

Regular Meeting of the Middle St. Croix Watershed Management Organization
Washington Conservation District, 455 Hayward Ave N
Thursday, December 12th, 2024
6:00PM

Present: Brian Zeller, Lakeland Shores; Beth Olfelt-Nelson, St. Mary's Point; Avis Peters, Baytown; Ryan Collins, Stillwater; Dave Millard, Lakeland; Carly Johnson, Oak Park Heights; Administrator Matt Oldenburg-Downing; Amanda Herbrand, WCD
Audience: Tom McCarthy

Call to Order

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

Approval of Agenda

Administrator Oldenburg-Downing makes a change to the agenda: due to illness, Cameron Blake from the WCD is unable to attend, so item 7a "2024 Maintenance and Inspection Summary" is tabled. Manager Johnson motioned to approve the agenda with the change. Manager Collins seconded the motion. The motion carried with all in favor.

Approval of Minutes

Manager Olfelt-Nelson motioned to approve the draft October 10th, 2024 board meeting minutes, Manager Millard seconded the motion. The motion carried with all in favor.

Treasurer's Report

Manager Olfelt-Nelson presented the treasurer's report. The remaining checking account balance on November 14th was \$158,299.36. First Bank CD's were valued at \$213,549.15. The ending value on the RBC savings account from September was \$97,050.04. Manager Zeller motioned to approve the report of the savings account and assets for December 12th, 2024. Manager Collins seconded the motion. The motion carried with all in favor.

Bills to approve this month are three bills to the Washington Conservation District for admin, watershed plan, and technical services totaling \$4,709.90. There are also three bills to the Washington Conservation District from November for the same services, and for Town Law Center PLLP for \$60.00, totaling \$9,759.75. The total for November and December's bills is \$14,469.65. Manager Zeller motioned to approve payment of bills for \$14,469.65 for November 14 and December 12, 2024. Manager Olfelt-Nelson seconded the motion. The motion carried with all in favor.

Public Comment

None

Watershed Management Plan Update

Manager Zeller states he followed up with the Washington County Sheriff regarding extending the no wake area near Sunnyside on the St. Croix and that it sounds like there are some

complications with jurisdiction and enforcing the existing no wake rules. Manager Zeller states he will follow up again.

Manager Zeller stated he tried to follow up with the Washington County Commissioner regarding shared resources but was unable to reach him. Manager Johnson stated she was able to get in touch with other County staff but was unsure if the Commissioner had been informed.

Old Business

Manager Johnson states she followed up with BWSR staff regarding the issues with stormwater treatments not following plumbing code, BWSR staff confirmed they are aware but unsure what steps would be taken moving forward. Manager Zeller asks if the WCD's District Manager is aware, and states Administrator Oldenburg-Downing should follow up with him.

New Business

2024 Maintenance and Inspection Summary

Item tabled.

MSCWMO Cost Share Policy Update

The MSCWMO cost-share program has been underutilized for several years with relatively low implementation rates. This is in part due to declining landowner interest or engagement, limited capacity for technical assistance and grant administration, and challenges in the project evaluation process, which lacks the detailed criteria necessary to fairly and objectively evaluate projects based on their potential water quality benefit. WCD staff recommend the following updates to the MSCWMO cost-share program policy in an effort to increase participation and facilitate equitable evaluation of prospective large-scale projects with measurable water quality benefit.

1. Simplify the "Landscaping for Habitat" and "Landscaping for Water Quality" grant programs through the creation of a new \$500 "Stewardship Grant" program.
2. Retire the \$1,000 "Native Habitat Restoration" grant as a standalone program and allow largescale habitat restoration projects to be evaluated and considered under the "Water Quality Improvement" program.
3. Revise the "Water Quality Improvement" grant program to:
 - a. Reimburse eligible projects up to \$2,500 per pound of total phosphorus (TP) removed with a maximum of \$5,000.

Manager Zeller asks what would happen if an otherwise good project had no measurable phosphorus reduction. Administrator Oldenburg-Downing states there is additional evaluations that the project could be judged on in that case, and that further assessment can be done.

Manager Zeller motioned to approve the changes to the MSCWMO Cost-Share Program Policy. Manager Johnson seconded the motion. The motion carried with all in favor.

Biennial Professional Services Solicitation

The WMO is legally required to solicit for legal and engineering services. Our current cycle ends at the conclusion of 2024. In the past staff has devolved RFQ's for these services and advertised them. Typically, the WMO has received proposals from our current providers and some generic

responses for legal. Engineering RFQ's have been responded to once from a firm other than our current one since 2018. These services have not been utilized since 2019.

In light of the administrative time spent for little return, Administrator Oldenburg-Downing inquired with legal on the requirements. Upon receiving guidance, he recommends that the WMO perform the minimum required effort to satisfy the requirement. This would entail posting a notice on the main page of the WMO, and sending requests for proposals to our current providers.

Manager Olfelt-Nelson motioned to authorize Administrator Oldenburg-Downing to post notice to the WMO webpage for legal and engineering services, and request proposals from current providers. Manager Collins seconded the motion. The motion carried with all in favor.

2025 Insurance Renewal

This is an annual item to renew MSCWMO insurance for 2025.

Manager Zeller motioned to authorize Administrator Oldenburg-Downing to sign to bind coverage. Manager Collins seconded the motion. The motion carried with all in favor.

Administrator Downing states that the board has to make a decision on whether or not to waive the monetary limits on municipal tort liability established by Minn. Stat 466.04. Administrator Downing states that in the past the board has chosen to not waive.

Manager Johnson motioned to not waive the monetary limits, Manager Zeller seconded the motion. The motion carried with all in favor.

2025 Technical Services Agreement

Attached to the Board Packet is a copy of the 2025 Technical Services Agreement between the MSCWMO and the Washington Conservation District. Services through the WCD include administrative services, BMP maintenance and inspections, education and outreach, and water monitoring.

Manager Zeller motioned to sign the 2025 Technical Services Agreement with the Washington Conservation District. Manager Olfelt-Nelson seconded the motion. The motion carried with all in favor.

Grant and Cost Share Applications

Bayport Stream Bank Stabilization Reimbursement

On September 12th the MSCWMO board approved cost share encumbrance of up to \$5,000 for the Perro Creek Stabilization & Buffer Restoration project to stabilize a 300 linear-foot stretch of Perro Creek at Perro Park to reduce soil loss, restore native habitat, and prevent anticipated bank failure upstream of the Perro Creek diversion. The city has submitted proof of payment for work completed in September and October of 2024 (installation of 300 linear feet of coir log and rock toe armoring with native seeding above), totaling \$33,691.13

WCD staff have determined the project meets installation standards and approve of the request

for reimbursement.

Manager Collins motioned to approve reimbursement of \$5,000.00 cost share for the Perro Creek Stabilization and Buffer Restoration project. Manager Johnson seconded the motion. The motion carried with all in favor.

Plan Reviews/Submittals

Bayport Elementary – ACTION

Submittal items were received on August 21st, 2024 for proposed Bayport Elementary School within the MSCWMO boundaries and the City of Bayport. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP) since it involves disturbance of approximately 11.6 acres and 4.2 acres of new/reconstructed impervious surfaces. The project site is within a high vulnerability drinking water source management area (DWSMA), however outside of the emergency response area (ERA) and so the applicant completed a higher level of engineering review to determine if infiltration is appropriate for the site. On October 3rd the City of Bayport approved the higher level of engineering review and deemed it appropriate to utilize infiltration on site. The MSCWMO staff recommends the project is approved with three conditions:

1. Permission to connect to the County storm sewer infrastructure is granted.
2. Provide adequate construction guidance to prevent infiltration basin clogging or compaction and demonstrate performance.
3. Provide a minimum 8' access to reach inlet/outlets of infiltration basin 3.

Manager Olfelt-Nelson motions to approve the project with the three conditions with an addition of a parenthetical “see attached” to condition #2 with an attached document showing what would be considered “adequate construction guidance.” Manager Johnson seconded the motion. The motion carried, Manager Zeller abstained.

Lakeland Shores Properties, LLC – INFORM

Submittal items were received on October 24th, 2024 for a proposed commercial building development within the MSCWMO boundaries and the City of Lakeland Shores. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP) since it involves approximately 0.8 acres of new impervious surfaces. On November 19th MSCWMO staff requested materials be revised and resubmitted. The designers are currently revising the design to address comments.

Bayhaven at Bayport – INFORM

Submittal items were received on November 18th, 2024 for a proposed 28 acre single and multi-family residential development within the MSCWMO boundaries and the City of Bayport. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP) since it involves approximately 7 acres of new impervious surfaces. On November 22nd MSCWMO staff requested materials be revised and resubmitted. The designers are currently revising the design to address comments.

Metropolitan Council St. Croix Wastewater Treatment Plant – INFORM

Submittal items were received on November 21st, 2024 for reconstruction of 2.1 acres of pavement and future expansions and improvements of the WWTP within the MSCWMO boundaries and the City of Oak Park Heights. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP) since it involves approximately 2 acres of reconstructed impervious surfaces. On December 4th MSCWMO staff requested materials be revised and resubmitted. The designers are currently revising the design to address comments

Erosion and Sediment Control Inspection Reports

None

Staff Report

Administrator Oldenburg-Downing presented the staff report. Work is ongoing on the 10-Year Management Plan Update. Program areas such as water monitoring and BMP maintenance are wrapping up for the season. Administrator Oldenburg-Downing mentioned due to ongoing warmer temperatures, project submittals and reviews are continuing.

1W1P Updates

2025-2026 Work Plan

On Monday, October 28, the Lower St. Croix Watershed Partnership (LSC) Policy Committee reviewed the 2025-2026 Work Plan and unanimously agreed to recommend this plan for approval by LSC partner boards. This work plan represents all work expected to be accomplished in priority areas of the Lower St. Croix watershed in 2025 and 2026 – including projects and programs funded with Watershed Based Implementation Funding (WBIF), as well as work completed with local funding from partners and other grants. Partner boards are now asked to consider approving the grant work plan.

Manager Zeller motioned to approve the 2025-2026 work plan and authorize the Lower St. Croix Planning Team to make non-substantive changes to the work plan as required by the Board of Water and Soil Resources for grant implementation. Manager Colins seconded the motion. The motion carried with all in favor.

Other

None

Adjourn

Manager Johnson motioned to adjourn the meeting, Manager Peters seconded the motion. The meeting adjourned at 6:41.