. 5. Minnesota Statutes 2012, section 103E.101, subdivision 3, is amended to read:

2.8 Subd. 3. **Index of proceedings and records.** The auditor or secretary shall keep

2.9 all orders, exhibits, maps, charts, profiles, plats, plans, specifications, and records of

2.10 the proceedings. These records may not be removed except when the board makes a

2.11 written order to remove them. The auditor or secretary shall keep an accurate index of

2.12 the proceedings and related documents in a ~~bound book~~ readily usable, resilient, and

2.13 secure manner.

2.14 Sec. 6. Minnesota Statutes 2012, section 103E.101, subdivision 4, is amended to read:

2.15 Subd. 4. **Engineer's documents.** All original plats, profiles, records, and field

2.16 books made by the engineer during the proceedings or the construction of a drainage

2.17 project are public records and the property of the drainage authority. These public records

2.18 must be filed with the auditor or secretary under the direction of the drainage authority

2.19 when construction is completed or when the engineer stops acting for the drainage project,

2.20 whichever is earlier.

2.21 Sec. 7. Minnesota Statutes 2012, section 103E.101, is amended by adding a subdivision

2.22 to read:

2.23 Subd. 4a. **Reestablishment of drainage system records.** (a) If, after thorough

2.24 investigation of drainage system records, a drainage authority finds that records

2.25 establishing the alignment, cross-section, profile, or right-of-way of a drainage system that

2.26 it administers are lost, destroyed, or otherwise incomplete, it may, by order, reestablish

2.27 records defining the alignment; cross-section; profile; hydraulic structure locations,

2.28 materials, dimensions, and elevations; or right-of-way of the drainage system as originally

2.29 constructed or subsequently improved in accordance with this chapter. The procedure

2.30 for reestablishing drainage system records must involve, at a minimum, investigation

2.31 and a report of findings by a professional engineer licensed in Minnesota supported by

2.32 existing records and evidence, including, but not limited to, applicable aerial photographs,

2.33 soil borings or test pits, culvert dimensions and invert elevations, and bridge design

3.1 records. The existing and reestablished records together must define the alignment;
 3.2 cross-section; profile; hydraulic structure locations, materials, dimensions, and elevations;
 3.3 and right-of-way of the drainage system. Drainage system records reestablished under
 3.4 this subdivision do not interrupt prescriptive occupation.

3.5 (b) The description of a drainage system under this subdivision may be initiated by
 3.6 the drainage authority on its own motion or by any party affected by the drainage system
 3.7 filing a petition. If the system is under the jurisdiction of a county board, the petition must
 3.8 be filed with the auditor. If the system is under the jurisdiction of a joint county drainage
 3.9 authority, the petition must be filed with the auditor of the county with the largest area
 3.10 of property in the drainage system. If the system is under the jurisdiction of a watershed
 3.11 district board, the petition must be filed with the secretary.

3.12 (c) When a drainage authority directs by resolution or when a petition is filed under
 3.13 this subdivision, the drainage authority, in consultation with the auditor or secretary,
 3.14 shall set a time and location for a hearing after the engineer's report is complete. The
 3.15 auditor or secretary shall give notice of the hearing by mail to the commissioner of natural
 3.16 resources, the executive director of the Board of Water and Soil Resources, the petitioner
 3.17 or petitioners, and all property owners benefited or damaged by the drainage system and
 3.18 shall give notice to other interested parties either in a newspaper of general circulation in
 3.19 the drainage system area or by publication on a Web site of the drainage authority.

3.20 (d) Drainage system records reestablished under this subdivision constitute official
 3.21 drainage system records. A finding of drainage system right-of-way in the applicable
 3.22 order is a defense to a trespass claim and shall be given due weight in any subsequent
 3.23 court proceeding to establish the existence or nature of a property encumbrance.

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4.14 subdivision, the state or a department or agency of the state, the commissioner of natural
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4.20 having the largest area of property in the drainage system, where the primary drainage
4.21 system records are kept, and a copy of the petition must be submitted to the auditor of each
4.22 of the other counties participating in the joint county drainage authority. If the system is
4.23 under the jurisdiction of a watershed district, the petition must be filed with the secretary
4.24 of the district. The auditor of an affected county or the secretary of a watershed district
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 5.13 of the drainage system, and routine operations that may be required to remove obstructions
 5.14 and maintain the efficiency of the drainage system. "Repair" also includes:

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 5.16 used to replace tiles; and

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 5.29 **trees.** (a) For a drainage system that is to be repaired by resloping ditches, incorporating
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 5.31 measures, or removing trees, before ordering the repair, the drainage authority must
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6.2 leveling, installing installation of erosion control measures, or tree removal will require
6.3 the taking of any property not contemplated and included in the ~~original~~ proceeding for
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6.8 ~~of the drainage system.~~

6.9 (b) The viewers shall assess and report damages and benefits as provided by sections
6.10 103E.315 and 103E.321. The drainage authority shall hear and determine the damages
6.11 and benefits as provided in sections 103E.325, 103E.335, and 103E.341. The hearing shall
6.12 be held within 30 days after the property owners' report is mailed. Damages must be paid
6.13 as provided by section 103E.315 as a part of the cost of the repair, and benefits must be
6.14 added to the benefits previously determined as the basis for the pro rata assessment for the
6.15 repair of the drainage system for the repair proceeding only.

ITEMS FOR DISCUSSION AND INFORMATION

3. Staff Reports.

MEMORANDUM

Rice Creek Watershed District

Date: February 21, 2012
To: RCWD Board of Managers
From: Kyle Axtell, Water Resource Specialist
Subject: Staff Activity Report for 01/12/13 – 02/17/13

Tasks completed during preceding period

- Updated RCWD website as needed.
- Continued working with J. Bromelkamp and T. Daun on substantial revisions to the RCWD website.
- Continued coordination of West Moore Lake Water Quality Enhancement Project (2011 CWP Grant).
- Continued coordination of the Oneka Ridge Golf Course Re-Use Irrigation Project (2012 CWF Grant).
- Completed grant reporting for both of the above projects to MPCA and BWSR, respectively.
- Investigated complaints about dock/bridge construction across a private canal at the north end of Otter Lake (dock only for now, no RCWD jurisdiction, no enforcement taken). A RCWD permit application was subsequently submitted for a drawbridge by the landowner.
- Worked with J. Bromelkamp on revisions to the RCWD CAC Operating Procedure, incorporating more goals related to education and outreach efforts.
- Assisted City of White Bear Lake staff and consultants related to permitting process navigation for the White Bear Boatworks and appurtenant projects.
- Committed a significant amount of time to RCWD's Rule Revision process.
- Participated in a Met Council TAC meeting for a Water Resource Policy Plan update on 01-31-2013.
- Continued planning for project implementation around Bald Eagle Lake in 2013, including possible raingarden projects, with M. Kocian, J. Bromelkamp and P. Belfiori.
- Met with St. Croix Valley Landscaping management on 02-07-2013 to discuss lessons learned from past projects they have worked with us on and discuss future RCWD project initiatives.
- Met with Terry Granec and his real estate agent (related to Oneka Ridge Golf Course Re-Use Irrigation Project) on 02-07-2013.
- Completed updates to sections of the RCWD Annual Report related to my work.
- Met with staff from the Anoka SWCD and City of Fridley on 02-13-2013 to discuss progress on the Moore Lake Subwatershed Stormwater Retrofit Assessment.
- Prepared for and hosted a Summer Turfgrass Maintenance Workshop at the City of Shoreview Maintenance Facility on 02-14-2013 with J. Bromelkamp.
- Met with City of Forest Lake staff and consulting engineers (along with P. Belfiori) on 02-15-2013 to discuss conflicts between the City's Local Surface Water Management Plan and RCWD Rule RMP-2.
- Worked with Washington SWCD staff and the White Bear Yacht Club to develop revised plans and cost estimates for work under Water Quality BMP Cost-Share Contract W12-01.
- Attended a RCWD Board meeting on 01-23-2013.
- Attended RCWD Staff meetings on 01-14-2013 and 01-28-2013.
- Attended a RCWD CAC meeting on 02-06-2013.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: 2/20/13

From: Elizabeth Hosch

Subject: District Inspector's Report (January 16 through February 19, 2013)

Highlights from Preceding Month

- ✓ Conducted surety request, routine and follow-up inspections and investigations, as requested/necessary, totaling 4.
- ✓ Closed 2 permits and returned \$12,500 in surety.
- ✓ Coordinated with Ramsey Conservation District inspector in ongoing implementation of contract for inspection services.
- ✓ Continued to assist new staff with inspection processes and practices.
- ✓ Worked through existing permits in the northern portions of the district, closing out and following up as necessary. (ongoing project)
- ✓ Brought #07-106, FL ice arena, before the Board to set compliance hearing.
- ✓ Participated in successful 2012 performance review.
- ✓ Developed announcement for summer intern, in conjunction with Lakes/Streams program.
- ✓ Attended the University of Minnesota Environmental Career and Internship Fair, to talk with prospective interns for summer 2013.
- ✓ Attended Mississippi River Forum on "The Agricultural BMP Handbook for Minnesota."
- ✓ Prepared specific historic permits for Board decision. (ongoing project as time allows)
- ✓ Attended City staff meetings, as appropriate.
- ✓ Acted as point of contact for IT concerns, facilitating communications with Solbrekk.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers **Date:** 2/19/2013
From: Tara Daun
Subject: Office Regulatory Assistant 1/15/2013-02/19/2013

- Scanned unclosed permit files into shared computer storage (Laserfiche).
- Printed and updated office correspondence for meeting notifications.
- Scanned new permit files and recent documents into computer storage (Laserfiche).
- Created and updated review files and new permit files online.
- Edited a database to more effectively report hours to counties for receipt of WCA grant funds.
- Collated data on wetland delineation shape files for mapping purposes.
- Started a review of projects requiring easements for possible future mapping layers
- Sent out WCA Notices.
- Issued permits
- Continued a Protocol Guide to index RCWD standard operating procedures
- Reviewed engineer files to compare how many documents RCWD is missing.
- Worked with outreach coordinator to develop online website and social media strategies
- Began development of website updates
- Contacted cost-share partners about raingarden and lakeshore restoration public education signs
- Completed research on history of lake treatments for future monitoring projects.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: February 19, 2013

From: Jordan Kudrna

Subject: District Inspector/Technician Report (January 19 – February 19)

Highlights from Preceding Month

- ✓ Assisted Matt Kocian with water sampling for chloride levels in certain lakes throughout the district.
- ✓ Trained with Tom Schmidt on video/audio recording equipment for board meetings.
- ✓ Worked through existing permits in the eastern and southern portions of the district, closing out and following up as necessary.
- ✓ Attended staff meetings when necessary.
- ✓ Attended board meetings to record the meeting.
- ✓ Assisted landowners and citizens on water quality/permit issues when situations arise.
- ✓ Completed mass importation of old files into Laserfiche.
- ✓ Attended an advanced SW BMP Workshop in the City of Cottage Grove on 1/22/2013.
- ✓ Attended intern career fair at the University of Minnesota, St. Paul Campus, with Elizabeth Hosch.
- ✓ Ongoing help with ACD 10-22-32 project. (Map edits, address production from county parcels, etc.)
- ✓ Assisting with potential rain garden project (project #23, Locke Lake area) – location is off of Hwy 65 and Rice Creek.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: February 20, 2013

From: Chris Buntjer

Subject: Technical Specialist/Permit Reviewer's Report for January 16, 2013 – February 20, 2013

Highlights for Preceding Month

- ✓ Meetings and Assistance to parties in need of pre-application/application assistance:
 - Willowbrook Homes – 13-002R, 13-015
 - MnDOT Amendment to 12-004
 - TCAAP Demo and remediation – 13-008R
 - ISD 916 – 12-128R, 13-010
 - White Bear Lakes BoatWorks – 13-018
 - Speiser private ditch – 12-123R
 - 9218 Lake Drive, Columbus
 - Northland Mall – 12-072R
 - Forest Lake RMP-2 discussion
 - Arden Hills Swimming Pool – 13-007
 - MCES New Brighton Interceptor Rehabilitation – 13-010R
 - WBL BoatWorks Public Boat Ramp – 13-011R

- ✓ Permit Application Review
 - CSAH 14 Pedestrian Trail Bridge – 12-097
 - St. Anthony 2013 Street & Utility Improvements – 13-001 (CAPROC)
 - Johnson BoatWorks Site Demolition – 13-007
 - Marquest Meadows East – 13-011
 - East Street Culvert Replacement – 13-012
 - 2055 Otter Lake Drive – Draw Bridge – 13-013
 - Lake Ave S Improvements – 13-018
 - Initial Reviews for Permits 13-011 through 13-018

- ✓ Meetings / Administration:
 - Rule revision work
 - 1-23-12 Board Meeting
 - Holidays – 1-21-2013, 2-18-13
 - Sick Leave – 2-5-2012

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: February 20th, 2013

From: Tom Schmidt – RCWD Public Drainage Inspector

Subject: Staff Report for January/February 2013

Highlights for Preceding Month(s)

- ✓ Continued to meet and talk with ACD 53-62, ACD 10-22-32 & ACD #15/AWJD #4 landowners concerning repair reports as well as other landowners on various drainage systems regarding drainage concerns (ongoing);
- ✓ Continued with tile repairs on AWJD #4, Branch 3- Lateral #1 in Forest Lake (Scandia Trucking) (ongoing);
- ✓ Continued preparations for ACD #10-22-32 ditch right of way determination public hearing (ongoing);
- ✓ Staked out work area on ACD #10-22-32 between 137th Ave. and east of Jodrell for upcoming Maintenance (complete);
- ✓ Reviewed completed draft of ACD #53-62 Repair Report (complete);
- ✓ Completed Public Drainage System and District Facilities inspection and maintenance report (complete);
- ✓ Assisted staff with technical questions/data collection (ongoing).

Upcoming Activities

- ✓ Continued assistance and field inspections for repair reports for ACD #53-62 and ACD #10-22-32 (ongoing);
- ✓ Tile repair on Branch #3-lateral #1 of AWJD #4 (current);
- ✓ Tile repair on Branch #4 of AWJD #4 (upcoming);
- ✓ Continue monitoring of AWJD #4 project (ongoing);
- ✓ Maintenance on ACD #10-22-32 main branch (ongoing);
- ✓ Continued assistance for Houle Wetland Banking application/site preparation (ongoing);
- ✓ Assist staff with construction activities and data collection.

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: February 21, 2013

From: Nick Tomczik

Subject: Permit Coordinator/Wetland Specialist's Report for January 2013 – February 2013

Highlights for Preceding Month

- ✓ Meetings and Assistance to parties in need of pre-application/application assistance
 - Northland Mall Redevelopment
 - Lois Speiser Rice Lake Concerns
 - Willowbrook Amendment 06-055
 - TCAAP Demolition
 - Otter Lake Road Extension
 - Tiller Corp Site Development
 - White Bear Lake Boat Works
 - Mahtomedi Lift Station
 - Century Farms Pre-Plat Ditch Discussion

- ✓ Wetland Delineation/Replacement/Exemption Application
 - Lochness Park Monitoring Closure
 - 9930 Xylite Monitoring Closure
 - Wetland Professionals Conference
 - Blaine Ballfields Incidental Application
 - Running Aces On Site Monitoring Closure
 - MnDOT 10/96 Road Bank Sign-off
 - Red Oak Estates Monitoring Closure
 - Valentine Lake Outlet Delineation
 - 10-22-32 Wetland Delineation 13-009
 - Black Wetland Fill 12-136R

- ✓ Meetings / Administration:
 - Forest Lake RMP-2 Concerns
 - CWPMP Banking Methods
 - WPA Forum, Meeting
 - Rice Lake Weir Application/Meetings
 - Permit Triage Process
 - Houle/Hair Wetland Monitoring/Credit Deposit
 - WCA Annual Reporting Methods
 - Rule Revision
 - RCWD Rule Revision Rule F
 - HEI/Smith Partners/RCWD Communication Board Meetings & Workshops (agenda items, participation)

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: 2/20/2013

From: Matthew Kocian

Subject: Lake and Stream Report for January 16 – February 20, 2013

Highlights for Preceding Month

Bold indicates significant time commitment

- Lake chloride monitoring
- Water quality lab coordination (new lab for 2013) – administrative set-up
- **Semi-Annual Grant reporting**
 - Hardwood Creek report and financial statements
 - Data entry into EQUIS (required by grants)
- Carp Management
 - Project planning – costs, timeline, responsibilities
- GIS
 - Various maps for RCWD staff projects / permits / grant applications
- Hardwood Creek Restoration Project
 - Various administrative items
- **Bald Eagle Lake TMDL Implementation**
 - Grant application planning
 - CWP Loan application
- Clear Lake / Northland Mall Project development
 - Prep CWP grant materials
 - Meet with city staff
- Silver Lake TMDL Implementation
 - Coordinate carp removal activities with St. Anthony Village
 - Present material at Washington Water Consortium
- Locke Lake
 - Ongoing discussions with Homeowners Association re: corn spill
 - Respond to data requests
- Prepare for possible 2012 curlyleaf pondweed treatments
 - Meet with DNR invasive species staff
 - Prep for grant applications
 - Prep for permit applications

MEMORANDUM
Rice Creek Watershed District

To: Board of Managers

Date: 2/20/2013

From: Theresa Stasica

Subject: Office Manager 1/18/2013-2/20/2013

- Coded invoices for payment this month which were reviewed by Phil and sent to Nancy to via an excel spreadsheet.
- Deposited checks.
- Placed orders for supplies as needed.
- Provided minutes for workshops, reviewed and edited regular Board minutes.
- Provide information, assembled and distributed board packets. Organize the board packet as a pdf format for Internet distribution.
- Updated materials on the website.
- Attended board meetings.
- Post board meetings on Youtube.
- Attended staff meetings.
- Receiving and entering permit information new and old, issued permits.
- Provided information requested by the auditors.
- Completed performance review.
- Provide work direction for Regulatory Asst.
- Assisted staff in their daily activities.
- Scanning documents that District receives into Laserfiche.
- Maintained filing system.
- Answered phones and assist public.

MEMORANDUM

Rice Creek Watershed District

Date: February 20, 2013
To: Phil Belfiori, Administrator
From: Jessica Bromelkamp; Education, Outreach and Communication Coordinator
Subject: Education, Outreach and Communication Work (1/16/13 – 2/20/13)

General

- Discussed education, outreach and communication strategies with the Mississippi Watershed Management Organization and Coon Creek Watershed District to determine best practices.
- Conducted preliminary meeting with Nick Voss to discuss cohosting an open house for St. Anthony residents about the benefits of raingardens and the RCWD cost-share program.
- Drafted CAC meeting notes and led education portion of the February meeting
 - Discussed progress and next steps in terms of individual goals
 - Led elevator speech activity to help CAC members act as ambassadors for the RCWD in the community
- Compiled staff notes and drafted 2013 annual report
- Established website working group to analyze reorganization and content needs for the future.
- Identified goals and the approximate time commitment for launching and maintaining a Facebook page for the RCWD
- Hired a designer to build templates for a biannual newsletter
 - Sent project stories as well as feedback during the design process
- Drafted an article called *Protecting Our Waterways Starts at Home* and shared it with RCWD city newsletter contacts and on our website.
- Attended the WaterShed Partner's monthly meeting to learn more about BWSR funding requirements and opportunities
 - Met with the MS4 work group to discuss existing resources, draft MS4 language and next steps to identify and address the needs of RCWD cities
- Met with Ramsey Washington Metro WD and Shoreview to discuss their community award's programs including challenges, criteria for selection, recognition and longevity
- Conducted an inventory of education materials in the on-site storage area
- Updated existing media contacts in the RCWD Outlook folder

RCWD Projects

- Fridley Raingarden Project
 - Met with Principal Leibfried and her staff to discuss the education station and curriculum components of the grant. A follow-up meeting has been scheduled on 2/22/13 with the Fridley High School principal and environmental science teacher to discuss next steps and build a timeline for project completion.
- 10-22-32
 - Drafted an informational letter for residents that will be most impacted by this project with input from RCWD staff
- JD4 Project
 - Drafted an article about the project for local newspapers with input RCWD staff

Blue Thumb

- Assisted with planning the new and returning partner meeting on 1/17/13
- Assisted with planning the partner training on 2/7/13
- Compiled and ordered materials for all Blue Thumb partners

ITEMS FOR DISCUSSION AND INFORMATION

4. March Calendar.

FEBRUARY							MARCH						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2						1	2
3	4	5	6	7	8	9	3	4	5	6	7	8	9
10	11	12	13	14	15	16	10	11	12	13	14	15	16
17	18	19	20	21	22	23	17	18	19	20	21	22	23
24	25	26	27	28			24	25	26	27	28	29	30
							31						

To: RCWD Board of Managers
 From: Theresa
 Date: February 20, 2013
 Subject: Significant Dates during Month of March 2013

- Wednesday, March 6, 5:30 p.m.** Advisory Committee Meeting, Lino Lakes City Hall Community Room, Board Liaison Manager Preiner
- Monday, March 11, 3:30 p.m.** Board Workshop
RCWD District Conference Room
- Wednesday, March 12, 6:30 p.m.** Public Hearing ACD 10-22-32 Repair Report, Lino Lakes City Hall Council Chambers
- Wednesday, March 13, 9 a.m.** Regular Board of Managers Meeting
at Shoreview City Hall Council Chambers
- Wednesday, March 13, 6:00 p.m.** MAWD will be inviting legislators to Kelly Inn (St. Paul, Rice/Marion Street and Highway 94) for an informal gathering of any/all watershed district managers who would like to attend.
- Thursday, March, 14, 7:00 a.m./7:30 a.m.** MAWD legislative breakfast will be held at the Kelly Inn. Watershed managers are encouraged to attend this breakfast and afterward, the managers usually make appointments with their respective legislator/s to lobby them on watershed issues.
- Wednesday, March 27, 9 a.m.** Regular Board of Managers Meeting
at Shoreview City Hall Council Chambers

Deadline for submission of per diem claims is March 19