

RICE CREEK WATERSHED DISTRICT

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

Phone: 763-398-3070 • Fax: 763-398-3088

www.ricecreek.org

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RCWD BOARD OF MANAGERS REGULAR MEETING AGENDA

Wednesday, May 8, 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 APRIL 24, 2013 REGULAR BOARD MEETING MINUTES**
- 6 **CONSENT AGENDA**
- 7 The following items will be acted upon without discussion in accordance with the staff recommendation and
- 8 associated documentation unless a Manager or another interested person requests opportunity for discussion:
- 9
- 10 **Table of Contents**
- 11 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**
- 12

No.	Applicant	Location	Plan Type	Recommendation
13 13-017	Cheetah Precision, Inc.	Fridley	Final Site Drainage	CAPROC 7 items
- 14 *It was moved by Manager _____ and seconded by Manager _____, to approve the consent agenda as*
- 15 *outlined in the above Table of Contents in accordance with RCWD District Engineer's Findings and Recommendations, dated*
- 16 *May 2, 2013.*
- 17 **OPEN MIKE**
- 18 *Any RCWD resident may address the Board in his or her individual capacity, for up to three minutes, on any matter not on*
- 19 *the agenda. Speakers are requested to come to the podium, state their name and address for the record. Additional*
- 20 *comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on items*

21 *discussed at this time, but may refer the matter to staff for a future report or direct that the matter be scheduled on an*
22 *upcoming agenda.*

23 **ITEMS REQUIRING BOARD ACTION**

- 24 1. Consider Anoka-Washington Judicial Ditch 4 Water Management District Extension for On-
25 going Maintenance (Phil Belfiori)
- 26 2. Consider Abatement of Common Area Parcels. (Phil Belfiori)
- 27 3. Water Quality BMP Cost-Share Applications (Kyle Axtell)
28 a. R13-02 : Josh Brottlund: Raingarden
29 b. W13-03 Natalie Nelson: Raingarden
- 30 4. Consider Check Register dated 5/8/2013, in the amount of \$27,993.45 prepared by HLB
31 Tautges Redpath.

32 **ITEMS FOR DISCUSSION AND INFORMATION**

- 33 1. Engineer's Update and Timeline
- 34 2. Project Update- Brown Preserve's Prescribed Burn
- 35 3. Update on Possible New RCWD Logo and Website Redesign
- 36 4. Manager's Update.

37 **ADJOURNMENT**

38

**APPROVAL APRIL 24, 2013 REGULAR BOARD
MEETING MINUTES**

DRAFT

For Consideration of Approval at the May 8, 2013 Board Meeting.
Use these minutes only for reference until that time.

REGULAR MEETING OF THE RCWD BOARD OF MANAGERS

Wednesday, April 24, 2013

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

Minutes

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ROLL CALL

Present: President Patricia Preiner, 1st Vice-Pres. Barbara Haake, 2nd Vice-Pres. John Waller, and Secretary Harley Ogata.

Absent: Treasurer Steve Wagamon (with prior notice)

Staff Present: Administrator Phil Belfiori, Permit Coordinator/Wetland Specialist Nick Tomczik, Water Resource Specialist Kyle Axtell, Office Manager Theresa Stastica, Technical Specialist/Permit Reviewer Chris Buntjer, Inspector Elizabeth Hosch, Technician/Inspector Jordan Kudrna.

Consultants: District Engineers Mark Deutschman, Houston Engineering, Inc. (HEI); District Attorney Chuck Holtman from Smith Partners.

Visitors: Tim Olson, William Douglass, Paul Hudalla, Bryan DeSmet, Doug Berglund, Mark Peterson, Bill Douglas, Stacy Lund, Tim Anderson, Tamara Cameron, Chad Konickerson, Andy Beaudet, Jessica Schaum

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 under items for discussion "Draft Legislative Letter" passed out prior to the meeting.

Motion by Manager Haake, seconded by Manager Ogata, to adopt the agenda as amended. Motion carried 4-0.

READING OF THE MINUTES AND THEIR APPROVAL

Minutes of the April 8, 2013, Board of Managers Meeting Workshop Meeting. Motion by Manager Haake, seconded by Manager Ogata, to approve the minutes as presented. Motion carried 4-0.

Minutes of the April 10, 2013, Board of Managers Regular Meeting. Motion by Manager Ogata, seconded by Manager Haake, to approve the minutes as presented. Motion carried 4-0.

EXEMPLARY PERMITEE RECOGNITION:

District Administrator Belfiori stated Elizabeth Hosch, Inspector will present the award to the recipient.

38 Inspector Hosch stated with an ongoing effort to acknowledge the positive efforts of the regulatory program, they wanted
39 to recognize the Gardenwood Development in Blaine and Byron Westwood and Stacy Lund representing Woodland
40 Development. She noted Gardenwood was a large residential development bringing with it a number of different
41 challenges including taking over a partially completed development and carrying it through. She noted there were many
42 challenges with the permitting process and the permittees always handled themselves in a courteous and positive manner.
43 In addition, Woodland Development continued to use the RCWD assignment process, which was a voluntary process. She
44 indicated Woodland Development had set an example for others in the field and continues to do so. She congratulated
45 Woodland Development.

46
47 President Preiner presented the Certificate of Appreciation and Achievement.

48
49 President Preiner recessed the regular meeting.

50
51 **PUBLIC HEARING: PUBLIC HEARING ON PROPOSED RULE REVISION**

52 President Preiner stated the purpose of the hearing was for the Board of Managers to hear comments and receive input
53 from the parties having an interest in Rice Creek Watershed Districts' Proposed Rule Revision.

54
55 She asked District Administrator Belfiori to provide a history and summary of the Rule Revision process.

56
57 District Administrator Belfiori stated he has asked Permit Coordinator/Wetland Specialist Tomczik to present a
58 PowerPoint, which would summarize the highlights of the proposed rule. He noted today was the public hearing and the
59 deadline for written comments was 4:30 p.m. on May 3, 2013 at the District office.

60
61 Permit Coordinator/Wetland Resource Specialist Tomczik presented the 2013 Rule Revision. He outlined the current rule
62 complexities and issues including multiple stormwater standards, hierarchy of stormwater treatment, stormwater
63 regulation triggered for minimal projects, multiple wetland rules for CWPMPs all similar, WCA changes and codification,
64 variances for relatively minor resource issues, and new mandate for illicit discharge. He noted they had asked their District
65 Engineer to look at the issues and various memoranda were prepared by Houston Engineering in response. He indicated a
66 Technical Advisory Committee was set up to look at the proposed rule revision and to make comment along with the
67 RCWD's Citizens Advisory Committee. He indicated various meetings had been held involving many different parties who
68 had an interest in the rule revision. He outlined the rule revisions including Rule C Stormwater, which would be simplified
69 without compromising water quality and flood protection; Rule D Erosion Control; Rule E Floodplain; Rule F Wetland; and
70 Rule H. He noted with respect to the Rule C revisions, it would have a 10,000 sq. ft. regulatory threshold. The water quality
71 treatment standard would be public linear projects .75" without TP removal factor, all other projects 1.1" with TP removal
72 factor, and both required infiltration if possible than other BMPs. He noted with respect to the Flood Management Zone,
73 20% reduction in rate control from the existing condition for non public linear projects. He stated municipality or public
74 road authority may develop a Comprehensive Stormwater Plan. With respect to Rule F (Wetland Highlights) he noted
75 updates for State changes to WCA. He stated there would be a single rule for all CWPMPs. He indicated the Rule D would
76 have a threshold of 10,000 sq. ft in alignment with stormwater. For Rule E, there were exemptions for floodplain fill and for
77 Rule H, there was a mandate to regulate unauthorized connections and discharges into drainage systems. He indicated this
78 was an ongoing process and some adjustments to definitions and similar unsubstantial changes were made to the rule
79 document. He stated the adjusted document will be available on the website and at the district office with the public
80 comment period expiring at the end of the day on May 3, 2013.

81
82 President Preiner stated the Board would now hear public comments. She welcomed everyone in the audience and invited
83 those who wished to speak to come up to the podium.

84

85 Tamara Cameron, US Army Corps of Engineers, stated she wanted to speak about Rule F. She noted they would be making
86 written comments by the deadline as well. She stated for several years, they have had a productive and collaborative
87 relationship with the District and wanted that to continue. She stated she had some comments on the Rule and to thank
88 Phil and Nick for inviting their comments early. She noted many of their comments had already been addressed, but there
89 were still a few items that remained outstanding and she wanted to cover them today. She stated she respected the
90 District's independent authority to regulate activities in aquatic resources in the watershed. She was very supportive of the
91 approach taken and she believed it was the right direction to go. She stated they had also addressed a lot more resource
92 issues other than wetlands while they had a very narrow comparison to this. However, there were interdependency also.
93 She noted many times a proponent would need authorization from both agencies. She indicated they understood and
94 appreciated the goal of a single rule for regulatory simplification so to come down to one rule was a challenge for the Corp.
95 She stated particularly for the Lino Lakes Plan (RMP3), that was a collaborative approach and they intended to use that
96 RMP Rule 3 as a programmatic general permit so once someone received that Rule 3 authorization, they did not need
97 further authorization from the Corp. As Rule F was written now, it looked like they could use Rule F instead. They would
98 like to continue looking at that and see if this could be solved. She stated she really liked that Rule F allowed mitigation in
99 any corridor in any plan area. She noted Rule F also replaced Rule M, which was not a plan consistent with the Clean
100 Water Act. She stated Rule F was tailored to the area and addressed multiple goals. However, Rule F allowed deviation
101 from the primary underlying principal and it does that by allowing onsite mitigation outside the corridor to be credited as
102 if it was inside. She noted this was a problem and they would be looking at mitigation outside the corridor and expected it
103 to be treated as such. She noted rule F allowed impacts to high quality wetlands, which were identified in the plans as
104 wetlands that that should be avoided. She stated the Corp has a similar process and they would still like to stay with their
105 approach that high quality wetlands were to be avoided. Another concern was addressing the corridor with rule F
106 applying a non-corridor credit ratio to impacts that were actually in the corridor in the commercial industrial zoned area in
107 the City of Columbus. She noted this was not in line with the current RMP/CWPMP plans. She stated they would like to
108 see how that affected the corridor by seeing a map and how that affected the corridor boundaries. Finally, Rule F takes a
109 lot of the elements of the individual plans out of context. She still believed it was possible to follow the spirit and intent of
110 the plans and she would like to work on trying to link the Rule F to the plan so there was a relationship with Rule F and the
111 plan. With respect to shared definitions, she wanted the definitions to mean the same thing. She thanked the Board for
112 allowing her to comment today and she wanted them to continue to work closely.

113
114 Manager Waller asked with respect to shared definitions what the Corps definition of a corridor was. Ms. Cameron
115 responded she believed now it was the wetland management corridor definition and that was based on the work done in
116 the plans to do the analysis that was done and to identify where the corridor should be. To her, they were not necessarily
117 fixed because they would involve overtime, but they continued to incentivize replacement in areas that have synergy and
118 contribute much greater than their individual pieces and parts. The corridor came out of the plans and they were
119 comfortable how they were evaluated and set up.

120
121 Manager Waller noted an older definition was too restricting and did not allow for a wider regional approach to managing
122 the wetland and lakes with the TMDL studies and using the property for development. He stated one of the reasons he
123 wanted to move towards a larger concept of what corridor met was to allow flexibility to move. He believed there was an
124 advantage to having a larger corridor definition and he hoped they could work together on this. Ms. Cameron stated she
125 would like to see where the corridors were on a map.

126
127 Manager Waller responded they were moving towards this and they had started looking at this, but it was a long process.
128 He stated they tried to look at corridors as to how they affected lakes.

129
130 District Engineer Deutschman stated to his knowledge, the concept of these corridors was unique to RCWD in terms of
131 managing the water resource and as Ms. Cameron had pointed out this was to create incentives and disincentives related
132 to impacts to wetlands. The corridors are established along water features so by identifying them, they additional benefits

133 are realized including minimizing future flood damages. He noted the locations of the corridors were on the website. He
134 pointed out the criteria to establish the corridor boundary had evolved over time and the ones that were referenced as
135 Columbus took multiple things into consideration with respect to the boundary. He noted the boundary is flexible and
136 could be moved to include a high quality resource. However, the criteria generally have been associated with a linear water
137 feature, the boundary between wetland and upland and the boundary for the 100-year flood plain. The corridor boundary
138 generally does coincide with the wetland boundaries so most of the wetlands were in the current corridor. The boundary
139 also considers land use and zoning to some extent. He noted if a City zoned something industrial or commercial they did
140 not want to include that in the corridor unless there was some ecological reason to do that.
141

142 Bill Douglas, Bolton & Menk, Inc., stated he was here on behalf of the City of Forest Lake. He stated the City appreciated
143 the cooperation and coordination done so far and they expressed their desire to continue this coordination and
144 cooperation. He stated they had reviewed the proposed new rules and compared them to developments in the City and
145 they found that there was not much change relative to what they could do because the elevations and the water tables,
146 etc. they had a limited amount of best management practices they could use and when they applied the new rules relative
147 to the old rules, they ended up with the same amount of development area. One of the questions though was that they
148 wanted to have consistency. He noted the RCWD was one portion of the City and they had other watershed districts.
149 They were aware of minimal impact design standards (MIDS) that were being worked on from MPCA which will have a
150 similar set of values/tables and relative to the City these changes appear to be not much different so why not wait for a
151 more broadened list of opportunities BMP's and similar table of values instead of having one that is different. He stated
152 they would like to see consistency in the tables. When they looked at the tables, they noticed there were some best
153 management practices that were missing. He noted they had used iron infiltration treatment as a method of removing
154 phosphorus and that was missing from the list of BMPs. He believed that would be available as part of the MIDS
155 opportunity and they wanted to see consistency. Relative to the infiltration issues this was great and he understood the
156 reason, but the Board had to keep in mind the desire for infiltration came from the successes of the Anoka Sand Plain area
157 and when they get over to Forest Lake, where the water wanted to go was within 3-4 feet of the water table so infiltration
158 was not an opportunity. He stated they could possibly have individual home raingardens, but the separation was not there
159 especially if you wanted to collect water where it wanted to go. He indicated it would be very difficult for infiltration. He
160 stated the District needed to keep in mind that having infiltration as a catchall be-all could be dangerous. He stated when
161 MERC standards came out people started building ponds and thousands of them went in the Twin Cities metro area and
162 now they were looking at coal tar problems in the ponds and the possibility of having to do hazardous waste removal in
163 these ponds. Infiltration made it harder to get at and having everyone do it, would it cause problems to the groundwater.
164 He stated back in the 1960's everyone was advised to plant Elm trees and looked how that turned out. Running to the
165 latest fad was not a good thing and forcing infiltration as a volume control was something they needed to be aware of. The
166 other issue was the WMC corridors. They understood the need for a corridor approach, but the Board failed to realize how
167 a County line had anything to do with it. When they looked at the replacement issues, there would be a wetland on each
168 side of a County line, but the replacement issues were 3 to 1 on one side and 4 to 1 on the other. He understood the need
169 to have higher value wetlands, but then turn around and say the same wetland on the other side of a County line was of
170 greater value. He stated Forest Lake was being punished and the developers that wanted to work in Forest Lake who had
171 to affect a wetland had to have a 4 to 1 replacement as opposed to 3 to 1 and this was a concern. He stated if there were
172 two parcels that had to affect a wetland, why would they come to Forest Lake when they had to have less impact to go to
173 an identical parcel in Anoka County. He believed this was a punishment to Forest Lake. He stated the coordinator with
174 the Storm Water Management Plan (SWMP), routinely every five years the City had to do an SWMP for the Met Council
175 and when they did those they had to submit it to other agencies also and when they have done that, RCWD was involved
176 and approved it. He stated the City went ahead with plans based on that Management Watershed Plan and now they
177 would have to redo their Watershed Management Plan. He stated they would like to see some coordination when the City
178 had to do its Watershed Management Plan.
179

180 Manager Waller stated he regretted Mr. Douglas had not spoken before Ms. Cameron was here because he believed what
 181 Mr. Douglas emphasized was something that was problematic with how they handled stormwater generally. He noted
 182 they could not put it in the wetlands, which were the natural NURP ponds, or catch basins and had been for millions of
 183 years because those were "high quality resources" and instead they wanted ponds in the highlands which made less
 184 developable land and then they had to clean the ponds. He agreed they needed a more regional look as to how this
 185 worked and he did not agree that wetlands were more important on one side of the boundary than on the other side of
 186 the boundary. He noted the replacement in Washington County was 2 to 1 and Anoka was 1 to 1. He stated he did not
 187 know how the Watershed Management Plan could necessarily change the problem and that was why they could not use
 188 the wetlands like they did in the 40's through the 60's. He stated he would like to work with the Cities and believed there
 189 was a common goal. He indicated he would like this brought to the attention of the Corp so more reasonable and
 190 practical rules could be used.

191
 192 Mr. Douglas stated he would like to have cooperation to where they could come up with something so when they received
 193 a RCWD permit it would be good with the Corp also. He stated they wanted to see this in Forest Lake also.

194
 195 Tim Anderson, 547 Lois Lane, Lino Lakes, stated he believed the current storm water management plan rules have put an
 196 undue financial burden on him by preventing him from splitting his 1.1-acre lot into four lots. He was in favor of the
 197 changes that removed the regulatory burden so the average citizen could split their own parcel of land without having to
 198 pull a costly permit and a costly escrow account needing to be created. He personally did not have any wetland areas on
 199 or adjacent to his parcel. He noted his soil was sandy with excellent infiltration and the volume control should be reduced
 200 as proposed to the 1.1" factor. By doing this he was able to reduce the size of the raingardens to a manageable size that
 201 would not reduce the backyard considerably. He also liked the idea of concern whereby stormwater management could be
 202 allocated in part or in whole downstream before reaching the area of concern. He stated he supported the revision as he
 203 believed it to be of a more reasonable nature.

204
 205 President Preiner closed the public hearing and stated they would receive public comments until 4:30 p.m. on May 3, 2013
 206 at the District Office.

207
 208 **CONSENT AGENDA**

209 The following applications have been reviewed by the District Engineer and Staff and will be acted upon without discussion
 210 in accordance with the Engineer's Recommendation unless a Manager or the Applicant or another interested person
 211 requests opportunity for discussion:

212
 213 **Table of Contents**

214 **PERMIT APPLICATIONS REQUIRING BOARD ACTION**

No.	Applicant	Location	Plan Type	Recommendation
13-014	City of Shoreview	Shoreview	Street & Utility Plan	CAPROC 4 items

215
 216
 217
 218 Permit Coordinator/Wetland Specialist Tomczik stated the second sentence on Page 20 under number two should read
 219 "The sidewalk is separated from the street by 5-feet of sod down gradient and meets the Rule C.11(c) exemption
 220 requirements."

No.	Applicant	Location	Plan Type	Recommendation
13-019	City of Shoreview	Shoreview	Street & Utility Plan	CAPROC 4 items
13-021	Wolkerstorfer Co., Inc.	New Brighton	Final Site Drainage	CAPROC 5 items

227	13-022	City of Arden Hills	Arden Hills	Street & Utility Plan	CAPROC 5 items
228					
229	No.	Applicant	Location	Plan Type	Recommendation
230	13-024	Landmark 6 of	Roseville	Land Development	CAPROC 5 items
231		Roseville			
232					

233 **Motion by Manager Waller, seconded by Manager Ogata, to approve the consent agenda as outlined in the above**
 234 **Table of Contents in accordance with RCWD staff and District Engineer’s Findings and Recommendations, dated April**
 235 **17 & 18, 2013 with the corrections on Page 20. Motion carried 4-0.**

236
 237 **OPEN MIKE – LIMIT 12 MINUTES.** Any RCWD resident may address the Board in his or her individual capacity, for up to
 238 three minutes, on any matter not on the agenda. Speakers are requested to come to the podium, state their name and address for the
 239 record. Additional comments may be solicited and accepted in writing. Generally, the Board of Managers will not take official action on
 240 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
 241 agenda.

242
 243 There were no comments made at Open Mike.

244
 245 **ITEMS REQUIRING BOARD ACTION**

246 **1. Consider 2012 Audit (Phil Belfiori)**

247 Administrator Belfiori explained the District received the 2012 Annual Financial Report and Audit prepared by
 248 HLB Tautges Redpath, Ltd. He stated the Report on Compliance with Minnesota Compliance Audit Guide for
 249 Political Subdivision states the District complied with the material terms and conditions of applicable legal
 250 provisions. He indicated the Report on Internal Control identified one item that was reported as a material
 251 weakness related to detection of a correction of financial statement and which was related to timing of a special
 252 assessment and grant receivables. He stated the auditors recommended the District continue efforts to assure
 253 that all adjustments are identified in the year ending closing process. Management’s response was that the
 254 District would work with the accountant to develop a spreadsheet to ensure all adjustments were made during
 255 the year-end closing process.

256
 257 **Motion by Manager Haake, seconded by Manager Ogata, to accept and authorize the filing of the Rice Creek**
 258 **Watershed District 2012 Audit. Motion carried 4-0.**

259
 260 **2. Consider Check Register dated 04/24/2013, in the amount of \$172,797.90, prepared by HLB Tautges**
 261 **Redpath.**

262 **Motion by Manager Ogata, seconded by Manager Haake, to approve check register dated 4/24/2013, in the**
 263 **amount of \$172,797.90, prepared by HLB Tautges Redpath. Motion carried 4-0.**

264
 265 **ITEMS FOR DISCUSSION AND INFORMATION**

266 **1. Update on White Bear Lake Level Resolution Committee – Bryan DeSmet, Chair of the Lake Level Resolution**
 267 **Committee.**

268 District Administrator Belfiori introduced Bryan DeSmet the Chair of the Lake Level Resolution Committee. He
 269 noted there have been numerous presentations regarding the lake levels on White Bear Lake, but one of the new
 270 development was a new report that came out which identified some possible areas where feasibility studies could
 271 be developed to further investigate possible ways to address the lake level issues. He stated here were two lakes
 272 prominently involved within the RCWD, White Bear Lake and Turtle Lake.

274 Mr. DeSmet stated he was going to speak today about activities that have occurred in the past months regarding
275 lake levels in White Bear Lake. He stated as they all knew White Bear Lake was at low water levels. He indicated
276 the USGS report indicated connection between White Bear Lake and Prairie Du Chien Jordan aquifer. He stated
277 White Bear Lake Conservation District was dedicated to help resolve this situation. He noted the Lake Level
278 Resolution Committee was established to investigate options for resolving the lake level situation. He stated
279 generally the options available fell into two categories though options that augment the amount of water in
280 White Bear Lake as well as options that reduce the use of the Prairie Du Chien Jordan aquifer which would keep
281 water from draining out of the bottom of the lake. He stated the options the Committee went through was
282 receiving presentations from an ad hoc committee of business owners and residents that developed a list of
283 potential options and those were the options they began with. They spoke with the Department of Natural
284 Resources, the St. Paul Regional Water Services, local industries, the Cities of Shoreview, White Bear Lake,
285 Mahtomedi, Hugo, and White Bear Township, the Metropolitan Council, the USGS, and the Turtle Lake Home
286 Owners Association. He stated the basis for the evaluation was that most options they discovered had to be
287 implemented on a regional basis, several options needed to be implemented, and timing was critical as the lake
288 level continued to drop and action must be taken immediately. He stated the committee came forth with a
289 report, which included options for further study. One was to augment White Bear Lake with surface water from
290 St. Paul Regional Water Services. A second option was to augment White Bear Lake with local discharge water. A
291 third option was to maximize efficiency of well use. A fourth option was to convert NE metro water sources to a
292 surface water source through St. Paul Regional Water Services. He stated the Met Council projects by 2030
293 another 6 million gallons per day would be needed to service the NE metro area due to growth so continued use
294 of ground water was not a sustainable approach. He stated they identified a couple options for immediate
295 implementation including the City of White Bear Lake having an existing Mt. Simon Hinckley Wells to be used
296 during the summer months as well as water conservation. He stated the next step was that the committee would
297 continue to pursue water conservation activities in the NE Metro Area. They will continue to discuss with the City
298 of White Bear Lake and use of their existing Mt. Simon Hinckley well, and they will request that the Met Council
299 include the options from the LLRC report in a feasibility study. The WBL Conservation District will request that
300 the Met Council coordinate discussions with the NE Metro communities regarding water conservation and
301 converting to a surface water drinking water supply. The WBL Conservation District would request that the DNR
302 designate a groundwater management area around White Bear Lake.

303
304 He stated there were a couple of legislative bills moving through the House and Senate that would provide
305 funding for additional studies.

306
307 Manager Haake stated they had a Clean Water Council that was devoted to non-point sources and now they had
308 heard what was going on with White Bear Lake as well as other lakes having the same problems, including the lake
309 she lived on. She stated they used to augment their water in Spring Lake, but there was a conflict on how that was
310 occurring.. When they have these conflicts and they were thinking of the aquifers getting depressed, taking out of
311 Mt. Simon Hinckley, she asked what they doing to that aquifer. She asked how realistic the choices they
312 presented were. She noted people watered their lawns and golf courses wanted green lawns. Mr. DeSmet
313 responded generally with aquifers (between major aquifers) there was a confining layer that limited movement
314 between the aquifers. The Mt. Simon Hinckley aquifer was very deep with the idea that if water was taken out of
315 that aquifer, that was water that would not be taken out of the Prairie Du Chein Jordan aquifer. Mt. Simon
316 Hinckley for 20-30 years has been a protected resource where the DNR issues permits to that aquifer on an as
317 needed basis as well as they encouraged communities to not use the allocations that they already had if they had
318 other options available. In this particular instance with the use of the Prairie Du Chien Jordan aquifer, especially
319 during the summer months, on the drop in the lake level, using the Mt. Simon Hinckley during those months
320 ideally this would be a temporary fix. He noted White Bear Lake was only allocated a certain amount of water
321 from the Mt. Simon Hinckley aquifer and they could not and would not exceed that amount, so it would really

322 only be the White Bear Lake using the allocation that they already had. With respect to conversation and the idea
323 of people to converting their lawns to natural grasses, he believed there would always be people who would do
324 that, but beyond that there would be rallying for conversation. However, he believed there must be a rate
325 structure to minimize high volume water use that is associated with watering lawns. He stated they would like to
326 encourage communities to increase the rates for the high volume users to something that was appropriate for the
327 cost of the resource. He stated right now he did not think that was the case. He believed those activities would
328 need to be worked on a regional basis.

329
330 Manager Ogata stated out of all of the options being proposed, the one that could generate the most volume of
331 water for the lake was the conversion of surface water. How would they characterize the responses they were
332 receiving from the Cities. Mr. DeSmet responded the Cities were reluctant, but he noted the St. Paul Regional
333 Services has a softening plant where they soften the water that came from the Mississippi River before it went into
334 distribution. St. Paul Regional Services also used a form of disinfection that keeps the pipes clean as it moved
335 through the system. He noted the City of White Bear Lake had a softening plant as well, so those waters have the
336 best potential of intermingling and not causing aesthetic problems. All of the other communities who do not
337 have softening facilities; used water directly from the aquifer, added some chlorine and put it out into the
338 distribution system. That would be problematic to mix those two water sources. He stated the idea that they
339 could continue business as usual was not reasonable and he believed the option of converting everyone on the NE
340 metro to surface water supply was a long-term solution and that would take a lot of discussion and infrastructure
341 to make that happen, but if they did not start talking about it and start planning for it, that was probably not the
342 right approach and that was why they were asking the Met Council to start coordinating those discussions.

343
344 Manager Ogata stated in looking over the options, has there been discussion what role the RCWD would have.
345 Mr. DeSmet responded RCWD must be a stakeholder at the table, but he was not sure in what way. He stated he
346 was thinking of asking for an RCWD representative to come and speak to their committee to give them more
347 information as to what the RCWD was doing, how the Watershed District worked and try and see if there was
348 some way to work together or how they would be involved. He noted in discussions they were encouraging the
349 Met Council to initiate discussion not just among the communities in the NE metro, but also the stakeholders in
350 the NE metro which he saw RCWD being one of the stakeholders and so it seemed to him that it would be
351 appropriate for the RCWD to be at the table for those discussions.

352
353 Manager Waller stated WBL happens to be at the top of the watershed that went into Peltier Lake along with
354 other lakes in other cities. He stated now when they drew water from the Mississippi River to put into the lakes, it
355 flowed down back into the Mississippi River. By doing that, White Bear would be filled up, but it would be
356 bringing the water over the hill in the watershed. The long-term concept as a pilot project was Oneka Ridge Golf
357 Course and using surface water. One of the problems of using Oneka Ridge Golf Course was that the natural place
358 to put catch basins was in the wetlands and they have come to the point where they cannot touch those areas so
359 any large surface water capture systems was at the bottom of the hills so they needed to come up with the
360 program where they could store the water in the wetlands, which would mean they would need to be excavated.
361 He stated until they had some sort of flexibility on how the lower areas were handled at the bottom of the hill, this
362 was the biggest part in order to make the conversion work. He stated this was the problem and he asked Mr.
363 DeSmet to start talking to the legislature when he was down there and start the conversation. He stated there
364 was a large wetland by White Bear Lake. He noted to mitigate was very expensive, which was what was being
365 required today. He stated they needed to change how water was captured in the metro area. Mr. DeSmet
366 responded wetlands had a lot of value and over the history of the U.S. they had "wacked" a lot of wetlands. The
367 idea of keeping stormwater in a watershed seems like a great idea to him and it was a matter of doing that in the
368 smartest way so there were no adverse effects. He stated as far as excavating wetlands, that was beyond the scope
369 of what they were doing and he personally would not advocate for this.

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Manager Waller stated he did not believe Mr. DeSmet had a practical solution and he would not have any help from the cities unless they were offered a reasonable and practical way to store the water. Mr. DeSmet stated the two options they were advocating was taking water from somewhere on the supply side to augment the lake level and the other option was to convert the drinking water supply so the water that was in the distribution systems to convert that to surface water that would have to go through the St. Paul Regional Services treatment facility and these were what they wanted further study of.

Manager Ogata stated he was a resident of the White Bear Township and he had been following the recommendations. He believed the recommendations that Mr. DeSmet was making were more balanced and a mature approach to the problem rather than looking at quick fixes that would not last long-term. He thanked him for looking at this as a long-term approach.

2. Discussion related to Anoka County Ditch (ACD) 53-62 – Water Management District (WMD) Charge/Allocation Boundary/Culvert Cost Allocation (Phil Belfiori and Houston Engineering)

District Administrator Belfiori stated this was a follow-up item from discussion at the April 8, 2013 Board Workshop regarding three areas of requested additional research. He requested the Board discuss and have a consensus on the following: Confirming the allocation of costs (71.1% / 28.9%); assuming the charge allocation was the Board’s consensus, confirming the application of WMD charge only to parcels within the Branch 1 contributing drainage and reaching consensus on if the Board wished to spread the charges out in a 3 year split or 5 year split; and reaching consensus on including the three proposed roadway culvert replacements within the project costs.

He indicated upon the Board reaching consensus, staff would direct Houston Engineering to begin development of the ACD 53-62 WMD charge analysis memo and would contact the Cities of Lexington and Circle Pines to schedule presentations related to local government concurrence process pursuant to MS 103D.621.

District Engineer Deutschman stated they reallocated the professional services, legal, admin costs, which put them at a 71%/29% split, which was different than what they had done in the past. He believed this would fit with the policy of having the people who benefit pay for the features. He noted the charge for the repair at \$150.00 per acre, which was higher than other ones done in the past. One option to reduce the cost which he noted was in the past the District collected the revenue over a three-year period, but they could collect it over a five-year period if the Board wanted. He stated they had a lesser amount of agricultural land in this drainage area and this was what was driving the increased cost per acre. The third issue was in the project itself the question that comes forward was that there were three culverts that were either City or County owned and it was pointed out to him that for the Anoka County Ditch 15/JD4 project the District paid for the culvert at 145th and the culverts along Elmcrest even though they were City roads. The distinction here was the District generally requires a City on a City lead project to put in their own culverts but on a public drainage system project lead by the District, the District has installed the culverts at the District’s cost. He stated there were three culverts in this project and he wanted to know if the Board wanted to change what they had done in the past.

President Preiner stated if the District was not paying for it and instead said it was the Cities responsibility, wouldn’t that make it the City’s timetable. So if the District wanted to move ahead with this they would have to wait until the City was ready to do the replacement. She asked how the timetable would be controlled. District Engineer Deutschman responded he could not obviously speak for the cities, but if he was a City Engineer that would be what he would say that the District would have to wait for the City to replace them when needed. He indicated there were a lot of ways to look at this and one of the things they were asked to look at was on the culverts, did the District set the grades on them and did the culverts now need to be replaced because of some

418 action the District did or did not take. The District approved the permits, so the District took action. He stated
419 when they looked back in the record, they could not find anything where there was enough detail to say the
420 District told the City to put them at certain elevations.

421
422 Manager Ogata asked if the District had a mechanism to fix it themselves and charge the City. He indicated he
423 was not advocating this, but would like the information. District Attorney Holtman responded as a purely legal
424 matter it was generally the responsibility of the public road authority to replace a culvert when it became
425 necessary in order for the District to manage its drainage system. In reality there were the political relationships
426 and there might be some factual histories that made that more complicated. He was not sure the District has a
427 mechanism to go out and do the work and bill the road authority.
428

429 District Engineer Deutschman stated typically what he had seen done before was in the real world, they would
430 coordinate the projects at the same time; i.e., a City and District project. The District would do the repair when
431 the City was doing work there as well and then they would do it as a part of their project at the same time, but
432 that was not the case that was happening here.
433

434 Manager Haake stated she believed everyone knew where she stood on this and that was whenever they were
435 conveying stormwater in the City, it was the City's responsibility to pay for their own stormwater conveyance. She
436 stated she saw this as a stormwater conveyance system that was being done. She indicated at first the division was
437 going to be 58 percent and then after discussion it came down to the 28.9 percent ad valorem. She stated she
438 went through all of the figures and had some questions. She noted the project was \$411,352.51 and in looking at
439 this there was some \$71,000 that was being put into it for ad valorem and that had to do with the fact that they
440 were going to and they already had known that when something was going to affect the District as a whole that
441 would be ad valorem, which meant they were trying to keep water clean before it went into the system. But there
442 was an additional part put in and it was to state that there would be an additional cost of a current alignment and
443 a realignment and what they received in their workshop it stated that the owner when he was going to be
444 developing his property that he was going to complete that realignment of the open channel and if that was true,
445 then that some \$24,000 would be taken out of the ad valorem because they had some ecological impact was
446 stated at \$70,211.44 paid by that and of that amount this particular realignment would be reducing it down. She
447 stated they might need another workshop to discuss this. She stated if they took \$44,000 as stated in their packet
448 that came through on April 8, it showed that some \$44,000 was actually set aside for ecological impact and
449 \$26,211.00 would be paid by the owner of the land when it was developed when it occurred, so that brought a
450 \$44,000 ecological wetland avoidance price. Not the \$26,000 added on to it.
451

452 Manager Ogata asked if they could discuss this one item first before Manager Haake continued. He asked what
453 the status of this was. District Engineer Deutschman replied what they did when estimating the cost of the
454 project as a whole was that they did not add in any land acquisition cost to avoid the reroute the portion of the
455 ditch and the upper portion of the drainage area thereby avoiding wetland impact. They did this because they
456 assumed when this area developed through the City process that those lands (easement) would be acquired at
457 that time and the District was not going to go out now and construct that feature, but simply wait. To his
458 knowledge if they looked at the detailed engineer's estimate, it excluded the cost for avoiding the wetland impact.
459

460 Manager Haake stated on page 85 of the previous information given to them, she understood the \$44,000 would
461 be ad valorem because it was a public drainage system, but for the realignment it did state that it would be the
462 property owners once the property developed and that was where she came up for the \$44,000 for the wetland
463 mitigation. District Engineer Deutschman responded he did not have what Manager Haake was referring to.
464

465 Manager Haake stated that was why she believed this needed to be looked at further. She stated the new plan did
466 state the contingency fee of \$48,000 that was going to be done on ad valorem and if she looked at this the \$40,000
467 was around ten percent of the project and if she took the contingency she stated it should be ten percent put on
468 to that also and the rest go to the Watershed District. Her bottom line was when she worked on the figures she
469 had, she would have said that 11.9 percent would have been ad valorem and 88.1 percent would be the Water
470 Management District's obligation. She stated there was always a cost and benefit analysis that should be done and
471 she was sure if anyone that wanted to look at something would wonder how the ad valorem benefitted as a part
472 of this and you could also say that well the District petitioned itself to do this particular Water Management
473 District, but the thing that always bothered her was when people always said the RCWD should have been
474 maintaining this a long time ago. In this case there was 25 years of a wetland existence that had to be all of a
475 sudden mitigated, but they also knew that it states by law that if someone wants work done on the ditches, they
476 are supposed to petition the District to do it. District Engineer Deutschman clarified they did not assign all of the
477 contingency to the ad valorem – it just appeared that way because the numbers happen to be the nearly the
478 same, but if Manager Haake looked there was a total of \$168,000 and then to the right there are four columns and
479 that money was split according to the cost allocation of the actual project features. He noted it was actually not
480 all given to ad valorem and the contingency was split. He noted that the actual number that gets certified was the
481 actual project cost and the contingency represent the engineer's "safety" factor.

482 President Preiner asked what time frame was this project on. District Administrator Belfiori responded the critical
483 timing concern if the Board wished to certify the Water Management District for 2014 would have a deadline of
484 September 15. Working back from that deadline, they would need to very soon (immediately) start the work on
485 talking to the three cities affected for concurrence as this was required by State statute. He noted two cities were
486 going to be starting pretty fresh on this and might require additional information and meetings to understand
487 this. He stated they needed Houston to very quickly prepare a charge memo, which would take 4-6 weeks. He
488 indicated they were right up against the deadline now and they might be over the ability to achieve it. He stated
489 this was on a very aggressive timeline, but if they wanted to move this to a future date, that was alright also.

490
491 Manager Haake stated they were already starting the next workshop early and this was just a discussion item
492 anyway until a future meeting in May.

493
494 Manager Waller stated they were asked for a consensus today and he supported this. He noted the law provided
495 two options, one was for the Board to petition itself and the other was for citizens to petition. In this case, the
496 Board drove the practice and staff had made adjustments when requested and now they were asking for a
497 consensus. He stated this would not be a vote and he supported this.

498
499 Manager Ogata stated he believed they had a consensus on following through on the policy of allocation of costs
500 for Water Management Districts and he believed staff had done that. He stated there was one small outstanding
501 issue with the detail on the one lot, which Manager Haake had mentioned. He understood if the details came
502 later, they would all agree that would be consistent with the policy and he believed they should proceed forward.

503
504 District Engineer Deutschman stated he was 99.9 percent sure that they essentially did not include a cost for an
505 easement however they still had to build a ditch around the wetland and that went into the ad valorem portion of
506 the project cost. He stated this was a wetland avoidance feature, which was not required for drainage so that
507 feature went in the ad valorem cost. He stated the hope was to do the construction repair next year. He stated
508 there was considerable interest from some members of the Blaine City Council to complete the repair on the
509 upper part of this ditch system. He noted the ditch system did not work north of Main Street as the Managers
510 had seen shown on the presentation at the last workshop. If the Board did not put the charge in place this year
511 and it went into place in 2015, the Managers would need to figure out how to pay for the repair once the bills
512 started coming in from the contractor doing the work. He noted most projects were built late in the fall. He

513 stated the big picture practical schedule was to build this next fall (2014) and get the Watershed Management
514 District in place by then (beginning 2014) so they had the revenue to do the repair.
515

516 Manager Ogata stated on the chart on page 3, the one thing they had not decided was allocating all of the charge
517 to Branch 1 only. He stated he thought they were going to get an estimate as to what that would be water
518 management district-wide. District Engineer Deutschman responded the estimates were given previously handed
519 out at the last Board meeting.
520

521 Manager Ogata agreed the estimates were given, but the proper allocation had not been given. District
522 Administrator Belfiori stated Chris Otterness had identified that and it was his understanding that Branch 1 was
523 \$150average /acre estimate, the ACD 53-62 water management district as a whole was a \$48 average /ac estimate.
524

525 Manager Ogata stated this would be a change to go to a sub water management district-only charging the branch
526 system within the whole WMD and he was not sure if he wanted to go to that system. He stated it was like they
527 were saying there was a "mini" water management district within a larger district.
528

529 Manager Waller asked if this was an answer that was needed today in order to proceed forward. Manager Ogata
530 responded he believed this was a significant point to the people in the Water Management District.
531

532 Manager Waller stated his point was that this should be distributed to the people in the Water Management
533 District on an equitable basis, which would be \$48 and that might mean some carry the District would need to do
534 and this was consistent with the past policy. District Administrator Belfiori clarified he recalled attorney Kolb
535 talked about that this would not eliminate the downstream communities from the Water Management District,
536 but this was a timing of logistics that they would only charge those sub watershed within ACD 53-62 that they
537 would be doing the work at this time, if and when the Board chose to do work downstream then at that point,
538 logistically the Board would charge that area.
539

540 Manager Waller stated to him everyone benefitted the same. He stated to him \$48 was the way to go and do it as
541 a whole and the next time it is done, the construction costs get spread at that time.
542

543 Manager Ogata stated he agreed with Manager Waller.
544

545 Manager Haake stated if they chose \$48, they did not know what the entire cost was going to be. She stated they
546 could not compare this to what had been done in the past.
547

548 Manager Waller responded they never knew what the complete repair of an entire system was and because they
549 seldom did a complete repair of the entire system. He stated there was always going to be another cost later on
550 and this was continual maintenance.
551

552 Manager Haake stated from her understanding they had certain costs and they would have to "borrow" against
553 whatever is going to happen in the future, which they do not know when development was coming. She asked if
554 they would bond for this and pay interest on it. She asked how all of that was figured in.
555

556 District Administrator Belfiori stated he understood the Board consensus related to the second item in his cover
557 memo, which was confirmation on the Geographic Scale of the Scope of the Current WMD Charge Area, was that
558 their consensus would include the entire ACD 53-62 drainage system in the current WMD charge system.
559 Therefore, the entire drainage system would pay their share of the \$292,000 that was allocated per the other
560 Board consensus for the Water Management District project cost. At that point all of the folks, no matter where

561 located would pay their appropriate share to make up the \$292,000 for the project. If/when the Board chooses to
562 do any work downstream of this current proposed project (i.e. downstream of 35W), then the Board would have a
563 Water Management District charge for that and then everyone in the entire area (either upstream or
564 downstream) would pay for that in whatever percentage you chose at that time for the Water Management
565 District split. There would be no bonding or saving. It was the same thing they had done with previous ditch
566 projects.

567
568 Manager Ogata asked if the culvert replacement was in the budget right now. District Administrator Belfiori
569 responded it was.

570
571 Manager Haake asked if the culvert replacement was being paid for by the District. District Administrator Belfiori
572 responded it was.

573
574 Manager Haake asked if there were any charge backs to the road authority. District Engineer Deutschman
575 responded they did not charge back. If the Board wished to establish a policy to do that, then they would have to
576 work with legal counsel to figure this out.

577
578 President Preiner noted the people in the District were already paying for it through their assessment. District
579 Administrator Belfiori responded the Water Management District was paying for it.

580
581 District Engineer Deutschman responded the answer was yes; the people in the Water Management District were
582 essentially paying for the culvert.

583
584 Manager Ogata stated he was persuaded by the historical difference between District initiated projects and City
585 initiated projects and if the District had historically replaced them in the past under the District's initiative, then
586 he was okay with including them here to.

587
588 Manager Haake stated is it not true that sometimes they have asked the City to pay so they have not established
589 the precedent. She noted the attorney also stated legally the City/road authority did pay to replace its culverts.

590
591 District Engineer Deutschman stated the statute as he recalled defers discretion to the drainage authority to make
592 that decision and he did not know if the statute says that the City had to pay for the replacement. What the
593 District has been doing on the City of Mounds View project is that the City has been doing the work and the
594 District has asked the City to replace the culverts at its expense. This was a City driven project. What they were
595 doing here is when it has been a District led project, the District would be paying for the culverts.

596
597 Manager Haake stated this was not consistent. District Engineer Deutschman responded it was done consistently,
598 but what he was not aware of until recently was when the District had a discussion with the City of Columbus
599 during the JD4 project, the City was originally going to supply the culverts and the District was going to have them
600 installed under the construction contract. What he did not know or realize until recently was the City never
601 actually provided the culverts, the District supplied the culverts and paid for the installation by the District's
602 contractor. In every case when it had been a District led project since they have been the District Engineer, it has
603 been the drainage authority if the drainage authority was moving the project forward or it has been the City if the
604 City had been moving the project forward.

605
606 Manager Haake stated this proved her point. She noted in Mounds View, this was a RCWD ditch and Mounds
607 View was going to pay for the culvert, even though it was an RCWD ditch. She stated when you have cities doing
608 their own stormwater conveyance systems, the Cities paid for those systems and the RCWD did not help them

609 and in this case they were doing the same thing it was a water conveyance system for the Water Management
 610 Districts and they were spreading the costs in the District, but they were also asking everyone else to pay for it ad
 611 valorem. District Engineer Deutschman suggested to the Board that there may be value in creating a written
 612 policy to clarify this on behalf of the District Engineer and staff so they could implement what the Board wanted.
 613 He stated it would really help them in implementing the Board's wishes if they spent some time at a workshop and
 614 these things could be clarified. He indicated he felt like they had done that to some extent as they have gone
 615 through the repair processes, but maybe it was time to formally write everything down and adopt a policy to
 616 eliminate these issues in the future.

617
 618 District Administrator Belfiori asked for the Board to go through items 1-3 on page 62 for consensus.

619
 620 President Preiner asked if there was a consensus to confirm the allocation of costs (71.1% / 28.9%) as defined in the
 621 revised table 5-4, dated 4/9/13. There was a consensus by the Board members (Manager Haake did not agree).
 622

623 President Preiner asked if there was a consensus assuming the charge allocation in Table 5-4 as attached is the
 624 Board consensus, confirming the application of WMD charge to the entire WMD and reaching consensus on if the
 625 Board wishes to spread the charges out in a three-year split or a five-year split. There was a consensus by the
 626 Board members to move to a complete WMD consistent with the past. That it be an entire WMD charge at 3-
 627 years.
 628

629 President Preiner asked if there was consensus on including the three proposed roadway culvert replacements
 630 within the project costs.
 631

632 Manager Waller stated they needed to establish a formal policy. President Preiner stated a policy would be
 633 discussed at an upcoming workshop.
 634

635 There was a consensus by the Board members on including the three proposed roadway culvert replacements
 636 within the project costs (Manager Haake did not agree).
 637

638 District Engineer Deutschman pointed out that the Managers were going to see some additional policy discussion
 639 on the water management charge at the next workshop so there were other things that were coming up that they
 640 were going to need the Managers assistance.
 641

642 District Administrator Belfiori stated this issue would be added to the list and to expect a large memo at the next
 643 workshop meeting.
 644

645 **3. Draft Legislative Letter**

646 District Administrator Belfiori stated they received an email from Ray Bohn, MAWD, where he alerted about the
 647 pending situation at the House and Senate regarding the Clean Water Legacy Counsel. He asked staff with help on
 648 sending letters to the legislature, a draft letter had been handed out to the Managers before the meeting today.
 649 He was looking for action authorizing the President to sign the two letters and send to the House and Senate. He
 650 stated if there were changes, they would make the changes and get President Preiner an updated version.
 651

652 Manager Haake stated the letters were fine and she wished they would be sent to all of the representatives in both
 653 the House and Senate. She stated she had already sent an email to her representatives.
 654

655 ***Motion by Manager Waller, seconded by Manager Ogata, to adjust the agenda to move this item up to the***
 656 ***Items for Action. Motion carried 4-0.***

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Motion by Manager Waller, seconded by Manager Haake, to send the letter to all Representatives for the State of Minnesota, the Senators for the State of Minnesota, Governor Dayton, BWSR, and the DNR with a copy to Mr. Bohn. Motion carried 4-0.

President Preiner stated everything that they could do, they should do.

3. Staff Reports

Permit Coordinator/Wetland Specialist Tomczik stated the District sent out a letter to the Blacks of Mahtomedi regarding WCA enforcement. Manager Waller requested a copy of the letter which was provided by Permit Coordinator/Wetland Resource Specialist Tomczik.

4. May Calendar

There were no comments.

5. Manager’s Update

Manager Haake stated she had attended the Metro MAWD summer tour was set for Thursday, June 20 and Friday, June 21 held at New Ulm and they could make reservations at the Holiday Inn. Most events would be held at the New Ulm Civic Center. This would be hosted by the MN River Board and they are going to include a fishing trip with fishing from the bridge in New Ulm to show how clean they got the water. She indicated they also adopted a One Watershed, One Plan. She stated Dale Holmuth, DNR, is retiring on June 3 and noted a DNR grant deadline.

ADJOURNMENT

Motion by Manager Ogata, seconded by Manager Haake, to adjourn the meeting at 11:12 a.m. Motion carried 5-0.

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:

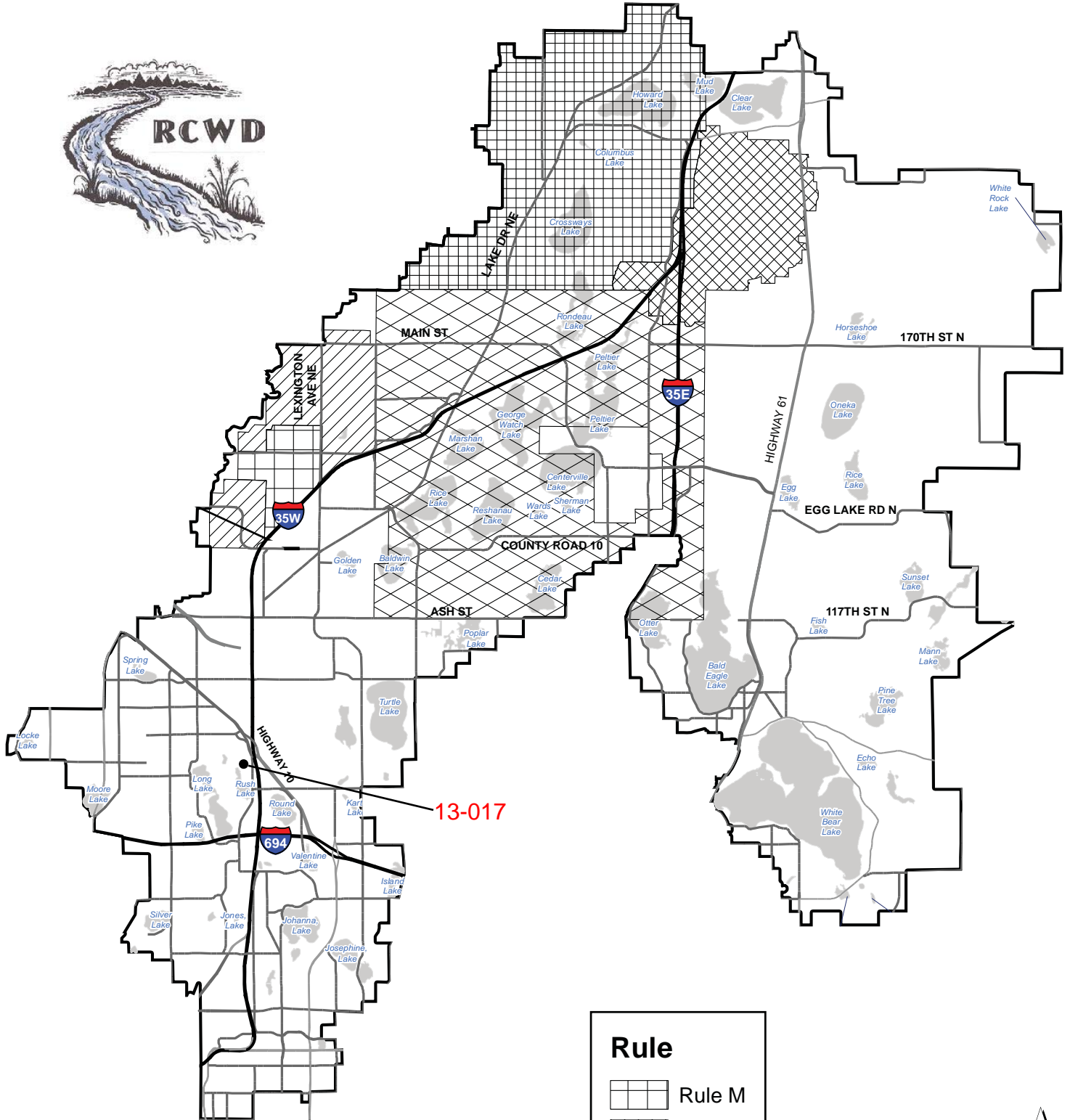
Table of Contents

PERMIT APPLICATIONS REQUIRING BOARD ACTION

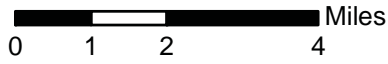
No.	Applicant	Location	Plan Type	Recommendation
13-017	Cheetah Precision, Inc.	Fridley	Final Site Drainage	CAPROC 7 items

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 May 2, 2013.

Rice Creek Watershed District



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



Permit Reviews
10/10/2012 Agenda



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:

13-017

Permit Project Name:

Cheetah Precision Expansion

Applicant:

Manfred Niedernhoefer
Cheetah Precision, Inc.
2023 Old Hwy 8
New Brighton, MN 55112
Ph: (651) 633-4566
Fx: (651) 633-0530
manfred@cheetahprecision.com

Consultant:

Charles Plowe
Plowe Engineering, Inc.
6776 Lake Drive #110
Lino Lakes, MN 55014
Ph: 651-361-8210
Fx: 651-361-8701
chuck@plowe.com

Norm Wells
Norm Wells Architect PA
623 17th Avenue NW
New Brighton, MN 55112
Fx: (651) 631-8817
normwellsarchpa@gmail.com

Project Name: Cheetah Precision Expansion

Purpose: FSD – Final Site Drainage; Expansion of existing building to increase production

Site Size: Parcel is 2.18± acres, with 0.75± acres of disturbed area, 0.16± acres of disturbed impervious surface and 0.15± acres of new impervious surface area

Location: Old highway No. 8 & Mounds Avenue 2023 Old Hwy 8, New Brighton

T-R-S: SW ¼ Section 16, T30N, 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. Indicate on the plans that the drain-tile in the proposed infiltration basin west of the proposed parking lot should remain capped unless approved by the District.

Rule D – Erosion and Sediment Control

2. 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.

Administrative

3. Send one final, signed full sized plan set to the District, and e-mail a pdf copy to the District and District Engineer.
4. If required by the City of New Brighton, the applicant must submit a draft legal document providing satisfactory form and description granting ponding and flowage easements over all onsite ponds, wetlands, and other hydrologic features.
5. The applicant must submit a Draft Declaration for Maintenance of Stormwater Management Facilities acceptable to District for proposed onsite stormwater management features. A draft document should be submitted to the District for consideration prior to recording.
6. The applicant must submit a copy of receipt from County Recorder and signed/notarized legal document(s).
7. The applicant must submit the appropriate cash surety amount of \$1,500 along with an original executed escrow agreement acceptable to the District. If the applicant desires an original copy for their records, then two original signed escrow agreements should be submitted.

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. Revised plans (5 pages) including sheets C1-C5, dated 2-14-2013 and received 2-22-2013.
2. Plan set (4 pages) including sheets C1-C4, dated 2-14-2013 and received 2-15-2013. Sheet C5, dated 2-14-2013 and received 2-19-2013
3. RCWD Application Submittal Checklist, undated and received 2-15-2013.
4. Permit Application (copy), dated 2-18-2013 and received 2-15-2013.
5. HydroCAD modeling for the 2, 10, & 100 year storm events, with existing and proposed drainage maps and calculations, dated 2-14-2013 and received 2-15-2013.
6. Permit application with original signature, dated 2-21-2013 and received 2-21-2013.
7. Project Narrative, dated 1-31-2013 and received 2-21-2013
8. Revised HydroCAD modeling for the 2, 10, & 100 year storm events, with existing and proposed drainage maps and calculations, dated 2-22-2013 and received 2-22-2013.
9. Geotechnical Report, dated 3-28-2013 and received 4-1-2013.

Findings:

1. Description – This project is classified as redevelopment, and consists of constructing a 7,040± ft² building addition, removal of 3,966± ft² of impervious surface adjacent to the

building addition, and construction of a 10,500± ft² parking lot. The result is an increase of new impervious surface area of 6,534± ft² and redeveloped impervious surface area of 11,006± ft². The proposed parking lot will drain to a proposed infiltration basin, the proposed building addition will drain into either the rock infiltration trench or the vegetated swale, and all three drain into the existing stormwater pond on the site which drains to Rush Lake, and ultimately to the Lower Rice Creek. The applicant submitted a \$1,000 application fee which corresponds to a final site drainage plan of <1 acre.

2. Stormwater – The Rule C.5 Water Quality and Volume (hereafter Volume) requirement is for 2.8-inches over the new impervious area of 6,534± ft² and 0.8 inches over the 11,006± ft² of redeveloped impervious surface area, for a total Volume requirement of 2,034± ft³, using a runoff coefficient of 0.9.

Proposed BMP Description	Location	Pretreatment:	Volume provided
Infiltration Basin	West of the Western parking lot (~700± ft ²)	Rip-rap	Treats the 2,677± ft ³ from the 2.8 inch storm event.
Rock Infiltration trench	West of the proposed addition running North (~75 ft)	N/A (roof water)	64± ft ³

The proposed BMPs are an infiltration basin and a rock infiltration trench. They will provide 2,741± ft³ of treatment and will meet the volume requirement, and comply with Rule C.5. Stormwater from the proposed parking lot will be treated by an infiltration basin directly west of the parking lot. Stormwater from the proposed building addition cannot feasibly be routed to the infiltration basin but has been infiltrated to the extent feasible given the limited space. Stormwater from the proposed building will drain to either the rock infiltration trench which runs north and to the existing box culvert running under the building to the stormwater pond, or to the vegetated swale (considered additional pre-treatment for the stormwater pond) that extends from the west side of the proposed building south and then east along the south of the building and then north to the existing stormwater pond and no stormwater will leave the site untreated. (The existing stormwater pond was built under RCWD permit 07-011 and is covered under a declaration of maintenance dated 6-16-2008.).

The submitted soil test pit samples found SM-SP soil, which is an HSG-B soil with an infiltration rate of 0.6 in/hr based on Table C1 in Appendix C. No indications of the seasonally high groundwater table were encountered by the test pits at a depth of 8 feet, providing at least 3 feet of separation for the infiltration basin in compliance with Rule C.8(a)(3).

The submitted modeling indicates that the applicant has rate controlled the 2, 10 & 100-year, 24-hour rainfall events for the site, and is in compliance with Rule C.6. The 10-day snowmelt modeling is not needed because the existing drainage patterns are the same as the proposed; therefore the rate of stormwater runoff will be the same.

Stormwater overflow from the infiltration basin and the infiltration trench will drain towards the building and will enter a trench drain which flows into a 2' x 3' box culvert running underneath the building and into the existing stormwater pond; therefore, stormwater cannot feasibly flood the existing or proposed structures and the freeboard requirements of Rule C.8(e) do not apply.

3. Wetlands – No wetland impacts are proposed by this project.
4. Floodplain – This site is not in a regulatory floodplain.
5. Erosion Control – Proposed erosion control methods include silt fence, a rock construction entrance, and inlet protection devices. After final grading the drainage areas will be sodded and all other disturbed areas will be seeded and mulched. The area of disturbance is less than 1 acre, so an NPDES permit is NOT 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 needs to provide drainage and flowage easements (if required by the City), draft maintenance declaration, and receipt showing recordation once approved.
7. Previous Permit Information – RCWD Permit 07-011 was issued for a previous construction project at the facility.

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 5-2-13

Chris Buntjer
MN Reg. No 48745

ITEMS REQUIRING BOARD ACTION

1. Consider Anoka-Washington Judicial Ditch 4 Water Management District Extension for Ongoing Maintenance (Phil Belfiori)

MEMO



(External Correspondence)

To: Phil Belfiori
Date: April 30, 2013
Cc: File 5555-066
 Tom Schmidt
 John Kolb

From: Mark Deutschman, Ph.D., P.E. *Mark B. Deutschman*
 Chris Otterness, P.E.
Subject: Estimated Annual Maintenance Cost
 ACD 15 / JD 4 Public Drainage

An estimate of the annual maintenance cost for the Anoka County Ditch 15 / Anoka-Washington Judicial Ditch 4 (ACD 15/JD 4) in the coming years is needed to establish a revised Water Management District charge. The current total charge \$161,847 with the first one-third of the total certified in the fall of 2010 (to be collected over three years) was used to complete those portions of the ACD 15/JD 4 repair with local benefit. The annual charge amount was ~ \$52,000 to \$55,000 annually. The final collection of the charge for the capital costs funding those portions of the project with local project benefit will end this year (2013 tax statement). A 2014 charge needs to be established for the future maintenance obligations associated with the public drainage system following the completion of the Houle / Hair wetland restoration component.

The attached table provides an estimate of the annual revenue needed for the future maintenance of the ACD 15/JD 4 public drainage system and Browns Preserve. The revenue needed for these projects is divided into two revenue sources. Please note that per discussions with District staff, we have included revenue for the replacement of tile (at the existing sizes) for portions of the Main Trunk, Branch 3 and Branch 4 in both the Water Management District account and ad valorem funding . The estimated cost for vegetative maintenance of Browns Preserve is currently included in the ad valorem portion of the project.

The annual cost allocated to the Water Management District is \$25,000 per year over a 5 year period (\$125,000 total). Should the Board decide to extend the WMD charge, we recommend utilizing a one-time charge for parcels incurring a “small” aggregate charge (e.g. under \$500) and a yearly charge for larger parcels, to save time and expense in administering the charge. This is similar to the process that was utilized for the ACD 10-22-32 WMD.

Please note that at some time in the near future, the District needs to consider and develop a mechanism for collecting the future charge at the time lands develop.

Anoka County Ditch 15 / Anoka - Washington Judicial Ditch 4

30-Apr-13

Description	Frequency									Total Estimated Cost	Annual Cost
Ad Valorem (One Time Fall 2013)											
Remove sediment from adjacent to channel (north end)	One time (fall 2013)	10	days	@	10	hours/day	@	\$200	per hour	\$20,000	\$20,000
Ad Valorem (Post Restoration)											
Annual Vegetative Management (Restoration Period)											
Spot Spraying of Invasive Species	Once every	3	years		15	acres	@	\$200	per acre	\$9,000	\$3,000
Prescribed Burn	Once every	3	years		117.6	acrea	@	\$125	per acre	\$14,700	\$4,900
Annual Maintenance											
Branch 3/4 tile blowout repair (water quality benefit)	For	5	years					\$25,000	per year	\$20,000	\$4,000
Total Estimated Annual Cost										\$11,900	
Water Management District											
Repair / replace existing tile on Main Trunk, Br 3, Br 4	For	5	years					\$10,000	per year	\$50,000	\$10,000
Annual Maintenance											
Channel Maintenance	Every Year	3	days	@	10	hours/day	@	\$200	per hour	\$6,000	\$6,000
Herbicide Treatment of the Channel	Every	2	years					\$5,000	Lump Sum	\$5,000	\$2,500
Administration / Staff Time											
Administer the WMD / Certify Charge	Every Year							\$3,500	Lump Sum	\$3,500	\$3,500
Staff Time for Maintenance	Every Year				40	hours	@	\$75	per hour	\$3,000	\$3,000
Total Estimated Annual Cost (with tile)										\$25,000	

RESOLUTION NO. 2013-11

**RICE CREEK WATERSHED DISTRICT BOARD OF MANAGERS
ORDER DIRECTING THE IMPLEMENTATION OF WATER MANAGEMENT DISTRICT CHARGES FOR
SUBSEQUENT REPAIR PHASES AND ONGOING MAINTENANCE OF ANOKA-WASHINGTON
JUDICIAL DITCH 4 AND ANOKA COUNTY DITCH 15**

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

WHEREAS on June 9, 2010, pursuant to Minnesota Statutes §103B.231, the Rice Creek Watershed District (District) Board of Managers adopted a revised Watershed Management Plan (“Plan”);

WHEREAS the Plan establishes a water management district pursuant to Minnesota Statutes §103D.729 providing for a charge on properties within the hydrologic boundaries of the Anoka County Ditch 15 (ACD 15)/Anoka-Washington Judicial Ditch 4 (JD 4) public drainage system (“ACD15/JD4 WMD”);

WHEREAS on June 23, 2010, the Board of Managers adopted Resolution 2010-17 approving a preliminary charge analysis for application to the ACD15/JD4 WMD and adopting a cost allocation for the repair of JD 4 and ACD 15 which allocated the costs of restoring basic drainage function of the systems to water management district charges imposed on properties within the drainage areas of the systems.;

WHEREAS, by Resolution 2010-21, the Board ordered the repair of JD 4 and ACD 15 according to the engineer’s recommended repair alternative;

WHEREAS, by Resolutions 2010-24 and 2012-32, the Board certified charges for the first phase of repair of JD 4 and ACD 15;

WHEREAS, charges for the costs of the first phase of repair of JD 4 and ACD 15 are nearly completed and the Board has reviewed the engineer’s opinion of costs for subsequent phases of repair as well as future, routine maintenance costs for the systems as outlined in a memorandum dated April 30, 2013;

WHEREAS, the Board has reviewed a spreadsheet of the costs of future maintenance and has distinguished components of future maintenance that are attributable, consistent with the original cost allocation, to ecological functions within the watershed of JD 4 and ACD 15 to be paid from ad valorem tax levy, and components of future maintenance that are attributable to maintaining the basic drainage function of the systems to be paid from the proceeds of water management district charges.

THEREFORE, the Rice Creek Watershed District Board of Managers makes the following:

ORDER

- A. The Board of Managers orders the allocation of costs for subsequent repair phases and for future, routine maintenance costs for JD 4 and ACD 15 in a manner consistent with the Staff’s recommendation as set forth in attached Exhibit A.
- B. The Board of Managers approves imposition of Water Management District Charges for subsequent repair phases and for future, routine maintenance costs for JD 4 and ACD 15 as defined in the amendments to the Watershed Management Plan approved December 7, 2011, discussed in the Memorandum prepared by Houston Engineering dated April 30, 2013 and set forth in Exhibit A.
- C. The Board of Managers directs its administrator to coordinate and take all subsequent actions necessary for implementation of subsequent repair phases and future, routine maintenance costs for JD 4 and ACD 15 in a manner consistent and compliant with existing law. The Board reserves to itself, however, all subsequent actions required by law to proceed upon Board approval.
- D. The Board of Managers further authorizes expenditures for subsequent repair phases and for future, routine maintenance costs for JD 4 and ACD 15, and the collection of revenues consistent with this order.

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 adopted.

Harley Ogata, Secretary

Dated: May 8, 2013

* * * * *

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 8th day of May, 2013.

Harley Ogata, Secretary

ITEMS REQUIRING BOARD ACTION

2. Consider Abatement of Common Area
Parcels. (Phil Belfiori)

MEMO

External Correspondence



Date: April 23, 2013

From: Chris Otterness, P.E.
Mark Deutschman, PhD., P.E.

To: Phil Belfiori
District Administrator, RCWD

Subject: Water Management District Charges
Update on Upcoming Processes

Cc: Tom Schmidt
John Kolb

The purpose of this memorandum is to update you on the status of the proposed 2013 and 2014 charges for the four Water Management Districts (ACD 15/JD4; ACD 10-22-32; Bald Eagle Lake - BEL; and ACD 53-62). Given the volume and complexity of recent correspondence regarding each of these WMDs, we felt that it would be prudent to summarize the actions currently underway and which need to be completed before the end of this year by the District and HEI.

Common Element Parcels

When the ACD 15/JD 4 WMD and BEL-WMD charges were initially established, every parcel within the WMD (excluding park lands) was charged, regardless of the ownership status or whether it was tax exempt. However, District legal counsel John Kolb rendered an opinion in an April 1, 2013 email (concurring with the Anoka County Attorney) that a certain type of tax-exempt parcels under common ownership (referred to as “common element parcels”) cannot be charged through a WMD, per MS 273.124 subd. 2a. Consequentially, Anoka, Ramsey, and Washington Counties have provided lists of the common element parcels within the District’s four WMDs, which the District is currently in the process of abating (this is discussed in greater detail below) .

In the April 1 email, legal counsel Kolb recommended the charges which would otherwise be applied to a common element parcels be instead applied to parcels of the common development benefitted by the common element parcels. In most cases, the benefitted parcels are relatively easy to identify (such as townhomes within a common plat). However, in other circumstances (such as the Lino Air Park) the benefitting parcels were created through separate plats along with non-benefitting parcels, and the identification of the benefitting parcels is much more difficult. Unfortunately, the Counties do not have any means to track and identify which parcels are benefitted by the comment element parcels. In the case of the Lino Air Park, the Air Park Association was able to provide a list of association members owning parcels adjacent to the air

MEMO

park. There may be a few circumstances in future WMD charges where the cost of determining the parcels benefitting from the common element parcels is greater than the revenue generated from the charge on that parcel. In those particular cases, we recommend excluding the common element parcel from the charge.

Cost of Administering Charges

The cost of administering these charges needs consideration by the Board. The annual cost to the District for administering the charges includes staff time at the RCWD to interact with the County, the professional service fees incurred by the District to develop the charge allocation method and certify the charge annually (primarily checking for parcel splits, abating charges) and an administration fee imposed by each County for processing the charge (entering the information into their computer system, placing it on the tax statement, collecting the revenue and sending the District the funds). The County administration fee is between \$1 and \$3 per parcel per year (depending on which County is processing the charge). To date, for the ACD 15 / JD 4 WMD charge, the engineering fees for reviewing and certifying the charge has been approximately \$2,500 per year and the County administration fee has been approximately \$3,500 per year, when combined roughly 11% of the entire charge revenue.

To reduce the overall costs incurred by the District for administration of the charge, for the ACD 10-22-32 WMD the District chose to utilize a two-tiered approach. For parcels incurring less than \$300 of the total charges, one single lump sum amount was paid. For parcels incurring greater than \$300 of total charges, equal installments over a three-year period are being used. By reducing the number of parcels charged in Year 2 and 3 (approximately 90% of the parcels in the WMD are subject to a single year charge) the District is able to save several thousand dollars in engineering fees and County administration fees.

We recommend a similar approach be utilized for future WMD charges, including the ACD 53-62 WMD Branch 1 Repairs charge and the ACD 15 / JD 4 WMD maintenance charge (discussed in greater detail below). However, given the comparatively low revenue proposed to be generated by the new charge, we recommend the duration of the charge be established for five years. Thus, a total of \$125,000 would be generated by a single-year charge for parcels incurring less than \$1,000 in total charges and a charge in five yearly installments for parcels incurring over \$1,000 in total charges.

ACD 10-22-32 WMD

Anoka County has provided a list of all common element parcels within the WMD, each of which received a 2013 charge. The 2013 charge for each of these parcels has been abated through Resolutions 2013-08, 2013-09 and 2013-10 by the Board of Managers. As we have just

MEMO

completed the first year of a three-year charge, the 2014 and 2015 charges do not need to be certified again unless for some reason they are changed. The County will need action from the District only if one of the parcels in the three-year charge is split or otherwise modified.

Action Items:

We recommend that in the remaining 2014 and 2015 charges of \$3,167.14 originally certified to the two Lino Air Park common element parcels be applied to the adjacent landowners of the Air Park Association. The reason is that the charge is not already accounted for in any other parcels, and the magnitude of the charge seems to justify the effort to collect the revenue.

To collect the revenue, a one-year charge account needs to be established by Anoka County and the amount certified by the District. HEI can prepare a list of the per parcel charges to be certified by the Board of Managers in September. We estimate that the \$3,167.14 in charges will be distributed to 50 parcels for a per-parcel charge of \$63.34.

We also recently became aware that the Minnesota Department of Corrections (Mn/DOC) was inadvertently overbilled for their four parcels within the WMD. These four parcels were certified for a three-year charge in September 2012, and the parcels were included in the charge spreadsheets sent to the County in November. However, shortly thereafter the District received correspondence from the Mn/DOC that they preferred to pay their entire amount up front directly to the District, rather than through a three-year charge. Unfortunately, the charge was never deleted from the charge tabulation that Anoka County applied to the 2013 tax statements. We recommend the Board of Managers abate the charges on these parcels as soon as possible (see attached **Table 1**). We regret the error and will ensure that these parcels are removed from the 2014 and 2015 charge assessments.

ACD 15 / JD 4 WMD

Anoka and Washington Counties have provided a list of all common element parcels within the WMD, several of which received a 2013 charge (see attached **Table 1** – note that one parcel needs to be abated for Years 2011 and 2012 as well). We recommend the Board of Managers abate the charges on these parcels as soon as possible. HEI will ensure that in future charges to the WMD that these parcels are excluded from receiving a charge.

The Board of Managers requested District staff and the District Engineer develop a proposed ongoing charge for maintenance of the ACD 15 / JD 4 public drainage system repair. Currently, staff and HEI estimate the yearly funding needs for maintenance and repair of the drainage system to be \$25,000 annually. This funding would be used to complete replacement of the Branch 3 and Branch 4 tiles, treat open channel sections with herbicide, and maintain the open channels. We recommend allocation of the charge both to currently developed and undeveloped

MEMO

parcels proportionate to the annual runoff from each parcel, similar to the allocation method utilized for the ACD 10-22-32 WMD. As alluded to above, smaller parcels can be charged their entire amount in a single year, while the larger parcels can be charged over an extended period. However, given the comparatively low revenue proposed to be generated by the new charge, we recommend the duration of the charge be established for five years (rather than the three-year timeframe of the ACD 10-22-32 WMD charge). Thus, a total of \$125,000 would be generated by a single-year charge for parcels incurring less than \$500 in total charges and a charge in five yearly installments for parcels incurring over \$500 in total charges.

Action Items:

If the Board concurs with the charge total and charging mechanism recommended by District staff, legal counsel, and HEI, then HEI will begin development of individual parcel charges for Years 2014 through 2018. The District will need to request new fund accounts to be established by Anoka and Washington Counties (a single-year account and a multi-year account for each county) by the end of June. These charges will then need to be certified by the Board of Managers by September 15 for the charges to be included on the 2014 tax statements.

BEL-WMD

Anoka and Washington Counties have provided lists of all common element parcels within the WMD (there were one in each county). Ramsey County staff has verified there are no common element parcels within the Ramsey County portion of the BEL-WMD. The Board of Managers previously abated the common element parcels within Anoka County by Resolution 2013-010. We recommend that the Washington County common element parcel (listed in **Table 1**) be abated as soon as possible.

Action Items:

HEI will exclude the common area parcels from future charge certifications. This will reduce the total revenue from the charge by approximately \$300. The District may wish to reevaluate the BEL-WMD charge mechanism considering the costs of administering a yearly charge and the overall revenue generated by the charge.

ACD 53-62 WMD

HEI recently provided a memorandum recommending a proposed allocation of charges along with an estimated yearly charge per acre. To maintain the timeline necessary to institute charges for the 2014 tax year, we recommend that the Board provide concurrence or guidance on the charge allocation at the May Board Workshop.

Action Items:

MEMO

If the Board concurs with the charge allocation recommended by HEI, then HEI will begin development of individual parcel charges within the WMD. These will be reflected in a memorandum to the Board, as with previous WMDs. The District will need to request new fund accounts to be established by Anoka County (a single-year account and a multi-year account) by the end of June. These charges will then need to be certified by the Board of Managers by September 15 for the charges to be included on the 2014 tax statements.

Table 1
WMD Charges Requiring Abatement

PIN	Year	WMD	Charge Amount	Reason for Abatement
<i>Washington County</i>				
19.032.21.13.0006	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.13.0007	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.13.0052	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.13.0053	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0006	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0007	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0008	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0089	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0163	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0164	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0166	2011	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0166	2012	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0166	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0167	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0168	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0169	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.14.0170	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.24.0002	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.41.0009	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.41.0010	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.41.0011	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.42.0021	2013	ACD 15 / JD 4 WMD	\$13.33	Common Element Parcel
19.032.21.42.0022	2013	ACD 15 / JD 4 WMD	\$13.33	Common Element Parcel
19.032.21.43.0078	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.43.0079	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
19.032.21.44.0092	2013	ACD 15 / JD 4 WMD	\$8.33	Common Element Parcel
20.032.21.33.0062	2013	ACD 15 / JD 4 WMD	\$13.33	Common Element Parcel
29.032.21.22.0024	2013	ACD 15 / JD 4 WMD	\$53.33	Common Element Parcel
29.032.21.22.0025	2013	ACD 15 / JD 4 WMD	\$2.67	Common Element Parcel
20.032.21.44.0003	2013	ACD 15 / JD 4 WMD	\$2.93	Charge Less Than Minimum
29.032.21.14.0003	2013	ACD 15 / JD 4 WMD	\$0.52	Charge Less Than Minimum
31.031.21.24.0011	2013	BEL-WMD	\$150.00	Common Element Parcel
<i>Anoka County</i>				
003-183122110003	2013-2015	ACD 10-22-32 WMD	\$291.29	Already Paid Charge in Full
003-183122120001	2013-2015	ACD 10-22-32 WMD	\$407.59	Already Paid Charge in Full
003-183122130001	2013-2015	ACD 10-22-32 WMD	\$408.46	Already Paid Charge in Full
003-183122140001	2013-2015	ACD 10-22-32 WMD	\$392.66	Already Paid Charge in Full

RESOLUTION 2013-12

**RICE CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**ABATEMENT OF CHARGES TO COMMON ELEMENT PARCELS IN THE BEL, ACD15/JD4, AND
ACD10-22-32 WATER MANAGEMENT DISTRICTS AND ABATEMENT OF OVERCHARGES TO
DEPARTMENT OF CORRECTIONS PARCELS IN THE ACD10-22-32 WATER MANAGEMENT
DISTRICT**

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

WHEREAS, the Rice Creek Watershed District (District) Board of Managers has established several Water Management Districts (WMD) from which revenue is generated from the imposition of charges on property to pay the costs of certain projects of the District;

WHEREAS, the District has previously imposed water management charges to all parcels within a WMD based on the charge formulas adopted by the District;

WHEREAS, the District has discovered that water management charges have been assessed to several "Common Element Parcels" within the various WMDs;

WHEREAS, Statutes Section 273.124, subd. 2a applies to water management charges sought by the District to be collected by the County through the property tax system, stating ". . . The common elements of the development must not be separately taxed."

WHEREAS, the District utilizes authority under Statutes Section 444.075, subd. 2a, which allows the District to certify water management charges to the County for collection by the County. The county auditor extends the charges with upon the tax rolls and is required to enforce and collect the charges in the manner provided for the enforcement and collection of real property taxes;

WHEREAS, based on the manner in which Section 444.075, subd. 2a treats the District's water management charges once certified, Section 273.124, subd. 2a does apply to such charges and it is appropriate that the District abate those charges mistakenly placed against Common Element Parcels;

WHEREAS, the Auditors in the affected counties have identified the mistakenly placed charges and the District's engineers have prepared a summary of the charges as outlined in an April 23, 2013, memorandum;

WHEREAS, the Minnesota Department of Corrections (Mn/DOC) was inadvertently overbilled for four parcels within the ACD10-22-32 WMD. These four parcels were certified for a three-year charge in September 2012, and the parcels were included in the charge spreadsheets sent to Anoka County in November 2012. However, shortly thereafter the District received correspondence from the Mn/DOC that they preferred to pay the entire amount up front directly to the District, rather than through a three-year charge. Mn/DOC did make direct payment as desired. Unfortunately, the charges were never deleted from the charge tabulation that Anoka County applied to 2013 tax statements;

WHEREAS, the District's engineers have included the potential over charges to Mn/DOC in their April 23, 2013, memorandum;

WHEREAS, each County allows the abatement of water management district charges by the District.

THEREFORE, BE IT RESOLVED by the Board as follows:

1. The water management charges mistakenly placed against Common Element Parcels in the BEL, ACD15/JD4, and ACD10-22-32 WMDs, as listed in the Engineer's April 23, 2013, memorandum, are abated for the current year and past years and shall be removed from future charge certifications.
2. The Common Element Parcels listed in the Engineer's April 23, 2013, memorandum, shall be removed from the list of properties used by District in calculating and certifying cost allocations within the WMDs.
3. Staff shall return a recommendation to the Board of Managers addressing any deficiencies in cost allocations resulting from the abatement of charges and removal of Common Element Parcels.
4. The water management over charges to Mn/DOC, as listed in the Engineer's April 23, 2013, memorandum, shall also be abated.
5. The District Administrator is authorized to execute and submit to the County Auditors all applications for abatement and other necessary documents.

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 adopted.

Dated: May 8, 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 8th day of May, 2013.

Harley Ogata, Secretary

ITEMS REQUIRING BOARD ACTION

3. Water Quality BMP Cost-Share Applications
(Kyle Axtell)
 - a. R13-02 : Josh Brottlund: Raingarden
 - b. W13-03 Natalie Nelson: Raingarden

MEMORANDUM

Rice Creek Watershed District

Date: May 2, 2013
To: RCWD Board of Managers
From: Kyle Axtell, Water Resource Specialist
Subject: R13-02 Josh Brottlund – Raingardens
Water Quality BMP Cost-Share Application

R13-02 Josh Brottlund

- Location: 2551 – 15th Street, New Brighton
- Project Type: Three Raingardens (Stony Lake)
- Total Eligible Project Cost: \$10,200.00 (RCD-approved Contractor Bid)
- RCWD Cost-Share Request: \$5,000.00 (50%)

BACKGROUND

This project, located at 2551 – 15th Street in New Brighton, proposes three raingardens totaling 410 square feet. The project is designed to infiltrate runoff from a 13,000 square foot drainage area (3,800 square feet of impervious area). Runoff from this property discharges via storm sewer directly to Stony Lake. Stony Lake is one of several small landlocked basins in the New Brighton area that are on the DNR Public Waters Inventory. In addition to nutrient removal, this project will directly assist local flood protection efforts.

The landowner has obtained two bids for the project based on a plan set prepared by the Ramsey Conservation District. The low bid, submitted by Jay Stewart Construction for \$10,200 has been selected by the landowner and approved by RCD staff. The landowner has submitted an application to encumber up to \$5,000.00 in cost-share funding for this project, not to exceed 50% of eligible project expenses.

This proposal was considered by the RCWD Citizen Advisory Committee at its meeting held on May 1, 2013. The CAC discussed the application and passed a motion recommending that the RCWD Board of Managers approve this project for up to \$5,000.00 in cost-share funding, not to exceed 50% of eligible project expenses.

RECOMMENDATION

RCWD's Citizen Advisory Committee and Staff recommend that the RCWD Board of Managers approve Water Quality BMP Cost-Share funds for Josh Brottlund's raingarden project.

Proposed motion:

Manager _____ moves to approve RCWD Water Quality BMP Cost-Share Contract R13-02 for Josh Brottlund's raingarden project, up to \$5,000.00, not to exceed 50% of eligible project expenses, in accordance with established program guidelines.

Ramsey Conservation District



1425 Paul Kirkwold Drive
Highway 96 & Hamline Avenue
Arden Hills, MN 55112
Telephone 651-266-7270
Fax 651-266-7276
www.ramseyconservation.org

To: RCWD Advisory Committee
From: Ryan Johnson: Urban BMP Specialist
Date: 22-Apr-13
Re: Brottlund Cost Share Application

Project:

Josh & Heidi Brottlund
2551 15th Street NW
New Brighton, MN 55112
Raingarden Installation

Background:

The proposed project is to install 3 raingardens throughout the property in strategic locations to capture the runoff from the backyard, roof, and the driveway with a total drainage area is 0.31 acres (50% impervious). The raingardens will capture the water before it enters 15th Street NW and into Stoney Pond which then flows north. The total project size is 510 sq-ft with 6-9" of ponding depth and it will intercept a 1.0" Type II rainfall.

The owner received 2 bids for the project and will hire out the installation.

Funding Request:

Material & Labor Bid: \$10,200.00
Cost Share Request: \$5,000.00 (50% project cost)

Recommendation:

It is my recommendation that this project be awarded Cost Share in the amount of \$5,000.00, or 50% of the eligible project costs, whichever is less.

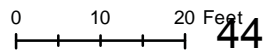
The bids were in line with the conservation districts original estimates. The heavy soils will need to be over-excavated and the 3 raingarden locations will do a great job in capturing a 1" rainfall in an area that is in need of volume reduction.

The homeowners are very excited about the project.



- Contours (2ft)
- Centerline
- Parcel

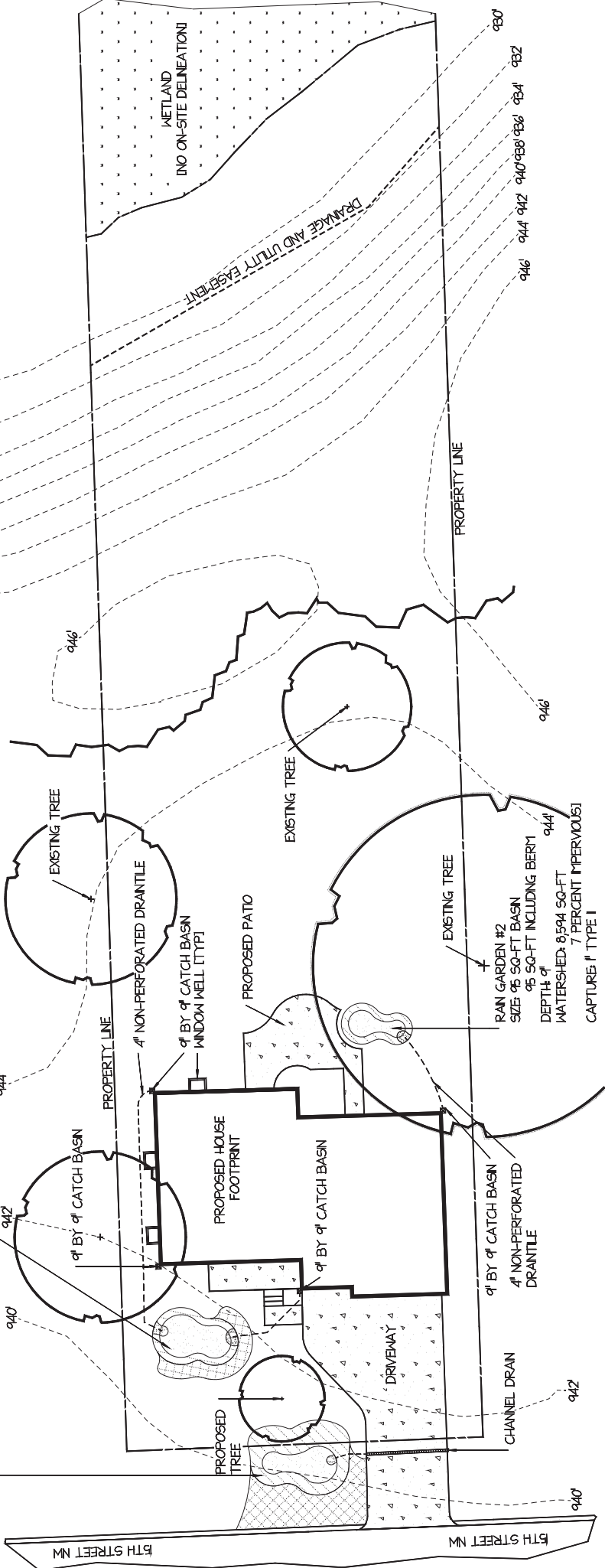
Josh Brottlund
 2551 15th Street NW
 NB, 55112, RCWD



PROPOSED CONDITIONS
SCALE: 1" = 20'-0"

RAIN GARDEN #3
SIZE: 145 SQ-FT BASIN
55 SQ-FT INCLUDING BERM
DEPTH: 6"
WATERSHED: 2,067 SQ-FT
70 PERCENT IMPERVIOUS
CAPTURE: 1 TYPE 1

RAIN GARDEN #1
SIZE: 170 SQ-FT BASIN
265 SQ-FT INCLUDING BERM
DEPTH: 6"
WATERSHED: 2,428 SQ-FT
74 PERCENT IMPERVIOUS
CAPTURE: 1 TYPE 1



NOTES:
-CALL Gopher ONE 48 PRIOR TO DIGGING AT 651-454-0002 TO
HAVE UTILITIES MARKED
-CALL THE ROAD (763-398-3088) OR RCD (651-266-7275)
WITH ANY QUESTIONS

PROPOSED CONDITIONS	
JOSH BROTTIAND 2551 15TH STREET NW, NEW BRIGHTON, MN	
DEVELOPED AND PROVIDED BY:	RICE CREEK WATERSHED DISTRICT (RCWD)
AND	RAYSEY CONSERVATION DISTRICT (RCD)
PAGE:	2 OF 6
DATE:	27-FEB-18
SCALE:	1" = 20'-0"
ORIGINAL:	11" x 17"



Ramsey Conservation District

MATERIAL & COST ESTIMATE

John Brottlund
 15th Street NW
 New Brighton, MN 55112
 Raingardens

LF: NA
 SF: 630
 Date: 27-Feb-13

Materials: Rain Garden #1					
Item	Qty	Unit	Unit Cost	Amount	Potential Source
Soil Amendment (75% Sand, 25% Leaf Compost- MNDotT Grade II)	4.0	cu-yd	\$ 23.00	\$ 92.00	NRG, Windscapes, MN Mulch & Soil
Twice-Shredded Hardwood Mulch (3" depth)	2.5	cu-yd	\$ 27.00	\$ 67.50	Hedberg, Frador, Local Supplier
Non-Woven Geotextile (Geotex 401, Mirfani 140N, or equal)	25	sq-ft	\$ 0.07	\$ 1.75	Brock White, (651) 647-0950
Aggregate: River Rock, Mixed Size (50lbs: 0.5cu-ft)	5	bag	\$ 5.50	\$ 27.50	Menards, Home depot, Lowes, etc
Guardian Seed Protection Mulch Mat (3.3' x 54')	1	packet	\$ 35.00	\$ 35.00	Brock White, (651) 647-0950
Edging (Paver: 3" x 4" x 12")	70	each	\$ 1.14	\$ 79.80	Menards, Home depot, Lowes, etc
Catch Basin Kit- 9" x 9" (1 Basin, 1 Plug, 1 Grate)	3	each	\$ 26.60	\$ 79.80	Menards, Home depot, Lowes, etc
Drain tile, Solid- 4"	55	lin-ft	\$ 0.60	\$ 33.00	Menards, Home depot, Lowes, etc
T Connector- 4"	1	each	\$ 6.28	\$ 6.28	Menards, Home depot, Lowes, etc
Pop Up Riser w/ elbow- 4"	2	each	\$ 7.40	\$ 14.80	Menards, Home depot, Lowes, etc
Deliveries	3	each	\$ 50.00	\$ 150.00	Contractor/Homeowner
			Materials Subtotal	\$ 587.43	

Plants: Rain Garden #1					
Item	Qty	Unit	Unit Cost	Amount	Potential Source
Native Perennial: 1" Plug	86	each	\$ 1.00	\$ 86.00	Native Plant Supplier
			Plants Subtotal	\$ 86.00	

Labor: Rain Garden #1					
Item	Qty	Unit	Unit Cost	Amount	Potential Source
Mobilization	0.5	job	\$ 250.00	\$ 125.00	Landscaper/Excavation Contractor
Disposal	1	job	\$ 150.00	\$ 150.00	Landscaper/Excavation Contractor
Grading/Excavation (Tracked Equipment Only - no wheeled vehicles in excavation area)	4	hrs	\$ 85.00	\$ 340.00	Landscaper/Excavation Contractor
Soil Haul-away (create berms before haul-away)	2	cu-yd	\$ 20.00	\$ 40.00	Landscaper/Excavation Contractor
Material Installation (4 person crew/day)	0.75	job	\$ 2,200.00	\$ 1,650.00	Landscaper/Excavation Contractor
			Subtotal	\$ 2,305.00	
			Materials Estimate	\$ 587.43	
			Plants Estimate	\$ 86.00	
			Labor Estimate	\$ 2,305.00	
			Rain Garden #1 Estimate	\$ 2,978.43	
			-10%	\$ 2,680.59	
			+10%	\$ 3,276.27	

Materials: Rain Garden #2						
Item	Qty	Unit	Unit Cost	Amount	Potential Source	
Soil Amendment (75% Sand, 25% Leaf Compost- MNDot Grade II)	3.0	cu-yd	\$ 23.00	\$ 69.00	NRG, Windscapes, MN Mulch & Soil	
Twice-Shredded Hardwood Mulch (3" depth)	1.5	cu-yd	\$ 27.00	\$ 40.50	Hedberg, Frador, Local Supplier	
Non-Woven Geotextile (Geotex 401, Mirfani 140N, or equal)	15	sq-ft	\$ 0.07	\$ 1.05	Brock White, (651) 647-0950	
Aggregate: River Rock, Mixed Size (50lbs: 0.5cu-ft)	3	bag	\$ 5.50	\$ 16.50	Menards, Homedepot, Lowes, etc	
Guardian Seed Protection Mulch Mat (3.3' x 54')	1	packet	\$ 35.00	\$ 35.00	Brock White, (651) 647-0950	
Edging (Paver: 3" x 4" x 12")	65	each	\$ 1.14	\$ 74.10	Menards, Homedepot, Lowes, etc	
Catch Basin Kit- 9" x 9" (1 Basin, 1 Plug, 1 Grate)	1	each	\$ 26.60	\$ 26.60	Menards, Homedepot, Lowes, etc	
DrainTile, Solid- 4"	15	lin-ft	\$ 0.60	\$ 9.00	Menards, Homedepot, Lowes, etc	
Pop Up Riser w/ elbow- 4"	1	each	\$ 7.40	\$ 7.40	Menards, Homedepot, Lowes, etc	
Deliveries	3	each	\$ 50.00	\$ 150.00	Contractor/Homeowner	
			Materials Subtotal	\$ 429.15		

Plants: Rain Garden #2						
Item	Qty	Unit	Unit Cost	Amount	Potential Source	
Native Perennial: 1" Plug	40	each	\$ 1.00	\$ 40.00	Native Plant Supplier	
			Plants Subtotal	\$ 40.00		

Labor: Rain Garden #2						
Item	Qty	Unit	Unit Cost	Amount	Potential Source	
Mobilization	1	job	\$ 250.00	\$ 250.00	Landscape/Excavation Contractor	
Disposal	1	job	\$ 150.00	\$ 150.00	Landscape/Excavation Contractor	
Grading/Excavation (Tracked Equipment Only - no wheeled vehicles in excavation area)	2	hrs	\$ 85.00	\$ 170.00	Landscape/Excavation Contractor	
Soil Haul-away (create berms before haul-away)	1	cu-yd	\$ 20.00	\$ 20.00	Landscape/Excavation Contractor	
Material Installation (4 person crew/day)	0.5	job	\$ 2,200.00	\$ 1,100.00	Landscape/Excavation Contractor	
			Subtotal	\$ 1,690.00		
			Materials Estimate	\$ 429.15		
			Plants Estimate	\$ 40.00		
			Labor Estimate	\$ 1,690.00		
			Rain Garden #2 Estimate	\$ 2,159.15		
			-:10%	\$ 1,943.24		
			:+10%	\$ 2,375.07		

Materials: Rain Garden #3						
Item	Qty	Unit	Unit Cost	Amount	Potential Source	
Soil Amendment (75% Sand, 25% Leaf Compost- MNDOT Grade II)	3.0	cu-yd	\$ 23.00	\$ 69.00	NRG, Windscapes, MN Mulch & Soil	
Twice-Shredded Hardwood Mulch (3" depth)	2.5	cu-yd	\$ 27.00	\$ 67.50	Hedberg, Frador, Local Supplier	
Non-Woven Geotextile (Geotex 401, Mirfani 140N, or equal)	15	sq-ft	\$ 0.07	\$ 1.05	Brock White, (651) 647-0950	
Aggregate: River Rock, Mixed Size (50lbs: 0.5cu-ft)	3	bag	\$ 5.50	\$ 16.50	Menards, Home depot, Lowes, etc	
Edging (Paver: 3" x 4" x 12")	55	each	\$ 1.14	\$ 62.70	Menards, Home depot, Lowes, etc	
Drain tile, Solid- 4"	10	lin-ft	\$ 0.60	\$ 6.00	Menards, Home depot, Lowes, etc	
Pop Up Riser w/ elbow- 4"	1	each	\$ 7.40	\$ 7.40	Menards, Home depot, Lowes, etc	
Trench Grate (NDS Pro Series Channel Grate Kit 5" x 3.3')	5	each	\$ 48.50	\$ 242.50	Menards, Home depot, Lowes, etc	
Trench Grate: Concrete (Quikrete 5000 or similar: 0.6 cu-ft/bag)	6	bag	\$ 5.00	\$ 30.00	Brock White, (651) 647-0950	
Deliveries	3	each	\$ 50.00	\$ 150.00	Contractor/Homeowner	
			Materials Subtotal	\$ 652.65		

Plants: Rain Garden #3						
Item	Qty	Unit	Unit Cost	Amount	Potential Source	
Native Perennial: 1" Plug	94	each	\$ 1.00	\$ 94.00	Native Plant Supplier	
			Plants Subtotal	\$ 94.00		

Labor: Rain Garden #3						
Item	Qty	Unit	Unit Cost	Amount	Potential Source	
Mobilization	1	job	\$ 250.00	\$ 250.00	Landscaper/Excavation Contractor	
Disposal	1	job	\$ 150.00	\$ 150.00	Landscaper/Excavation Contractor	
Grading/Excavation (Tracked Equipment Only - no wheeled vehicles in excavation area)	2	hrs	\$ 85.00	\$ 170.00	Landscaper/Excavation Contractor	
Soil Haul-away (create berms before haul-away)	2	cu-yd	\$ 20.00	\$ 40.00	Landscaper/Excavation Contractor	
Material Installation (4 person crew/day)	1.00	job	\$ 2,200.00	\$ 2,200.00	Landscaper/Excavation Contractor	
			Subtotal	\$ 2,810.00		
			Materials Estimate	\$ 652.65		
			Plants Estimate	\$ 94.00		
			Labor Estimate	\$ 2,810.00		
			Rain Garden #3 Estimate	\$ 3,556.65		
			-:10%	\$ 3,200.99		
			:+10%	\$ 3,912.32		

Project Totals		
Rain Garden #1 Estimate	\$	2,978.43
Rain Garden #2 Estimate	\$	2,159.15
Rain Garden #3 Estimate	\$	3,556.65
Project Total	\$	8,694.23

Jay Stewart Construction

10750 Stutz Street NE, Blaine, MN 55014
 Phone: 612-290-2772
 Jaysandroid69@gmail.com

Quote

Date: 4/5/2013
 Expiration Date: 5/5/2013

TO Josh and Heidi Brottlund
 2551 15th St NW
 New Brighton, MN 55112

Salesperson	Job	Payment Terms	Quote Good For
Jay	Rain Garden	Due on receipt	30 Days

Qty	Description	Unit Price	Line Total
	NOTE: This bid was created using the blue print developed by Rice Creek Watershed District and RCD. 3 rain gardens per blue print: excavate, supply and install base materials, supply and install plants		Included
	Project Management		Included
	Permits		Not Applicable
	Trash Removal		Included

Subtotal	
Sales Tax	
Total	\$10,200

Quotation prepared by: Jay Stewart

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement. You may want to include contingencies that will affect the quotation.)

To accept this quotation, sign here, date and return: _____

Thank you for your business!



Water Quality BMP Cost-Share Program Project Screening Form

Project / Landowner Name: Josh Brottlund	
Project Address: Ramsey	City: New Brighton
County: <input type="checkbox"/> ANOKA <input checked="" type="checkbox"/> RAMSEY <input type="checkbox"/> HENNEPIN <input type="checkbox"/> WASHINGTON	BMP Type(s): Raingarden
Application Date: TBD	BMP Effective Life: 5 yrs
Violation or Permit Requirement: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Reviewer: K. Axtell

Projects are screened for potential grant eligibility based on the following criteria. (0 = low, 10 = high)

1. a. Is the project tributary to a PCA-listed impaired water (not mercury) or a RCWD Tier I or Tier II waterbody?
 (NO) 5 (YES, within subwatershed) 10 (YES, direct connection)

 b. If NO, is the project tributary to a lake, stream, ditch, or DNR-Protected Water Wetland (PWW)?
 0 (NO) 3 (YES, within subwatershed) (YES, direct connection)
2. **Water Quality Improvement:** Improves and protects water quality through implementation of Best Management Practices (BMPs).
 0 1 2 3 4 5 6 7 8 9 10

Comments: _____

3. **Surface Water Rate and Volume Control:** Implements controls to reduce and/or minimize the rate and volume of water that drains off of the property.
 0 1 2 3 4 5 6 7 8 9 10

Comments: _____

4. **Erosion and Sediment Control:** Implements controls that minimize erosion and/or sedimentation to downstream waters.
 0 1 2 3 4 5 6 7 8 9 10

Comments: _____

5. **Wildlife Habitat Improvement:** Creates or improves wildlife habitat through native plantings or other restoration efforts.
 0 1 2 3 4 5 6 7 8 9 10

Comments: _____

6. **Public Outreach:** Willingness of applicant to allow signage, tours and site visits. Publically visible site. Diversity of practices.
 0 1 2 3 4 5 6 7 8 9 10

Comments: _____

Total Score: 30

Minimum Eligibility = 30

b.W13-03 Natalie Nelson: Raingarden

Date: May 2, 2013
To: RCWD Board of Managers
From: Kyle Axtell, Water Resource Specialist
Subject: W13-03 Natalie Nelson – Raingarden
Water Quality BMP Cost-Share Application

W13-03 Natalie Nelson

- Location: 234 Hickory Street, Mahtomedi
- Project Type: Raingarden (White Bear Lake)
- Total Eligible Project Cost: \$3,971.00 (WCD Cost Estimate)
- RCWD Cost-Share Request: \$1,985.50 (50%)

BACKGROUND

This project, located at 234 Hickory Street in Mahtomedi, proposes a 300 square foot curb-cut raingarden designed to infiltrate runoff from 6,000 square feet of impervious surface and other adjacent turfed areas. The property is within the White Bear Lake watershed, although runoff from this area does drain through a series of storm sewer pipes and wetlands before discharging to the lake.

The Washington CD has prepared a concept plan set and has estimated the total project cost to be \$3,971.00, including a 10% contingency. The landowner has submitted an application to encumber up to \$1,985.50 in cost-share funding for this project, not to exceed 50% of eligible project expenses.

This proposal was considered by the RCWD Citizen Advisory Committee at its meeting held on May 1, 2013. The CAC discussed the application and passed a motion recommending that the RCWD Board of Managers approve this project for up to \$1,985.50 in cost-share funding, not to exceed 50% of eligible project expenses.

RECOMMENDATION

RCWD's Citizen Advisory Committee and Staff recommend that the RCWD Board of Managers approve Water Quality BMP Cost-Share funds for Natalie Nelson's raingarden project.

Proposed motion:

Manager _____ moves to approve RCWD Water Quality BMP Cost-Share Contract W13-03 for Natalie Nelson's raingarden project, up to \$1,985.50, not to exceed 50% of eligible project expenses, in accordance with established program guidelines.



MEMORANDUM

TO: Rice Creek Watershed District – Advisory Committee
FROM: Andy Schilling, Washington Conservation District
DATE: April 12, 2013
RE: RCWD BMP Program – Cost-Share Grant Request (Nelson)

CONTRACT INFORMATION

Applicant/Landowner: Natalie Nelson
Address: 234 Hickory St, Mahtomedi, MN 55115
Contract Number: W13-03
Proposed RCWD Cost-Share Encumbrance: \$1985.50 or 50% of the total eligible cost - whichever is less
Project Location: NW/NE Section 29, T30N, R21W

PROJECT BACKGROUND

The proposed project consists of a curb cut rain garden Best Management Practice (BMP) located at the lowest point of the landowner's property along the curblineline to treat runoff from pervious (including turf and other landscaped open space) and impervious surfaces (including roof, driveway and street runoff) before it flows through a drainage corridor and a series of wetlands (see drainage overview sheet). The curb cut rain garden is designed to capture a .5" rainfall event which, based on drainage area characteristics, equates to nearly 2,000 gallons of stormwater runoff captured and infiltrated on site.

WCD STAFF RECOMMENDATION

This project is eligible for a RCWD BMP cost-share grant based on an overall ranking score of 38 (see attached sheet). The overall project cost estimate is \$3,971.00. Based on the potential improvements to the water quality of the adjacent wetland, the District Technical Representative recommends encumbering \$1985.50 or 50% of the total eligible cost, whichever is less.

KEY TO FEATURES

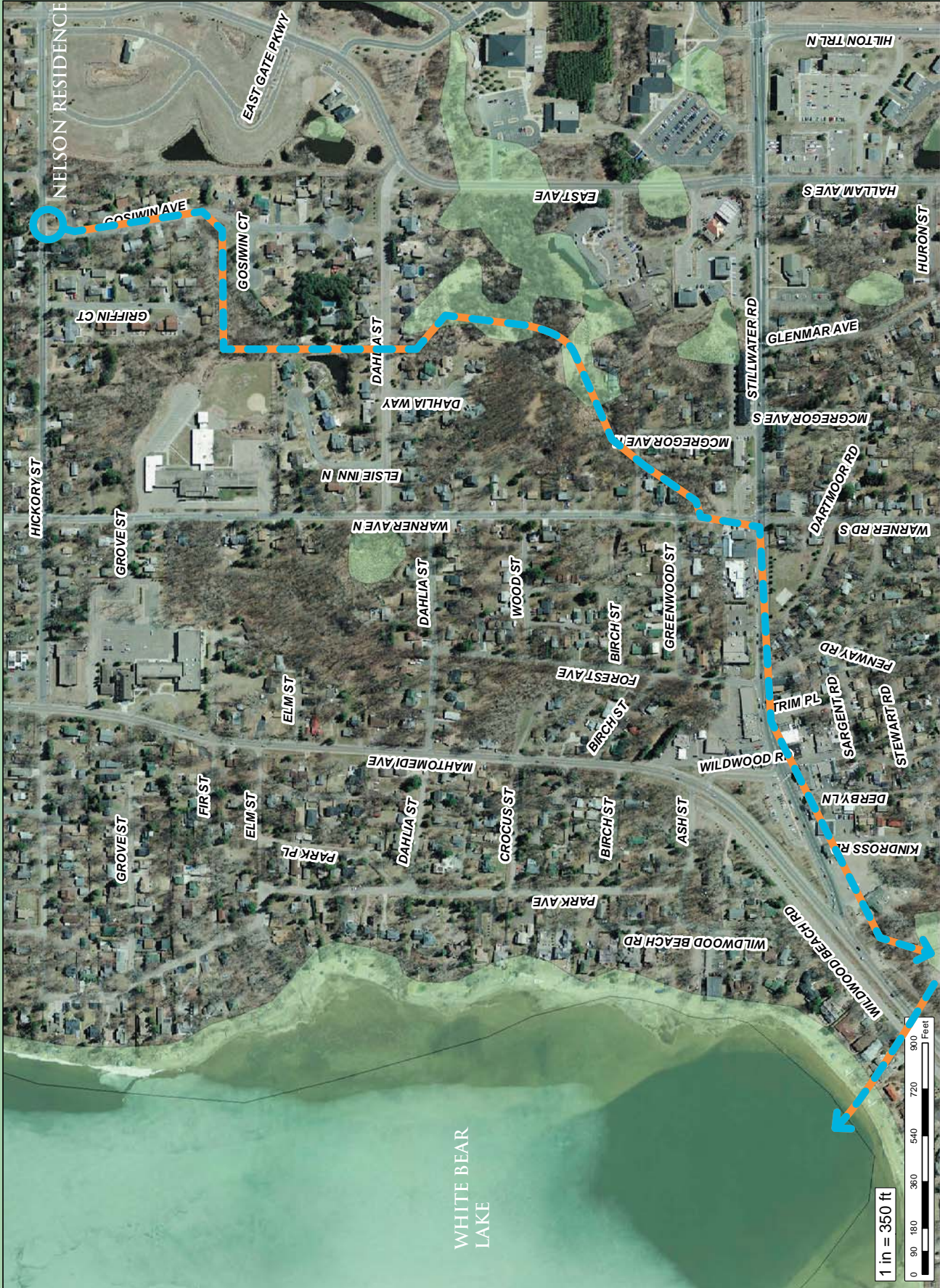
NEW_COW

Wetland (NWI)



NELSON RESIDENCE
234 Hickory St.
Mahtomedi, MN
PIN: 2903021120045

2009 Aerial Photo



KEY TO FEATURES

PARCELS

2' CONTOURS



Nelson
234 Hickory St.
Mahtomedi, MN
PIN: 2903021120045



Rice Creek Watershed District BMP Program
Concept Cost Estimate - Raingarden Project

Landowner: Nelson, Natalie
Project Address: 234 Hickory Street Mahtomedi, MN
Property ID (Geocode): 2903021120045

Work or Material	Qty	Unit	Unit Cost	Amount
Native Plants - raingarden	70	EA	\$ 1.00	\$70.00
Cultivar Plants - raingarden	15	EA	\$ 10.00	\$150.00
Shrubs	5	EA	\$ 25.00	\$125.00
Inlet - Stepped Flagstone	0.1	TON	\$ 275.00	\$27.50
Compost 3" depth	2.75	CY	\$ 20.00	\$55.00
Delivery - Mulch, Plants, etc	1	JOB	\$ 250.00	\$250.00
Double shredded hardwood mulch 3" depth	2.8	CY	\$ 30.00	\$82.50
Curb cut	1.0	LS	\$ 600.00	\$600.00
Contractor Labor	1.5	DAYS	\$ 1,500.00	\$2,250.00
SUBTOTAL				\$3,610.00
10% Contingency				\$ 361.00
TOTAL PROJECT COST ESTIMATE				\$ 3,971.00

Assumptions: Landowner to install Plants



Water Quality BMP Cost-Share Program Project Screening Form

Project / Landowner Name: Nelson, Natalie	
Project Address: 234 Hickory St.	City: Mahtomedi
County: <input type="checkbox"/> ANOKA <input type="checkbox"/> RAMSEY <input type="checkbox"/> HENNEPIN <input checked="" type="checkbox"/> WASHINGTON	BMP Type(s): Curb Cut Raingarden (offline)
Application Date: 4.12.13	BMP Effective Life: 5 years
Violation or Permit Requirement: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Reviewer: Andy Schilling

Projects are screened for potential grant eligibility based on the following criteria. (0 = low, 10 = high)

1. a. Is the project tributary to a PCA-listed impaired water (not mercury) or a RCWD Tier I or Tier II waterbody?
 0 (NO) (YES, within subwatershed) 10 (YES, direct connection)

b. If NO, is the project tributary to a lake, stream, ditch, or DNR-Protected Water Wetland (PWW)?
 (NO) 3 (YES, within subwatershed) 6 (YES, direct connection)

2. **Water Quality Improvement:** Improves and protects water quality through implementation of Best Management Practices (BMPs).

0 1 2 3 4 5 6 7 8 9 10

Comments: _____

3. **Surface Water Rate and Volume Control:** Implements controls to reduce and/or minimize the rate and volume of water that drains off of the property.

0 1 2 3 4 5 6 7 8 9 10

Comments: _____

4. **Erosion and Sediment Control:** Implements controls that minimize erosion and/or sedimentation to downstream waters.

0 1 2 3 4 5 6 7 8 9 10

Comments: _____

5. **Wildlife Habitat Improvement:** Creates or improves wildlife habitat through native plantings or other restoration efforts.

0 1 2 3 4 5 6 7 8 9 10

Comments: _____

6. **Public Outreach:** Willingness of applicant to allow signage, tours and site visits. Publically visible site. Diversity of practices.

0 1 2 3 4 5 6 7 8 9 10

Comments: _____

Total Score: 38

Minimum Eligibility = 30

ITEMS REQUIRING BOARD ACTION

4. Consider Check Register dated 5/8/2013, in the amount of \$27,993.45 prepared by HLB Tautges Redpath.

Rice Creek Watershed District
Check Register
April 25, 2013 - May 8, 2013
To Be Approved at the May 8, 2013 Board Meeting

Check #	Date	Payee	Description	Amount
Dir.Dep.	05/15/13	Kyle J. Axtell	05/15 Payroll	1,380.66
Dir.Dep.	05/15/13	Philip J. Belfiori	05/15 Payroll	2,507.04
Dir.Dep.	05/15/13	Jessica R. Bromelkamp	05/15 Payroll	1,522.37
Dir.Dep.	05/15/13	Christopher R. Buntjer	05/15 Payroll	1,810.42
Dir.Dep.	05/15/13	Tara R. Daun	05/15 Payroll	549.59
Dir.Dep.	05/15/13	Matthew J. Kocian	05/15 Payroll	1,506.84
Dir.Dep.	05/15/13	Jordan M. Kudrna	05/15 Payroll	1,064.03
Dir.Dep.	05/15/13	Elizabeth M. Hosch	05/15 Payroll	1,515.11
Dir.Dep.	05/15/13	Thomas E. Schmidt	05/15 Payroll	1,919.68
Dir.Dep.	05/15/13	Theresa M. Stasica	05/15 Payroll	1,684.44
Dir.Dep.	05/15/13	Nicholas A. Tomczik	05/15 Payroll	2,174.59
EFT	05/15/13	Internal Revenue Service	05/15 Federal Withholding	5,730.05
EFT	05/15/13	Minnesota Dept. of Revenue	05/15 State Withholding	940.71
EFT	05/15/13	ING Retirement Services	05/15 Deferred Compensation	260.00
EFT	05/15/13	PERA	05/15 PERA	3,427.92
Total				<u><u>\$27,993.45</u></u>

ITEMS FOR DISCUSSION AND INFORMATION

1. Engineer's Update and Timeline



District Engineer - Monthly Project Report Through April 2013 Rice Creek Watershed District



Date Prepared: 29-Apr-13
Prepared by: M. Deutschman

Project Name	Estimated Budget	Cost to Date	Remaining Budget	Project Complete / Transfer Funds?	Estimated Progress Based on Work Completed	Estimated Progress Based Upon Percent Budget Expended	Within Budget? (Y/N)	District Billed for Change in Services? (Y/N)	Initial Target Completion Date	Revised Target Completion Date	Items of Interest / Concern
HydroViewer Maintenance	\$3,700	\$77	\$3,623	N	2.1%	2.1%	Y	N/A	31-Dec-13	Not Applicable	This budget is used to maintain, make periodic revisions, and update the website.
Permit Viewer Maintenance	\$5,000	\$1,970	\$3,030	N	39.4%	39.4%	Y	N/A	31-Dec-13	Not Applicable	This budget is used to maintain, make periodic revisions, and update the website.
Permit Viewer / Database Enhancements	\$2,500	\$1,874	\$626	N	75.0%	75.0%	Y	N/A	31-Dec-13	Not Applicable	District staff have requested some minor revisions to the database and that work has been completed.
Drainage System Viewer and Portal Maintenance	\$3,700	\$1,108	\$2,592	N	30.0%	29.9%	Y	N/A	31-Dec-13	Not Applicable	This budget is used to maintain, make periodic revisions, and update the website.
Annual Maintenance of District Wide Modeling Program Products	\$5,000	\$886	\$4,114	N	17.8%	17.7%	Y	N/A	31-Dec-13	Not Applicable	This work will occur near the end of 2013. A spreadsheet will be used to describe factors affecting the modeling products and select model changes will be made and results updated.
City Flood Mapping Coordination	\$5,000	\$1,018	\$3,982	N	20.0%	20.4%	Y	N/A	31-Dec-13	Not Applicable	This budget will be used to coordinate flood mapping updates with the Cities. Access has been provided to the City of New Brighton to the HydroViewer Application. Responded to calls from DNR about accessing RCWD floodplain mapping data.
Certification of Charges for Bald Eagle Lake	\$3,700	\$295	\$3,405	N	8.0%	8.0%	Y	N/A	15-Sep-13	Not Applicable	Obtained the common element parcels from the Counties.
ACD 10-22-32 Construction Plans, Bidding and Construction Management	\$97,800	\$61,905	\$35,895	N	75.0%	63.3%	Y	N/A	30-Apr-13	Not Applicable	We are nearing completion of the Project Manual (construction plans, specifications and bid documents). We expect to deliver this in early May for Board review.
Certification of Charges for ACD 10-22-32	\$3,700	\$1,886	\$1,814	N	50.0%	51.0%	Y	N/A	15-Sep-13	Not Applicable	We obtained a list of common element parcels from Anoka County and worked to abate these charges.
ACD 72 Historical Review and Consolidation and Division Proceedings	\$22,500	\$2,628	\$19,872	N	12.0%	11.7%	Y	N/A	31-Dec-13	Not Applicable	We have begun the research for development of the memorandum.



District Engineer - Monthly Project Report Through April 2013 Rice Creek Watershed District



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Prepared by: M. Deutschman

Project Name	Estimated Budget	Cost to Date	Remaining Budget	Project Complete / Transfer Funds?	Estimated Progress Based on Work Completed	Estimated Progress Based Upon Percent Budget Expended	Within Budget? (Y/N)	District Billed for Change in Services? (Y/N)	Initial Target Completion Date	Revised Target Completion Date	Items of Interest / Concern
ACD 55 Repair Technical Memorandum	\$14,000	\$1,009	\$12,991	N	8.0%	7.2%	Y	N/A	1-Jul-13	Not Applicable	We have begun the research for development of the memorandum.
ARJD1 Historical Review and Consolidation and Division Proceedings	\$24,000	\$20,121	\$3,879	N	85.0%	83.8%	Y	N/A	30-Apr-13	Not Applicable	The draft historical review memorandum is complete and has been provided to RCWD staff and legal counsel for review.
Long Lake Sediment Basin	\$35,097	\$30,322	\$4,775	N	99.9%	86.4%	Y	N/A	1-Dec-12	15-May-13	The final pay request has been processed by HEI. Construction is complete. Need to check wetland which received discharge from the dewatering pond this month.
ACD 15 / JD 4 Repair Construction Plans, Bid Package and Construction Management	\$108,100	\$105,039	\$3,061	N	99.0%	97.2%	Y	N/A	End 2012	Not Applicable	Only remaining item is seeding in the Branch 3 and Connexus site area. Holding a reduced retainage to ensure that remaining seeding is completed.
ACD 15 / JD 4 Charge Certification	\$4,000	\$585	\$3,415	N	15.0%	14.6%	Y	N/A	15-Sep-13	Not Applicable	Worked with Anoka and Washington County to identify common element parcels and abate the 2013 charges.
Year 2013 Hydrology Monitoring and reporting	\$25,710	\$1,636	\$24,074	N	7.0%	6.4%	Y	N/A	31-Dec-13	Not Applicable	The continuous stage records in the open channels have been installed. The wells still need to be installed. A prescribed burn is likely to occur during May or early June.
Vegetation Management of Houle / Hair Wetland Restoration (Implementation)	\$76,000	\$43,000	\$33,000	N	57.0%	56.6%	Y	N/A	31-Dec-13	Not Applicable	The vegetation contractor has been selected. Vegetation management will begin again this spring.
RCD 2,3 & 5 Historical Review	\$21,100	\$19,255	\$1,845	N	90.0%	91.3%	Y	N/A	31-May-13	Not Applicable	The historical review memorandum is complete and going through internal HEI quality assurance review.
I35W Southwest Quadrant Wetland Structure Repair Phase I	\$7,700	\$472	\$7,228	N	6.0%	6.1%	Y	N/A	31-Dec-13	Not Applicable	This work is just beginning.



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County Road E2 Upstream Structure Repair	\$15,500	\$1,621	\$13,879	N	11.0%	10.5%	Y	N/A	1-Jun-13	Not Applicable	We will be surveying now that the snow is gone.
ACD 53/62 Repair Report Phase I & II (As Constructed Condition)	\$63,500	\$67,419	(\$3,919)	N	95.0%	106.2%	N	N	1-Sep-12	15-Feb-13	The repair report has been accepted by the Board of Managers. Decisions on the selection of the preferred repair option and cost allocation are needed.
ACD 53/62 Charge Certification	\$20,000	\$1,737	\$18,263	N	9.0%	8.7%	Y	N/A	15-Sep-13	Not Applicable	Now that the Board has decided on the allocation of costs, we have begun developing the information for the memorandum. The memorandum describing the charges needs to be approved by the Board.
Jodrell Street Culvert Replacement	\$17,400	\$11,269	\$6,131	Y	99.0%	64.8%	Y	N/A	31-Jul-12	31-May-13	The project is essentially complete. The wear course is not smooth, but is functional. The District sent the City of Columbus a letter asking them whether they will accept the work. The City want it chip sealed, which the contractor has agreed to do in the spring of 2013. We are holding the retainage until the chip seal is completed.
Columbus RMP Implementation	\$5,000	\$931	\$4,069	N	19.0%	18.6%	Y	N/A	31-Dec-13	Not Applicable	This budget is used to complete tasks as assigned by the Administrator.
ACD 15 / JD 4 Implementation	\$5,000	\$3,549	\$1,451	N	71.0%	71.0%	Y	N/A	15-Sep-13	Not Applicable	This budget is used to complete tasks as assigned by the Administrator.
ACD 53-62 Implementation	\$5,000	\$3,006	\$1,994	N	60.0%	60.1%	Y	N/A	31-Dec-13	Not Applicable	This budget is used to complete tasks as assigned by the Administrator.
Lino Lakes RMP Implementation	\$5,000	\$4,391	\$609	N	88.0%	87.8%	Y	N/A	31-Dec-13	Not Applicable	This budget is used to complete tasks as assigned by the Administrator. Most work has been related to issues surrounding the ACD 55 public drainage system.
Columbus RMP Implementation	\$5,000	\$931	\$4,069	N	19.0%	18.6%	Y	N/A	31-Dec-13	Not Applicable	This budget is used to complete tasks as assigned by the Administrator.
Rice Lake / JD 2 Impoundment Proceedings	\$43,548	\$11,609	\$31,939	N	27.0%	26.7%	Y	N/A	1-Jun-13	Not Applicable	We are working on developing the geometry for the models.



**District Engineer - Monthly Project Report Through April 2013
Rice Creek Watershed District**



Date Prepared: 29-Apr-13
Prepared by: M. Deutschman

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2013 Rule Revision	\$13,000	\$12,845	\$155	N	99.0%	98.8%	Y	N/A	1-Apr-13	Not Applicable	We continue to support District staff with the rule revision process. Most recently we again reviewed the draft rule and provided definitions and comments to staff.

Values in red are either potential budget concerns or changes in schedule.

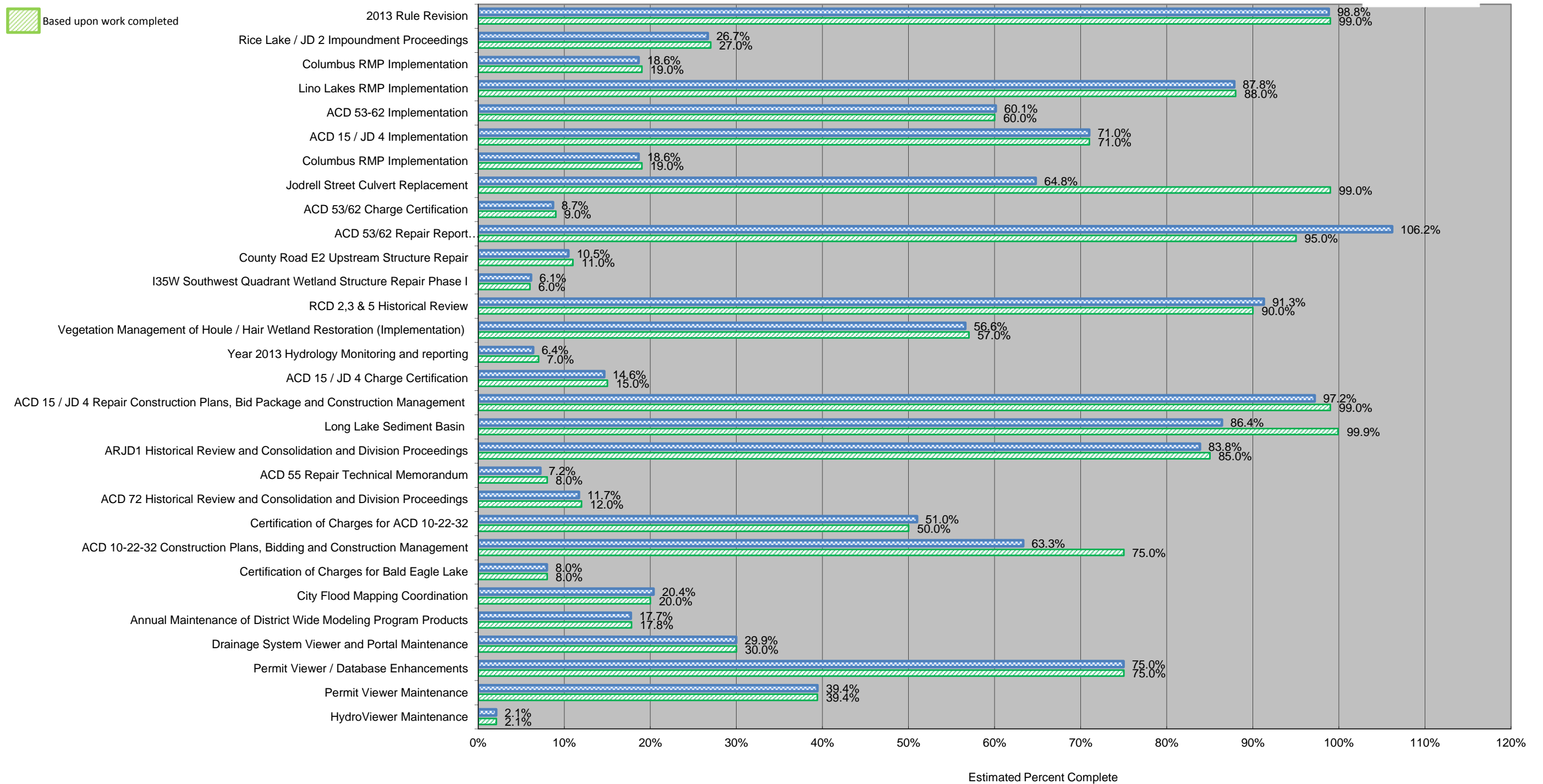
The "overage" for those projects shown as "over budget" is not billed to the District. The cost to date column reflects HEI's actual internal cost.



District Engineer
 Monthly Progress Report (Actual & Estimated Progress)
 Through April 2013



Based upon dollars spent
 Based upon work completed



ITEMS FOR DISCUSSION AND INFORMATION

3. Update on Possible New RCWD Logo and Website Redesign

MEMORANDUM

Rice Creek Watershed District

Date: April 29, 2013
To: RCWD Board of Managers; Phil Belfiori, Administrator
From: Jessica Bromelkamp; Education, Outreach and Communication Coordinator
Subject: Logo and Website Redesign

Project Goals

- To update the website template, content and format to be more user-friendly and include a slideshow to feature current RCWD projects. To view a slideshow example, go to <http://www.ci.adelanto.ca.us/>.
- To update the RCWD logo as part of the website redesign.

The RCWD website content is being updated. As part of this process, staff have been assessing the template as well as looking into options for adding a slideshow to the home page to feature current projects. The new template will provide a fresh look and photos as well as basic functions like drop down menus when you scroll over the main headings. This will allow people viewing the website to find what they need more quickly. It will also highlight one of our greatest successes – RCWD projects. The new template would cost \$600 and the slide show would be an additional \$920.

Manager Preiner recently expressed an interest in redesigning the RCWD logo. RCWD staff and CAC members have expressed a similar interest, which led me to research inexpensive options for a logo redesign. In my past position, we used the following website to successfully design a logo for a new program with a major corporate sponsor: <http://logotournament.com/>. The starting bid to initiate a logo contest is \$275. The higher the starting bid, the more entries we will likely receive. The process begins with completing an online questionnaire and inputting credit card information. Next, all interested designers will have four days to submit their logos with RCWD feedback and daily ratings. We will narrow the list down to our top five favorites and have two additional days for input and revisions. Once the contest has ended, RCWD will have seven days to select the winning designer. The #1 ranked designer can continue to submit revisions to finalize the logo after the contest has concluded. RCWD will then select the winner who is notified by email. The winning designer will upload the final files and payment will not occur until we have approved them.

The timeline for the logo contest is relatively tight so I would recommend we develop a subcommittee to provide input during the 7-day contest. Once complete, we can time the final selection with a Board workshop to allow for input from the Board at large.

In summary, the RCWD website and logo redesign will help us reach District residents more effectively to share important details about water quality and drainage system maintenance projects. Pending support from the Board, RCWD staff will begin work on updating the template to include a slideshow and initiate the logo contest immediately. Content development is already underway.