

# MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVENUE, OAKDALE, MINNESOTA 55082  
Phone 651.796.2227 fax 651.330.7747 www.mscwmo.org



## Regular Meeting of the Middle St. Croix Watershed Management Organization

*Remotely held as posted on [www.mscwmo.org](http://www.mscwmo.org)*

*Physical location - Washington Conservation District, 455 Hayward Ave N*

**Thursday, September 12<sup>th</sup>, 2024**

**6:00PM**

1. Call to Order – 6:00PM
  - a. Approval of Agenda
2. Approval of Minutes
  - a. Draft minutes – August 8<sup>th</sup>, 2024 **pg. 1-3**
3. Treasurer’s Report
  - a. Report of savings account, assets for September 12<sup>th</sup>, 2024
  - b. Approve payment of bills for September 12<sup>th</sup>, 2024
4. Public Comment
5. Watershed Management Plan Update
6. Old Business
  - a. WMO Legal Services
  - b. 2024 Second Half Contribution Requests
7. New Business
  - a. EMWREP Funding Structure **pg. 4-12**
8. Grant and Cost Share Applications
  - a. Bayport Water Quality Improvements **pg. 13**
  - b. Deziel Native Planting **pg. 14**
  - c. LSCB Water Quality Improvement Reimbursement **pg. 15**
9. Plan Reviews/Submittals
  - a. Plan Review and Submittal Summary **pg. 16**
    - i. Bayport Elementary– **ACTION pg. 17-26**
    - ii. Emergency Housing Services Building – **INFORM**
    - iii. 165 Lakeland Shores Road - **INFORM**
  - b. Erosion and Sediment Control Inspection Reports **pg. 27-49**
10. Staff Report **pg. 50-52**
11. 1W1P Updates
12. Other
13. Adjourn

**Middle St. Croix Watershed Management Organization Member Communities**

Afton, Bayport, Baytown, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary’s Point, Stillwater, & West Lakeland

Regular Meeting of the Middle St. Croix Watershed Management Organization  
Washington Conservation District, 455 Hayward Ave N  
Remote Location: 32223 Hwy 550, Durango, CO 81301  
Thursday, August 8<sup>th</sup>, 2024  
6:00PM

Present: Brian Zeller (remote), Lakeland Shores; Tom McCarthy, Lake St. Croix Beach; Ryan Collins, Stillwater; Michele Hanson, Bayport; Avis Peters, Baytown; Rachel Dana, West Lakeland; Dave Millard, Lakeland; Carly Johnson, Oak Park Heights; Interim Administrator Jay Riggs; Amanda Herbrand, WCD; Rebecca Nestingen, WCD

### **Call to Order**

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

### **Approval of Agenda**

Manager Johnson motioned to approve the agenda. Manager Collins seconded the motion.

Hybrid meeting rules state all motions require a roll call vote and on first roll call vote participating remote attendees are to state their reason for being remote.

Manager Zeller states he is out of town.

The motion carried on a roll call vote with all in favor.

### **Approval of Minutes**

Manager Johnson motioned to approve the draft July 11<sup>th</sup>, 2024 board meeting minutes, Manager Peters seconded the motion. The motion carried on a roll call vote. Managers Zeller and Hanson abstained from the vote.

### **Treasurer's Report**

Interim Administrator Riggs presented the treasurer's report. The remaining checking account balance on August 8<sup>th</sup> was \$168,793.58. First Bank CD's were valued at \$213,549.15. The ending value on the RBC savings account from July was \$95,597.53. Manager Collins motioned to approve the report of the savings account and assets for August 8<sup>th</sup>, 2024. Manager Peters seconded the motion. The motion carried on a roll call vote with all in favor.

Bills to approve this month are three bills to the Washington Conservation District, one bill to Peterson Company, and one reimbursement to Gayle Siegler, totaling \$20,684.04. Manager McCarthy motioned to approve payment of bills for \$20,684.04 for August 8<sup>th</sup>, 2024. Manager Zeller seconded the motion. The motion carried on a roll call vote with all in favor.

All communities have paid their first half contributions, Afton and Bayport have paid their full contributions for 2024.

### **Public Comment**

None

## **Watershed Management Plan Update**

District Engineer for the Washington Conservation District Rebecca Nestingen presented to the board about the Targeted Implementation Plan Portion of the Watershed Management Plan. The implementation plan is intended to provide estimated cost, proposed year of implementation, and proposed financing method for each element of the implementation program. The proposed dates are estimates and highly dependent upon past progress, emerging issues, partner priorities, better data and external funding priorities and availability. Staff have currently identified five retrofit projects—existing projects that are need of rehab or repair—and nine large-scale capital improvement projects.

## **Old Business**

### **WMO Legal Services**

At the previous board meeting Administrator Oldenburg-Downing informed the board that MSCWMO's legal counsel, Troy Gilchrist, had left the firm Kennedy & Graven and asked the board for direction regarding legal services. The board had motioned to reach out to both Kennedy & Graven and Troy Gilchrist at his new firm to express interest to both in continuing legal services.

Administrator Oldenburg-Downing did not receive a response from Kennedy & Graven but did receive a response from Troy Gilchrist, included in the board packet. Troy's response states he has started a firm with another partner and that he would continue to provide legal services to MSCWMO at his former rate, \$200 an hour, for 2023-2024. He states that if MSCMO goes out for proposals for 2024-2025 he will submit a new proposal.

Manager Johnson motioned to table the discussion due to concerns about legal requirements regarding the bidding process. Manager Johnson requests to review the existing agreement prior to the next board meeting.

The item was tabled.

## **New Business**

### **2024 Second Half Contribution Requests**

Interim Administrator Riggs prompts board members to remind staff at their communities to submit their second half contributions to MSCWMO. Second half payments are requested to be submitted by October 1, 2024.

## **Grant and Cost Share Applications**

### **Seigler Raingarden Planting**

On April 11th the MSCWMO board approved cost share encumbrance of up to \$375 to stabilize 60 linear feet of eroding shoreline on Lake McKusick, located at 1410 Meadowlark Dr., Stillwater. The landowner completed the project in July of 2024 with assistance from WCD staff and Conservation Corps crew labor with a total materials cost of \$1,081.58.

Manager Collins motioned to approve reimbursement of \$375.00 cost share for the installation of the Siegler Shoreline Enhancement. Manager Johnson seconded the motion. The motion carried on a roll call vote with all in favor.

### **Plan Reviews/Submittals**

#### **Mister Car Wash – INFORM**

Conversations are ongoing with the Mister Car Wash project, MSCWMO, and the City of Stillwater regarding easements on the stormwater facilities for the project.

#### **Quixote CenterPoint Pipeline – ACTION**

Submittal items were received on August 1st, 2024 for proposed relocation of approximately 460 linear feet of CenterPoint natural gas pipeline along Quixote Ave N within the MSCWMO boundaries and the City of Lakeland. The proposed project qualifies for full review under the MSCWMO 2015 Watershed Management Plan (WMP) since it involves construction within the 40-foot bluffline setback. Minimal grading and surface disturbance is expected since the proposed project will utilize horizontal bore methods for pipeline and service installation. Minor excavations will occur at service tie in points that are within 40' bluffline setback and is viewed as an allowable exception to the prohibition of construction within the bluffline setback since it is an essential public utility and all other erosion and sediment control standards have been satisfied. The MSCWMO staff recommends approval for this project.

Manager McCarthy motioned to approve the Quixote CenterPoint Pipeline project, Manager Millard seconded the motion. The motion carried on a roll call vote with all in favor.

### **Erosion and Sediment Control Inspection Reports**

Two erosion and sediment control inspection reports were conducted and submitted by Washington Conservation District staff. Of the reports, one received an “A” grade, and the other received a “B” grade, meaning both sites were in compliance.

### **Staff Report**

Interim Administrator Riggs presented the staff report. Work is ongoing on the 10-Year Management Plan Update. Water monitoring and BMP maintenance continue as normal for the season.

### **1W1P Updates**

#### **Representative Appointments**

Manager Zeller states that he has no recent updates.

### **Other**

None

### **Adjourn**

Manager Hanson motioned to adjourn the meeting, Manager Peters seconded the motion. The meeting adjourned at 6:38.

## Matt Oldenburg-Downing

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**From:** Angie Hong  
**Sent:** Monday, August 19, 2024 2:15 PM  
**To:** Karen Kill; Matt Oldenburg-Downing; Ron Moore; Matt Kline; Benjamin J. Elfelt; Craig Mell - Chisago SWCD (craig.mell@mn.nacdnet.net); Susanna Wilson Witkowski - Chisago County (susanna.wilson@chisagocounty.us); Michael Kinney; Adam Hjelm; Mike Isensee (mike.isensee@cmscwd.org); Joe Fox; Joanne Frane - Dellwood - City Clerk (cityhall@dellwood.us); Dave Adams; Tim Olson (Timothy.Olson@bolton-menk.com); Administrator/Clerk; Liz Finnegan; Tiffany Determan - Isanti SWCD (tdeterman@isantiswcd.org); Scott Soderman (scott.soderman@co.isanti.mn.us); Clark Schroeder (admin@lakeelmo.gov); Matthew Yokiell; Jacob Rife (jrife@cityofoakparkheights.com); Jim Romanik (jim.romanik@oakdalemn.gov); Kendra Sommerfeld; Sage Passi; Tina Carstens (tina@rwmwd.org); Jeff Dionisopoulos (jeff.dion@stpaulpark.org); Andrew Coyne; John Loomis (jloomis@ci.woodbury.mn.us); 'John Hanson'; Adriana Atcheson (Adriana.Atcheson@co.washington.mn.us); Jessica L. Collin-Pilarski (jessica.collin-pilarski@co.washington.mn.us); Carrie Seifert (townclerk@westlakeland.govoffice2.com); Vickie Keating (vkeating1@comcast.net); Guell, Benjamin; Steve Reeves; ntomczik@ricecreek.org  
**Cc:** Jay Riggs; Barbara Heitkamp; Jessica Sahu.Teli  
**Subject:** Updates for EMWREP 2025-27 Partner Agreement  
**Attachments:** 2025 EMWREP Budget.xlsx; 2025-27 EMWREP Work Plan.docx

Hello EMWREP Steering Committee Members –

As we approach the end of the summer, we would like to thank all of you for your long-term support for and commitment to our shared education program. I am beyond proud of the transformative change we have powered over the past 18 years, including:

- More than 20 lakes and streams delisted in Chisago and Washington Counties
- Nearly 4000 rural and urban conservation projects completed in Washington County
- Widespread public enthusiasm for native gardens, raingardens, and other water-friendly landscaping practices; and
- Thousands of local residents volunteering their time through programs such as Adopt-a-Drain, Adopt-a-Raingarden, and Minnesota Water Stewards

Your organizations have dedicated countless hours and millions of dollars in funds to protect and restore our local lakes, rivers and streams, and our EMWREP partnership has helped to fuel and support this work.

When the EMWREP steering committee met in February, members agreed to convene a sub-committee to develop an updated EMWREP Partner Agreement and funding structure for the next three years: 2025-2027. This subcommittee met several times over the year and worked together to develop a revised funding structure (attached) that will allow us to increase staffing from 1.5FTE to 2FTE in 2025. This funding structure will remain the same in future years, other than an annual cost-of-living increase.

Along with an updated budget, I am also including a Work Plan for 2025 that outlines ongoing programs (**black**) and additional services (**green**) to be provided. Based on EMWREP partner input, we plan to provide more education for city councils and planning commissions and expand our volunteer and community engagement work (including piloting a BIPOC youth mentorship program and working in partnership with Freshwater to recruit and train 1-2 new cohorts of Water Steward volunteers).

Please let Jay and I know if you have any major concerns. If not, we plan to send out individual partner agreements next week for you to bring to your councils and boards for approval.

Angie Hong  
Water Education Senior Specialist

East Metro Water Resource Education Program

Representing Brown's Creek, Carnelian Marine - St. Croix, Comfort Lake - Forest Lake, Middle St. Croix, Ramsey -Washington Metro, Rice Creek, South Washington and Valley Branch Watersheds; Chisago Lakes Improvement District; Afton, Bayport, Cottage Grove, Dellwood, Forest Lake, Grant, Lake Elmo, Hugo, Newport, Oak Park Heights, Oakdale, Stillwater, St. Paul Park, Willernie, West Lakeland, and Woodbury; Chisago, Isanti and Washington Counties; and the Chisago, Isanti and Washington Conservation Districts

C/O: Washington Conservation District  
455 Hayward Ave.  
Oakdale, MN 55128  
[angie.hong@mnwcd.org](mailto:angie.hong@mnwcd.org)  
Direct line: 651-796-2210  
[www.mnwcd.org/emwrep](http://www.mnwcd.org/emwrep)

**STAY IN TOUCH:**

**Blog:** [www.eastmetrowater.org](http://www.eastmetrowater.org)

**Social Media:** @mnnature\_awesome ( [TikTok](#), [Instagram](#), [Facebook](#) )

	Partner	2025 Contribution
Watershed Management Organizations	Browns Creek Watershed District	\$24,577.60
	Carnelian-Marine-St. Croix Watershed District	\$16,172.82
	Chisago Lakes Improvement District	\$8,022.74
	Comfort Lake – Forest Lake Watershed District	\$24,577.60
	Middle St. Croix Watershed Management Organization	\$8,022.74
	Ramsey-Washington Metro Watershed District	\$16,172.82
	Rice Creek Watershed District	\$24,577.60
	South Washington Watershed District	\$31,836.28
	Valley Branch Watershed District	\$24,577.60
	Counties	Chisago County
Isanti County		\$1,604.54
Washington County		\$16,300.18
Soil & Water Conservation Districts	Chisago Soil and Water Conservation District	\$8,022.74
	Isanti Soil and Water Conservation District	\$1,604.54
Cities & Townships	City of Afton	\$891.42
	City of Bayport	\$891.42
	City of Cottage Grove	\$3,438.31
	City of Dellwood	\$891.42
	City of Forest Lake	\$3,438.31
	City of Grant	\$891.42
	City of Hugo	\$3,438.31
	City of Lake Elmo	\$3,438.31
	City of Newport	\$891.42
	City of Oak Park Heights	\$891.42
	City of Oakdale	\$3,438.31
	City of St. Paul Park	\$891.42
	City of Stillwater	\$3,438.31
	City of Willernie	\$891.42
	City of Woodbury	\$3,438.31
	City of Wyoming	\$891.42
	West Lakeland Township	\$891.42

TOTAL	\$245,292.08
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## Objective 1: Engage public and private landowners to plant native landscapes and raingardens, especially in priority locations.

Components of this work include:

1. Educating and engaging urban, rural, and commercial landowners
2. Collaborating with schools and religious institutions
3. Developing targeted outreach campaigns
4. Identifying and making “big picture” connections
5. Training landscape contractors and professionals
6. Utilizing and supporting regional programs such as Blue thumb – Planting for Clean Water
7. Utilizing and supporting local, partner-led programs such as cost-share grants and site visits.

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### Current program model & funding:

1. **Workshops for the public, focused on:**
  - Urban landowners
  - Rural landowners
2. **Base level support for targeted outreach that is partner-led** (ie. to support a one-time grant or during a 10yr watershed plan update)
3. **Base level support for outreach to schools and other large campuses** (partner-led) **and/or occasional programming** (as requested by schools)

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### EMWREP 2.0:

1. **Proactive outreach to and collaboration with schools and other large campuses**



## Objective 2: Maintain and restore natural shorelines.

Components of this work include:

1. Educating and engaging shoreline landowners
2. Collaborating with lake associations
3. Training landscape contractors and professionals
4. Training realtors selling shoreline properties
5. Educating and engaging local leaders from cities, townships and counties to adopt enhanced shoreline ordinances
6. Utilizing and supporting local, partner-led programs such as cost-share grants and site visits.
7. Collaborating with external partners such as Minnesota DNR and MLRA

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### Current program model & funding:

1. **Workshops for the public**
2. **Workshops for realtors**
3. **Workshops for contractors**
4. **Collaboration with lake associations**
5. **Base level support for targeted outreach that is partner-led** (ie. to support a one-time grant or during a 10yr watershed plan update)

## Objective 3: Promote conservation development.

Components of this work include:

1. Educating and engaging local leaders from cities, townships and counties to adopt MIDS.
2. Supporting local communities in natural resources planning to preserve open space, protect high quality and sensitive natural resources, and create/maintain habitat corridors.
3. Developing strategies for engaging builders and developers.
4. Developing educational materials for new homebuyers, especially those buying property to build or remodel on their own.

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**Current program model & funding:**

1. **Workshops for local decision-makers (ie. St. Croix WOW series)**
2. **Presentations to councils and commissions, as requested**

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**EMWREP 2.0:**

1. **Proactive outreach to councils and planning commissions** (Goal = At least one presentation every two years to each community)
  - a. Current funding through LSC for MIDS and shoreland ordinance updates
  - b. Could be expanded to include ordinance updates related to trees, soil health, native landscaping, etc.
  - c. In some locations, there is also a need for improved rules and/or enforcement
2. **Build relationships with builders and developers**
3. **Continued outreach and education for HOAs**
4. **Collaborate with citizen groups to advocate for conservation development**

## Objective 4: Minimize stormwater runoff pollution.

Components of this work include:

1. Creating and disseminating stormwater education materials to the general public
2. Training municipal staff and contractors
3. Supporting partners in meeting MS4 permit requirements
4. Engaging community residents through the Adopt-a-Drain program
5. Utilizing and supporting regional programs such as Watershed Partners

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### Current program model & funding:

1. **Media & communications**
2. **Attend community events**
3. **Salt education for contractors and private property owners**
4. **Articles for city newsletters**
5. **SMART Salt training for municipal staff**
6. **Adopt a Drain**
7. **Stormwater U trainings for staff**

## Objective 6: Build social capacity for environmental change and strengthen community connections.

Components of this work include:

1. Building and nurturing partnerships with state and local government, non-profit organizations, sportsman groups, and community groups.
2. Engaging volunteers through programs such as Minnesota Water Stewards, Master Gardeners, AIS Detectors, Adopt-a-Drain, and Adopt-a-Raingarden.
3. Maintaining a robust community presence that utilizes multiple media platforms and communication strategies, including blog and newspaper articles, paper and e-newsletters, social media, websites, and community events.
4. Conducting audience research to understand knowledge, behaviors, barriers, and opportunities and guide development of effective outreach and engagement programs.

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### Current program model & funding:

1. **Attend community events**
2. **Media and communications**
3. **Base level support for school and youth engagement** (ie. Children's Water Festival, occasional Scout programs, etc)
4. **Mentoring and engaging Water Stewards and other volunteers**
5. **Stakeholder engagement for plan updates**

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### EMWREP 2.0:

1. **Proactive outreach to schools and youth groups for education and volunteer engagement.**
2. **Proactive outreach to new community groups and underserved populations**
3. **Development of a BIPOC Youth Mentorship program (goal to pilot in summer 2025)**
4. **Working in partnership with Freshwater to recruit and train 1-2 new cohorts of Water Steward volunteers**

## Additional opportunities for coordinated education support, in addition to EMWREP core services:

\*The following activities are limited to a smaller geographical area but could use similar outreach materials, strategies, or approaches.

1. Targeted outreach to priority neighborhoods or audiences
2. Welcome packets for new landowners



**TO:** Middle St. Croix Board of Managers  
**FROM:** Brett Stolpestad, Landscape Restoration Specialist, Washington Conservation District  
**DATE:** September 3<sup>rd</sup>, 2024  
**RE:** Perro Creek Stabilization & Buffer Restoration

The City of Bayport is applying for the Landscaping for Water Quality Grant 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 requested cost-share will help cover the cost of supplemental seed and streambank stabilization materials in support of the project, which is being pursued in partnership with the Washington Conservation District under an FY22 Clean Water Fund grant. Stabilization techniques include a combination of rock toe armoring and upland buffer restoration to protect banks from high flows while enhancing habitat for wildlife. The City has received two quotes for project installation: Miller Excavating Inc. (\$56,240.65), and Kusz Kontracting LLC (\$32,098.63). The City has selected Kusz Kontracting LLC to install the project.

This project is prioritized within the 2013 Perro Creek Stormwater Retrofit Analysis, and will be funded in part by the Washington Conservation District (up to \$20,000).

**Project Estimate:** \$32,098.63  
**Amount of Phosphorus removed:** 3.32 lbs.  
**Cost Share requested:** \$5,000.00

**Requested Board Action:** Motion by Board Member 1, seconded by Board Member 2, to approve encumbrance of \$5,000.00 in cost share for the installation of the Perro Creek Stabilization & Buffer Restoration project.

**Location & Photos:**



**MSCWMO Member Communities**

Afton • Bayport • Baytown • Lakeland • Lakeland Shores • Lake St. Croix Beach • Oak Park Heights  
 St. Mary's Point • Stillwater • West Lakeland





**TO:** Middle St. Croix Board of Managers  
**FROM:** Tara Kelly, Landscape Restoration Specialist, Washington Conservation District  
**DATE:** Sept 2, 2024  
**RE:** Deziel Native Planting

Bayport resident Sarah Deziel is applying for the Landscaping for Habitat Grant to install native herbaceous perennials and shrubs in a native planting on her property. The planting will be approximately 500 sq ft in size and install 500 native flowers, grasses, sedges and shrubs.

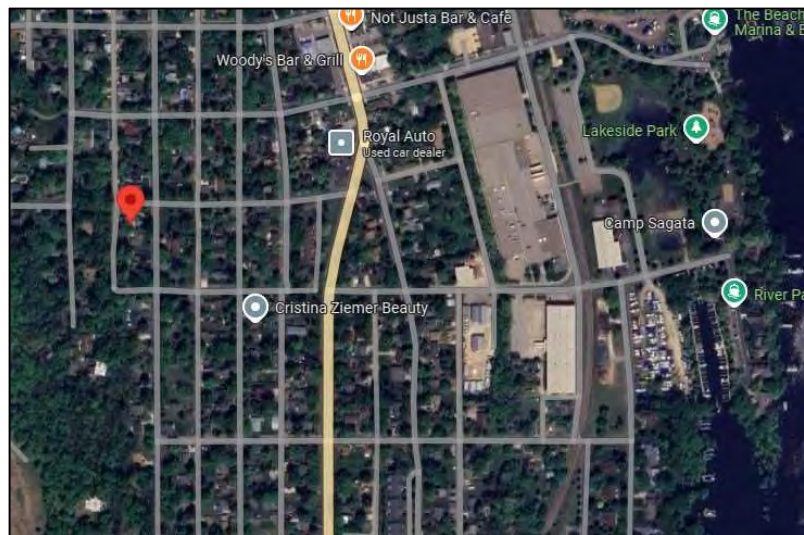
**Project Estimate:** \$1050.00

**Amount of Phosphorus removed:** n/a

**Cost Share requested:** \$250.00

**Requested Board Action:** Motion by Board Member 1, seconded by Board Member 2, to approve encumbrance of \$250.00 cost share for the installation of Deziel Native Planting project at 206 5<sup>th</sup> St. S in Bayport.

**Location & Photos:**



**MSCWMO Member Communities**

Afton • Bayport • Baytown • Lakeland • Lakeland Shores • Lake St. Croix Beach • Oak Park Heights  
 St. Mary's Point • Stillwater • West Lakeland



**TO:** Middle St. Croix Board of Managers  
**FROM:** Brett Stolpestad, Landscape Restoration Specialist, Washington Conservation District  
**DATE:** September 3<sup>rd</sup>, 2024  
**RE:** Request for Reimbursement – Lake St. Croix Beach Shoreline Stabilization

On July 11<sup>th</sup> the MSCWMO board approved cost share encumbrance of up to \$5,000 for the Lake St. Croix Beach shoreline stabilization project to repair and enhance areas of bank failure north of the existing levee. The city has submitted a paid invoice for work completed in August of 2024 (installation of 90 linear feet of riprap with native seeding above), totaling \$30,000.00.

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

**Project Estimate:** \$28,000.00  
**Actual Expenditure:** \$30,000.00  
**Cost Share Encumbered:** \$5,000.00

**Requested Board Action:** Motion by Board Member 1, seconded by Board Member 2, to approve reimbursement of \$5,000.00 cost share for the Lake St. Croix Beach Shoreline Stabilization project.

**Location & Photos:**







TO: Matt Oldenburg-Downing, Administrator  
FROM: Rebecca Nestingen, PE  
DATE: September 6, 2024  
RE: 9a) Plan Reviews/Submittals

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The following is a summary of recent activity on projects submittals which qualify for plan review under the MSCWMO 2015 Watershed Management Plan (WMP):

- **Bayport Elementary School.** Submittal items were received on August 21<sup>st</sup>, 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. Stormwater is proposed to be treated and retained in four biofiltration basins. The filtration basins do not provide volume control for the full water quality volume required by MSCWMO performance standards and the applicants pursued compliance with flexible treatment option #2 since the project site is within a high vulnerability drinking water source management area (DWSMA). The site is however outside of the emergency response area (ERA) and per MPCA requirements must perform a higher level of engineering review to determine if infiltration is appropriate for the site. In addition, the H&H model submitted requires corrections and did not demonstrate compliance with rate control and wetland inundation standards. *The MSCWMO staff recommends revise and resubmittal for this project.*
- **Emergency Housing Services Building.** A resubmittal for previously approved Emergency Housing Services Building was received on August 27<sup>th</sup>. The resubmittal was requested because the design elevations of the underground storage system was revised as a result of a value engineering review. The revised underground storage system still meets applicable MSCWMO performance standards.
- **Baylon Residence.** A previously approved reconstruction for an existing residence, pool, shed, deck and boathouse was inspected by MSCWMO staff and earth disturbance beyond the extent in the reviewed and approved plans that extends into the bluffline setback was observed. See the erosion and sediment control memo for further details.



September 6, 2024

Matt Kline  
City of Bayport  
294 N Third St.  
Bayport, MN 55003

Dear Mr. Kline,

The Middle St. Croix Watershed Management Organization (MSCWMO) received submittal items on August 21<sup>st</sup>, 2024 for the 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. Stormwater is proposed to be treated and retained in four biofiltration basins. The filtration basins do not provide volume control for the full water quality volume required by MSCWMO performance standards and the applicants pursued compliance with flexible treatment option #2 since the project site is within a high vulnerability drinking water source management area (DWSMA). The site is however outside of the emergency response area (ERA) and per MPCA requirements must perform a higher level of engineering review to determine if infiltration is appropriate for the site. In addition, the H&H model submitted requires corrections and did not demonstrate compliance with rate control and wetland inundation standards. The MSCWMO staff recommends the applicant revise and resubmit.

MSCWMO review process information can be downloaded from [www.mscwmo.org](http://www.mscwmo.org). Please contact me at 651-796-2227 or [moldenburg-downing@mnwcd.org](mailto:moldenburg-downing@mnwcd.org) if you have any questions or comments regarding this correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Oldenburg-Downing".

Matt Oldenburg-Downing | Administrator  
Middle St. Croix Watershed Management Organization



**MSCWMO Review ID:** 24-007

**Review Date:** 9/6/2024

**Project Name:** Bayport Elementary

**Location:** 1031-1041 5th Ave N, Bayport

**Applicant:** Jake Miles

**Purpose:** New Elementary School

**Recommendation:** Revise and resubmit. A higher level of engineering review should be performed to justify FTOs because the site is within a high vulnerability Drinking Water Source Management Area (DWSMA) but outside of the Emergency Response Area (ERA). Revise plans and correct H&H modeling to demonstrate conformance with rate control and wetland inundation. Provide a draft maintenance agreement/easements and approval from County to connect to County Hwy 14 storm sewer infrastructure. See following checklist for detailed comments/requirements.

### Applicability:

- Any project undertaking grading, filling, or other land alteration activities which involve movement of 100 cubic yards of earth or removal of vegetation on greater than 10,000 square feet of land.
- Any project that creates or fully reconstruct 6,000 square feet or more of impervious surface.
- All major subdivisions or minor subdivisions that are part of a common plan of development. Major subdivisions are defined as subdivisions with 4 or more lots.
- Any project with wetland impacts, grading within public waters, grading within buffers or within 40-feet of the bluff line.
- Development projects that impact 2 or more of the member communities.
- New or redevelopment projects within the St. Croix Riverway that require a building permit that add 500 square feet of additional impervious surface.
- Any project requiring a variance from the current local impervious surface zoning requirements for the property.
- Any land development activity, regardless of size, that the City determines is likely to cause an adverse impact to an environmentally sensitive area or other property, or may violate any other erosion and sediment control standard set by the member community.

### Submittal Items:

- A completed and signed project review application form and review fee.
- Grading Plan/Mapping Exhibits:
  - Property lines and delineation of lands under ownership of the applicant.
  - Delineation of existing on-site wetlands, shoreland and/or floodplain areas (including any buffers).
- NA Ordinary High Water (OHW) elevations and datum, as determined by the MDNR (if applicable).

- Existing and proposed site contour elevations related to NAVD 1988 datum (preferred) or NGVD, 1929. Datum must be noted on exhibits.
- Drainage easements covering land adjacent to ponding areas, wetlands, and waterways up to their 100-year flood levels and covering all ditches and storm sewers. Access easements to these drainage easements and to other stormwater management facilities shall also be shown. (Not required for sites within public right-of-way)
- Minimum building elevation for each lot.
- Identification of downstream water body.
- Delineation of the subwatersheds contributing runoff from off-site, proposed and existing on-site subwatersheds, and flow directions/patterns.
- Location, alignment, and elevation of proposed and existing stormwater facilities.
- Existing and proposed normal water elevations and the critical (the highest) water level produced from the 100-year 24-hour storms.
- Location of the 100-year flood elevation, natural overflow elevation, and lowest floor elevations.
- A Stormwater Pollution Prevention Plan in compliance with the requirements of the NPDES SDS Construction Stormwater Permit.
- Permanent Stormwater Management System in compliance with the requirements of the NPDES SDS Construction Stormwater Permit and MSCWMO Performance Standards.
  - Impervious areas (Pre- and Post-Construction).
  - Construction plans and specifications for all proposed stormwater management facilities.
- NA Location(s) of past, current or future onsite well and septic systems (if applicable).
- Other exhibits required to show conformance to these Performance Standards. Higher level of engineering review for DWSMA and soil borings required.
- Hydrologic/Hydraulic Design Exhibits:
  - All hydrologic and hydraulic computations completed to design the proposed stormwater management facilities shall be submitted. Model summaries must be submitted. The summaries shall include a map that corresponds to the drainage areas in the model and all other information used to develop the model.
  - A table (or tables) must be submitted showing the following:
    - A listing of all points where runoff leaves the site and the existing and proposed stormwater runoff rates and volumes.
    - A listing of the normal water levels under existing and proposed conditions and the water levels produced from the storm and runoff events listed above for all on-site wetlands, ponds, depressions, lakes, streams, and creeks.
- A proposed maintenance agreement, which may be in the format of Appendix K, or other form approved by the city.

- This site drains to, and is within one mile of special or impaired water and complies NPDES CSW additional requirements. **Perro Creek and St. Croix**

**STORMWATER MANAGEMENT PERFORMANCE STANDARDS**

- Water quality treatment is provided prior to direct discharge of stormwater to wetlands and all other water bodies.

**Rate and Flood Control Standards**

- The peak rate of stormwater runoff from a newly developed or redeveloped site shall not exceed the 2-, 10-, and 100-year 24-hour storms with respective 2.8, 4.2, and 7.3-inch rainfall depths with MSCWMO approved time distribution based on Atlas 14 for existing and proposed conditions. The runoff curve number for existing agriculture areas shall be less than or equal to the developed condition curve number. The newly developed or redeveloped peak rate shall not exceed the existing peak rate of runoff for all critical duration events, up to and including the 100-year return frequency storm event for all points where discharges leave a site during all phases of development. **As submitted proposed discharge rates to 5<sup>th</sup> Ave increase in the 2-yr event. Model corrections are needed. The media void storage should not be included in the available storage since routing of runoff to the media storage will be limited by the surface infiltration rate of the media (<0.5 cfs). In a re-run of the model without media storage, the existing discharge rates to 5<sup>th</sup> Ave are exceeded for all events.**
- Predevelopment conditions assume “good hydrologic conditions” for appropriate land covers as identified in TR-55 or an equivalent methodology. Runoff curve numbers have been increased where predevelopment land cover is cropland:

Hydrologic Soil Group A	Runoff Curve Number 56
Hydrologic Soil Group B	Runoff Curve Number 70
Hydrologic Soil Group C	Runoff Curve Number 79
Hydrologic Soil Group D	Runoff Curve Number 83

- Computer modeling analyses includes secondary overflows for events exceeding the storm sewer systems level-of-service up through the critical 100-year event. **What is the pipe capacity of the storm sewer on 5<sup>th</sup> Ave? As modeled primary routing from basins 1 and 4 freely discharge to 5<sup>th</sup> Ave. The capacity of the storm sewer pipe and potential downstream tailwater conditions should be accounted for in the model.**
- NA In sub-areas of a landlocked watershed, the proposed project does not increase the predevelopment volume or rate of discharge from the sub-area for the 10-year return period event.
- Flowage easements up to the 100-yr flood level have been secured for stormwater management facilities (such as ditches and storm sewers). **Has the County given permission to connect into the 5<sup>th</sup> Ave (County Hwy 14) storm sewer?**
- Lowest floor elevations of structures built adjacent to stormwater management features and other water bodies are a minimum of two feet above the 100-year flood elevation and a minimum of two feet above the natural overflow of landlocked basins.

**Volume Control Standards**

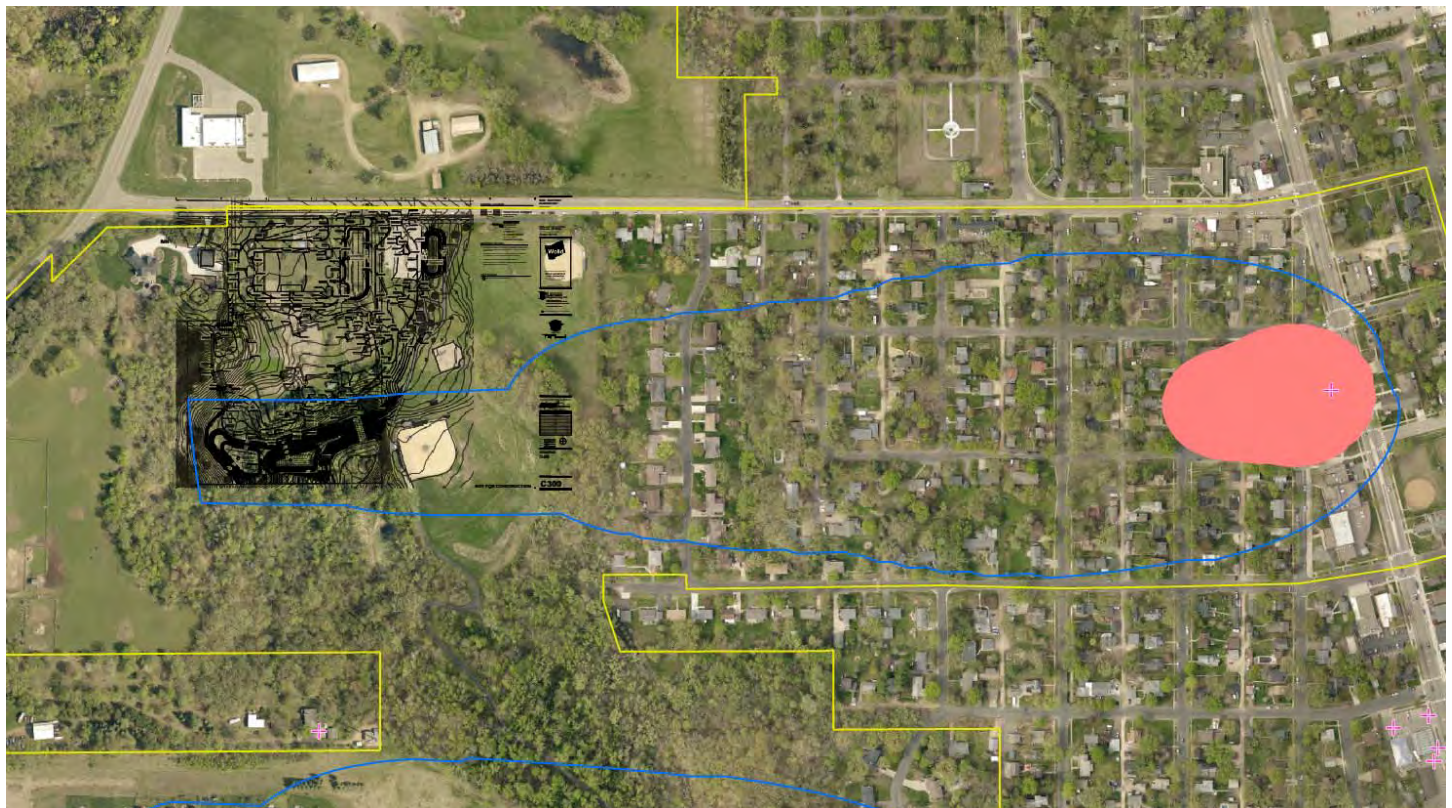


- ☐ Calculations/computer model results indicate stormwater volume is controlled for new development and redevelopment requirements per the MSCWMO Design Standards. **Impervious areas in HydroCAD model and stormwater report do not match. The higher (more conservative) total from the model was used below.**

Volume Retention Required (cu. ft.)	Volume Retention Provided (cu. ft.)
$182,358 \text{ sq. ft.} \times \frac{1.1 \text{ in}}{12 \text{ in/ft}} = 16,716 \text{ cu. ft.}$	<b>BMP      Volume</b> BMP #1   X,XXX cu. ft. BMP #2   X,XXX cu. ft.
<b>Total Required Volume Retention = 16,716 cu. ft.</b>	<b>Total Provided Volume Retention = X,XXX cu. ft.</b>

**Flexible Treatment Options (when applicable)**

- ☐ Applicant demonstrated qualifying restrictions as defined in Section 7.2.2 (4) of the 2015 MSCWMO Watershed Management Plan that prohibits the infiltration of the entire required volume. Based upon the flowchart for determining if stormwater infiltration is appropriate in the DWSMA, a higher level of engineering review should be performed because the site is outside of the Emergency Response Area (ERA) but within a high vulnerability Drinking Water Source Management Area (DWSMA). The primary concern for this condition (high vulnerability DWSMA, but outside ERA) is to identify or protect other receptors, which typically will be private well owners. The down gradient aquifer flow direction is to the east and there nearest down gradient receptor is the public supply well (Bayport 3). The site is well outside of the one-year travel time to the public water supply well as defined by the ERA. Please submit a higher level of engineering review to MSCWMO and the City of Bayport (permitted MS4) for review and approval.



- FTO #1: MIDS calculator submission removes 75% of the annual total phosphorous.
- FTO #2: MIDS calculator submission removes 60% of the annual total phosphorous.
- FTO #3: Offsite mitigation equivalent to the volume reduction standard is provided.

**Infiltration/Filtration Design Standards**

- Proposed stormwater management features meet or exceed NPDES General Construction Permit requirements are designed in conformance with the most recent edition of the State of Minnesota Stormwater Manual. Include at least 2 observation/cleanouts for each underdrain, one at the upstream end and one at the downstream end. If infiltration is deemed appropriate by the higher level of engineering review, for each underdrain have an accessible knife gate valve on its outlet to allow the option of operating the system as either an bioinfiltration system, biofiltration system, or both. The recommended filter media depth is 2.5 feet or more to allow adequate filtration processes to occur. Impermeable liners are not recommended with native plantings since it will limit the rooting depth of the vegetation.
- None of the following conditions exist that prohibit infiltration of stormwater on the site
  - a. Areas where vehicle fueling and maintenance occur.
  - b. Areas where contaminants in soil or groundwater will be mobilized by infiltrating stormwater.
  - c. Areas where soil infiltration rates are field measured at more than 8.3 inches per hour unless amended to slow the infiltration rate below 8.3 inches per hour.
  - d. Areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
  - e. Areas of Hydrologic Soil Group D (clay) soils
  - f. Areas within DSWMAs and ERAs unless infiltration is deemed appropriate based on Minnesota Stormwater Manual Guidance See comment under FTO section.
  - g. Areas within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features unless allowed by a local unit of government with a current MS4 permit.
  - h. Areas that receive runoff from industrial facilities not authorized to infiltration stormwater under the NPDES stormwater permit for industrial activities.

- Minimum setbacks from the Minnesota Department of Health for infiltration practices are met

Setback	Minimum Distance (ft.)
Property line	10
Building foundation*	10
Private well	35
Public water supply well	50
Septic system tank/leach field	35

\*Minimum with slopes directed away from the building

- Pretreatment device(s) remove at least 50% of sediment loads. If downstream from a potential hot spot, a skimmer is in place to facilitate cleanup.
- Water quality volume will be discharged through infiltration or filtration media in 48 hours or less.
- For bioretention (biofiltration and bioinfiltration) volume control management facilities above ground with vegetation the period of inundation shall be calculated using the maximum water depth below the surface discharge elevation and the soil infiltration rate.

- For infiltration basin volume control management facilities the period of inundation shall be calculated using the maximum water depth below the surface discharge elevation and the soil infiltration rate.
  - Appropriate soil borings have been conducted that meet the minimum standards. If infiltration is deemed appropriate.**
    - a. A minimum of one boring was conducted **at the location of the infiltration facility for facilities** up to 1,000 ft<sup>2</sup>; between 1,000 and 5,000 ft<sup>2</sup>, two borings; between 5,000 and 10,000 ft<sup>2</sup>, three borings; and greater than 10,000 ft<sup>2</sup>, 4 borings plus an additional boring for every 2,500 ft<sup>2</sup> beyond 12,500 ft<sup>2</sup>.
    - b. Soil borings extend a minimum of five feet below the bottom of the infiltration practice. If fractured bedrock is suspected, the soil boring goes to a depth of at least ten feet below the proposed bottom of the volume control facility.
    - c. A minimum of three feet of separation to the seasonal water table and/or bedrock.
    - d. Identify unified soil classification.
  - The least permeable soils horizon identified in the soil boring dictated the infiltration rate.
  - Additional flows are bypassed and are routed through stabilized discharge points.
  - Filtration basin demonstrates a basin draw down between 24 hours and 48 hours.
- NA Filtration system Iron Enhanced Sand Filter is sized to bind soluble phosphorous removal for 30 year functional life of the system using the published value of 17lbs.phosphorous removal per 20 yards of 5% by weight iron filings to 95% sand.
- Identify as build survey and method to demonstrate infiltration or filtration basin is functioning.
  - Construction plans provide adequate construction guidance to prevent clogging or compaction and demonstrate performance.
    - a. Excavation within 2.0 feet of final grade for infiltration/filtration systems is prohibited until contributing drainage areas are constructed and fully stabilized.
    - b. Rigorous sediment and erosion controls planned to divert runoff away from the system.
    - c. Installation of volume control facilities must occur in dry soil conditions. Excavation, soil placement and rapid stabilization of perimeter slopes must be accomplished prior to the next precipitation event.
    - d. Excavation shall be performed by an excavator with a toothed bucket. Use excavator bucket to place materials. Construction equipment shall not be allowed into the basin.
    - e. Prior to the release of any remaining fee or security, the permit holder must provide documentation that constructed volume control facilities perform as designed.
  - There is a way to visually verify the system is operating as designed.
  - A minimum 8.0' maintenance access is provided to all stormwater facilities. How will basins 2 and 3 be accessed for maintenance? Additionally, a maintenance and operations plan should take into consideration winter snow storage areas.**

## EROSION AND SEDIMENT CONTROL PERFORMANCE STANDARDS

- A Stormwater Pollution Prevention Plan (SWPPP) that meets the National Pollutant Discharge Elimination System (NPDES) requirements.

### **Narrative**



- Identify the person knowledgeable and experienced who will oversee the implementation of the SWPPP; the installation, inspection, and maintenance of the BMPs.
  - a. Identifies the person who will oversee the BMP inspection and maintenance.
  - b. Identify the training requirements are satisfied.
  - c. Inspections performed once every 7 days.
  - d. Inspections performed within 24 hours of a rain event greater than 0.5 in/24 hours.
  - e. Inspection and Maintenance records include:
    - i. Date and time of inspection.
    - ii. Name of person(s) conducting inspections.
    - iii. Finding of inspections, including the specific location where corrective actions are needed.
    - iv. Corrective actions taken (including dates, times, and party completing maintenance activities).
    - v. Date and amount of rainfall events greater than 0.5 in/24 hours.
    - vi. Rainfall amounts must be obtained by a properly maintained rain gauge installed onsite, or by a weather station that is within one mile or by a weather reporting system.
    - vii. Requirements to observe, describe, and photograph any discharge that may be occurring during the inspection.
    - viii. All discovered nonfunctional BMPs must be repaired, replaced, or supplemented with functional BMPs within 24 hours after discovery, or as soon as field conditions allow.
- Describes procedures to amend the SWPPP and establish additional temporary ESC BMPs as necessary for site conditions.
- Describes the installation timing for all Erosion Sediment Control (ESC) Best Management Practices (BMPs).
- Describes final stabilization methods for all exposed areas.
- Methods used to minimize soil compaction and preserve topsoil must be described.
- Describes dewatering technique to prevent nuisance conditions, erosion, or inundation of wetlands.
- Identifies any specific chemicals and the chemical treatment systems that may be used for enhancing the sedimentation process on the site, and how compliance will be achieved with the permit requirements.
- Describes the following pollution prevention management measures:
  - a. Storage, handling, and disposal of construction products, materials, and wastes.
  - b. Fueling and maintenance of equipment or vehicles; spill prevention and response.
  - c. Vehicle and equipment washing.
  - d. No engine degreasing allowed on site.
  - e. Containment of Concrete and other washout waste.
  - f. Portable toilets are positioned so that they are secure.

### **Plan Sheets**

- NA Temporary Sediment Basins required (10 acres draining to common location or 5 acres App. A) and design meets the following criteria:
- a. Adequately sized – 2-year, 24-hour storm, minimum 1,800 feet/acre; or no calculative minimum 3,600ft<sup>3</sup>/acre.
  - b. Designed to prevent short circuiting.
  - c. Outlets designed to remove floating debris.

- d. Outlets designed to allow complete drawdown.
- e. Outlets designed to withdraw water from the surface
- f. Outlets have energy dissipation.
- g. Have a stabilized emergency spillway.
- h. Situated outside of surface waters and any natural buffers.

- Locations and types of all temporary and permanent Erosion Control BMPs.
  - a. Exposed soils have erosion protection/cover initiated immediately and finished within 7 days.
  - b. Wetted perimeters of ditches stabilized within 200 feet of surface water within 24 hours.
  - c. Pipe outlets have energy dissipation within 24 hours of connecting.
- Locations and types of all temporary and permanent Sediment Control BMPs.
  - a. Sediment control practices established on down gradient perimeters and upgradient of any buffer zones.
  - b. All inlets are protected.
  - c. Stockpiles have sediment control and placed in areas away from surface waters or natural buffers.
  - d. Construction site entrances minimize street tracking?
  - e. Plans minimize soil compaction and, unless infeasible to preserve topsoil.
  - f. Fifty foot natural buffers preserved or (if not feasible) provide redundant sediment controls when a surface water is located within 50 feet of the project's earth disturbances and drains to the surface water.
- Tabulated quantities of all erosion prevention and sediment control BMPs.
- Stormwater flow directions and surface water divides for all pre- and post-construction drainage areas.
- Locations of areas not to be disturbed (buffer zones).
- Location of areas where construction will be phased to minimize duration of exposed soil areas.

NA Blufflines are protected from construction activities in urban (40 foot buffer) areas and rural areas (100-foot buffer).

### WETLAND PERFORMANCE STANDARDS

- Direct discharge of stormwater to wetlands and all other water bodies without water quality treatment is prohibited.
- Any potential changes to the hydrology of the wetland (i.e. changes to the outlet elevation or contributing drainage area) must be reviewed to evaluate the impact of both the existing and proposed wetland conditions and approved by the MSCWMO.
- Land-altering activities shall not increase the bounce in water level or duration of inundation from a 2.0-inch 24-hour storm for any downstream wetland beyond the limit specified in Table 7.2 for the individual wetland susceptibility class. **Allowable inundation requirements are not met.**

### LAKE, STREAM AND WETLAND BUFFER PERFORMANCE STANDARDS

- A buffer zone of unmowed natural vegetation is maintained or created upslope of all water bodies (wetlands, streams, lakes).
- A 50 foot natural buffer or (if a buffer is infeasible) provide redundant sediment controls when a surface water is located within 50 feet of the project's earth disturbances and stormwater flows to the surface water.

- If adjacent to a Special or Impaired Water an undisturbed buffer zone of not less than 100 linear feet from the special water is maintained both during construction and as a permanent feature post construction.

# MIDDLE ST. CROIX WATERSHED MANAGEMENT

455 Hayward Avenue, Oakdale, MN 55128  
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



## Erosion & Sediment Control Compliance Summary & Corrective Action Notice

**Inspector Name:** Aaron DeRusha **Inspection Date:** 08/29/2024

**Project Name:** Baylon Residence **Project Address:** 165 Lakeland Shores Rd

**Site is within one mile of and discharges to an impaired or special water?**

Yes  No

**Inspection Type:**  Pre-construction  Routine  Rainfall  Post-construction

**Overall Site Grade:**

<input type="checkbox"/> A	The site is <b>in full compliance</b> . All practices are in place and the site is well maintained.
<input type="checkbox"/> B	The site is <b>in compliance</b> , but normal maintenance activities are required.
<input type="checkbox"/> C	The site is <b>not in compliance</b> . Maintenance or supplemental practices are required.
<input checked="" type="checkbox"/> D	The site is <b>not in compliance</b> . Erosion and sediment control practices are in poor condition and controllable water resources or off-site impacts are likely.
<input type="checkbox"/> F	The site is in <b>severe non-compliance</b> . Controllable water quality or off-site impacts have occurred. Enforcement proceedings will be initiated unless immediate corrective actions are taken.

### Corrective Action(s) Required:

1. Apply temporary or permanent soil cover to all exposed soils within 7 days.
2. Install perimeter controls at edge of disturbed soils
3. Install two rows of perimeter control above bluff line.
4. Some sections of silt fence at bluff line not properly trenched.
5. Significant landscaping and topsoil grading activities have occurred within bluff line setback.

### General Comments or Potential Areas of Future Concern:

Perimeter control such as straw wattles, biologs, or silt fence required at the edge of all exposed soils. Plan set calls for no construction activities within bluff line setback- silt fence has been reduced to one row and moved to the bluff crest, and significant amounts of topsoil, grading, and landscaping activities have occurred throughout the setback. Landscaping on the bluff line continues onto the neighboring property to the south.

**Were any discharges observed during this inspection?**  No  Yes

# **Erosion & Sediment Control Compliance Summary & Corrective Action Notice**

## Erosion & Sediment Control Compliance Summary & Corrective Action Notice

	Compliant	Non-compliant	Under Review	Not Inspected
<b>Erosion Prevention Requirements:</b>				
Soils are stabilized where no construction activity has occurred for 14 days (including stockpiles)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disturbance of steep slopes has been minimized or stabilization practices designed for steep slopes are used	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Ditches/swales are stabilized 200' back from point of discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pipe outlets have energy dissipation (within 24 hours of connection)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction phasing in accordance with the approved plan is being followed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Areas not to be disturbed are marked off (flags, signs, ect.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
<b>Sediment Control Requirements:</b>				
Perimeter sediment controls are installed properly on all down gradient perimeters	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Appropriate BMPs are installed protecting inlets, catch basins, and culvert inlets	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Erodible stockpiles have perimeter control in place	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Temporary sediment basin is built as shown on approved construction plans	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Soil compaction is minimized where applicable	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
<b>Maintenance and Inspection Requirements:</b>				
Previously stabilized areas are maintaining ground cover	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Perimeter controls are maintained and functioning properly	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Inlet protection devices are maintained and adequately protecting inlets	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Temporary sediment basins are being maintained and properly functioning	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
Vehicle tracking BMPs are in place at site exits and are maintained/functioning properly	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
Tracked sediment is being removed within 24 hours	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Surface waters, ditches, conveyances, and discharge points have been inspected	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
<b>Other Requirements:</b>				
Pollution prevention management measures for solid waste, hazardous materials, concrete and truck washing are in place	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
If dewatering is occurring, BMPs are being used to ensure clean water is leaving the site and discharge is not causing erosion	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
If being utilized, infiltration/filtration systems are marked and protected from compaction and sediment	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>
If required buffers are preserved around all streams, rivers, lakes, and wetlands during construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
If required, buffer monumentation has been installed	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>

# **Erosion & Sediment Control Compliance Summary & Corrective Action Notice**

**Images of non-compliant items, concerns, or general conditions:**

# Erosion & Sediment Control Compliance Summary & Corrective Action Notice





## Erosion & Sediment Control Compliance Summary & Corrective Action Notice



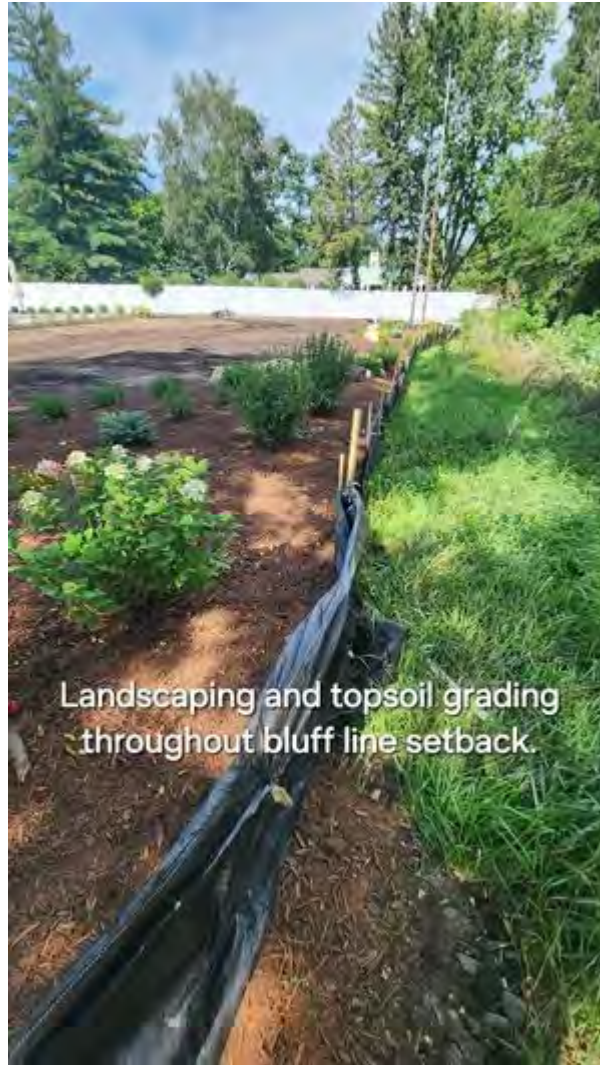


## Erosion & Sediment Control Compliance Summary & Corrective Action Notice





## Erosion & Sediment Control Compliance Summary & Corrective Action Notice





# Erosion & Sediment Control Compliance Summary & Corrective Action Notice



Landscaping activities continue onto parcel to the south.



Grading and landscaping activities within bluff line setback.

# Erosion & Sediment Control Compliance Summary & Corrective Action Notice





# Erosion & Sediment Control Compliance Summary & Corrective Action Notice



# MIDDLE ST. CROIX WATERSHED MANAGEMENT

455 Hayward Avenue, Oakdale, MN 55128  
Phone 651.330.8220 x22 fax 651.330.7747 www.mscwmo.org



## Erosion & Sediment Control Compliance Summary & Corrective Action Notice

**Inspector Name:** Aaron DeRusha **Inspection Date:** 08/29/2024

**Project Name:** Barn Project **Project Address:** 2269 River Road South

**Site is within one mile of and discharges to an impaired or special water?**

Yes  No

**Inspection Type:**  Pre-construction  Routine  Rainfall  Post-construction

**Overall Site Grade:**

<input type="checkbox"/> A	The site is <b>in full compliance</b> . All practices are in place and the site is well maintained.
<input checked="" type="checkbox"/> B	The site is <b>in compliance</b> , but normal maintenance activities are required.
<input type="checkbox"/> C	The site is <b>not in compliance</b> . Maintenance or supplemental practices are required.
<input type="checkbox"/> D	The site is <b>not in compliance</b> . Erosion and sediment control practices are in poor condition and controllable water resources or off-site impacts are likely.
<input type="checkbox"/> F	The site is in <b>severe non-compliance</b> . Controllable water quality or off-site impacts have occurred. Enforcement proceedings will be initiated unless immediate corrective actions are taken.

**Corrective Action(s) Required:**

1. Apply temporary or permanent soil cover around rain garden within 7 days.
2. Install straw wattles or biologs around exposed soils sloping to rain garden to prevent sedimentation of infiltration area.

**General Comments or Potential Areas of Future Concern:**

North edge of building will need gutters or grading to direct water to rain garden.

**Were any discharges observed during this inspection?**  No  Yes

## Erosion & Sediment Control Compliance Summary & Corrective Action Notice

	Compliant	Non-compliant	Under Review	Not Inspected
<b>Erosion Prevention Requirements:</b>				
Soils are stabilized where no construction activity has occurred for 14 days (including stockpiles)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disturbance of steep slopes has been minimized or stabilization practices designed for steep slopes are used	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ditches/swales are stabilized 200' back from point of discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pipe outlets have energy dissipation (within 24 hours of connection)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction phasing in accordance with the approved plan is being followed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Areas not to be disturbed are marked off (flags, signs, ect.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Sediment Control Requirements:</b>				
Perimeter sediment controls are installed properly on all down gradient perimeters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Appropriate BMPs are installed protecting inlets, catch basins, and culvert inlets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Erodible stockpiles have perimeter control in place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Temporary sediment basin is built as shown on approved construction plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soil compaction is minimized where applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Maintenance and Inspection Requirements:</b>				
Previously stabilized areas are maintaining ground cover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Perimeter controls are maintained and functioning properly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Inlet protection devices are maintained and adequately protecting inlets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Temporary sediment basins are being maintained and properly functioning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle tracking BMPs are in place at site exits and are maintained/functioning properly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tracked sediment is being removed within 24 hours	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface waters, ditches, conveyances, and discharge points have been inspected	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other Requirements:</b>				
Pollution prevention management measures for solid waste, hazardous materials, concrete and truck washing are in place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If dewatering is occurring, BMPs are being used to ensure clean water is leaving the site and discharge is not causing erosion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If being utilized, infiltration/filtration systems are marked and protected from compaction and sediment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If required buffers are preserved around all streams, rivers, lakes, and wetlands during construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If required, buffer monumentation has been installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



# **Erosion & Sediment Control Compliance Summary & Corrective Action Notice**

**Images of non-compliant items, concerns, or general conditions:**

## Erosion & Sediment Control Compliance Summary & Corrective Action Notice



## Erosion & Sediment Control Compliance Summary & Corrective Action Notice





## Erosion & Sediment Control Compliance Summary & Corrective Action Notice

**Inspector Name:** Aaron DeRusha **Inspection Date:** 08/29/2024

**Project Name:** 1699 Rivercrest- Beske **Project Address:** 1699 Rivercrest Rd N

**Site is within one mile of and discharges to an impaired or special water?**

Yes  No

**Inspection Type:**  Pre-construction  Routine  Rainfall  Post-construction

**Overall Site Grade:**

<input type="checkbox"/> A	The site is <b>in full compliance</b> . All practices are in place and the site is well maintained.
<input checked="" type="checkbox"/> B	The site is <b>in compliance</b> , but normal maintenance activities are required.
<input type="checkbox"/> C	The site is <b>not in compliance</b> . Maintenance or supplemental practices are required.
<input type="checkbox"/> D	The site is <b>not in compliance</b> . Erosion and sediment control practices are in poor condition and controllable water resources or off-site impacts are likely.
<input type="checkbox"/> F	The site is in <b>severe non-compliance</b> . Controllable water quality or off-site impacts have occurred. Enforcement proceedings will be initiated unless immediate corrective actions are taken.

**Corrective Action(s) Required:**

1. Apply additional seed and/or mulch to bare spots in NE corner, and SE corner above and below sheet pile wall.
2. Repair and/or replace damaged perimeter control

**General Comments or Potential Areas of Future Concern:**

Seed and mulch touch ups needed in NE corner at bluff line, and SE edge above sheet pile wall. Exposed sediments accumulated below wall also need to be seeded and stabilized. Sod and germinated grasses holding up well. Repair silt fence in NE corner or supplement with straw wattles or biologs until all soils vegetated. Small rills downhill of sod line will need repair. Contractor to begin rain garden work soon.

**Were any discharges observed during this inspection?**  No  Yes

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	Compliant	Non-compliant	Under Review	Not Inspected
<b>Erosion Prevention Requirements:</b>				
Soils are stabilized where no construction activity has occurred for 14 days (including stockpiles)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disturbance of steep slopes has been minimized or stabilization practices designed for steep slopes are used	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ditches/swales are stabilized 200' back from point of discharge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pipe outlets have energy dissipation (within 24 hours of connection)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction phasing in accordance with the approved plan is being followed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Areas not to be disturbed are marked off (flags, signs, ect.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Sediment Control Requirements:</b>				
Perimeter sediment controls are installed properly on all down gradient perimeters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Appropriate BMPs are installed protecting inlets, catch basins, and culvert inlets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Erodible stockpiles have perimeter control in place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Temporary sediment basin is built as shown on approved construction plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Soil compaction is minimized where applicable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Maintenance and Inspection Requirements:</b>				
Previously stabilized areas are maintaining ground cover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Perimeter controls are maintained and functioning properly	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inlet protection devices are maintained and adequately protecting inlets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Temporary sediment basins are being maintained and properly functioning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle tracking BMPs are in place at site exits and are maintained/functioning properly	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tracked sediment is being removed within 24 hours	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Surface waters, ditches, conveyances, and discharge points have been inspected	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Other Requirements:</b>				
Pollution prevention management measures for solid waste, hazardous materials, concrete and truck washing are in place	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If dewatering is occurring, BMPs are being used to ensure clean water is leaving the site and discharge is not causing erosion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If being utilized, infiltration/filtration systems are marked and protected from compaction and sediment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If required buffers are preserved around all streams, rivers, lakes, and wetlands during construction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If required, buffer monumentation has been installed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# **Erosion & Sediment Control Compliance Summary & Corrective Action Notice**

**Images of non-compliant items, concerns, or general conditions:**



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# MIDDLE ST. CROIX WATERSHED MANAGEMENT ORGANIZATION

455 HAYWARD AVENUE, OAKDALE, MINNESOTA 55082  
Phone 651.796.2227 fax 651.330.7747 www.mscwmo.org



## Staff Report- August 2024

### Administration

- Prepared September meeting materials
- Participated in Lower St. Croix Partnership meetings
- Coordinated Legal Services Discussion
- Participated in EMWREP Funding Structure Meetings

### Project Reviews

- Bayport Elementary – **ACTION**
- Emergency Services Housing Building – **INFORM**
- 165 Lakeland Shores Rd – **INFORM**

### 10-Year Management Plan Update

**Description:** The Board of Water and Soil Resources (BWSR) requires watersheds to have a management plan and MSCWMO's current management plan expires in 2025, as such a management plan update is underway. This plan will meet BWSR's various requirements and is on track to be completed by the end of 2025.

**Activities This Month:** Task 1 - stakeholder engagement portion of the plan is complete pending another TAC meeting being held. The bluffland resident survey was completed and results are scheduled to be presented at the October board meeting. Task – 2 Implementation, Prioritization, and Actions is in progress. An inventory and assessment of existing BMPs and mapping of MSCWMO's features has been completed and is being compiled into a report for an appendix of the plan. Preliminary ideas and concept for capital improvement projects was presented to the Board in August. MSCWMO performance standards have been reviewed and preliminary suggested revisions have been presented to the Administrator. Task 3 – Plan Composition is underway with drafting of the management plan started. All require figures and tables completed, as well as the introduction and inventory and assessment of resources and the public involvement and development of issues. The regulatory framework section is in progress.

**Staff:** Rebecca Nestingen, MSCWMO Engineer

### Lake St. Croix Small Communities Phosphorus Reduction Grant – PHASE II

**Description:** \$158,000 grant for stormwater quality improvement south of Bayport (2021-2023). Implement practices in the LSCD South SWA area to achieve a load reduction of up to 7lbs of TP/yr.

**Activities This Month:** Minor repairs were made to the Lakeland Beach post June flood. Final planting of the Lakeland Beach project will be completed in September.

**Staff:** Brett Stolpestad - WCD; Matt Oldenburg-Downing - MSCWMO

### Water Monitoring Program



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**Description:** The MSCWMO water monitoring program includes the monitoring of flow at three sites. These sites have that equipment serves to collect data on the total volume of water flowing into Lily Lake at the Greeley Street Inlet, through Perro Creek at the Diversion Structure, as well as, the Perro Creek Diversion Structure Overflow. Water quality is also collected at the Greeley Street Inlet and the Perro Creek Diversion Structure on a monthly basis, as well as during storm events.

Additionally, the MSCWMO monitors two lakes, Lily and McKusick for several parameters from April-October. Data is collected on both lakes on a biweekly basis and includes: water level, clarity, pH, temperature and dissolved oxygen profiles, an aesthetics and user profile, and field conditions. Additionally, water quality samples are collected from the surface of the lakes and analyzed for total phosphorus, total Kjeldahl nitrogen, and chlorophyll.

**Activities This Month:** Equipment has been deployed to monitor the Perro Diversion and Perro Diversion Overflow sites. Four base grab, one storm grab, and four storm composite samples have been collected at Perro Creek Diversion Structure. Lake monitoring is underway with the ten samples having been collected on Lily and McKusick Lakes. Lake elevation gages continue to be read in Lily and McKusick Lakes, and Brick Pond is being read by a citizen volunteer. The macrophyte surveys on Lily and McKusick are complete. The data is being compiled into a report currently.

**Staff:** Rebecca Oldenburg-Downing, WCD; Aaron DeRusha, WCD

### Erosion and Sediment Control Inspections

**Description:** The MSCWMO has contracted with the WCD to conduct erosion and sediment control inspections for construction projects that have been reviewed and recommended for permit approval by partner communities. The WCD also maintains an ArcGIS Online based database for project plan review tracking, erosion control inspection, and BMP implementation and maintenance activities.

**Activities This Month:** Erosion control inspections were conducted at the 165 Lakeland Shores Rd- Baylon, 2269 River Rd- Quinn Barn, and 1699 Rivercrest Rd- Beske projects. The Baylon project was found to have stripped all vegetation from the lot, including within the bluff line setback, and perimeter controls removed except a single row of silt fence at the top of the bluff line. Landscaping including mulch beds on the bluff line were in progress, and new beds were found to be installed on the bluff on the parcel to the south as part of the work. The contractor was notified and asked to immediately stabilize all soils in the bluff setback, and install perimeter control around the lot. Follow up with the contractor and landowner will be needed. The Quinn Barn was found to be nearing completion, although gutters or grading will be needed to direct water to the stormwater treatment feature. The Beske project is nearing completion as well, with final vegetation establishing. Work on the rain garden by a contractor is expected to begin within the next couple weeks.

**Staff:** Aaron DeRusha, WCD

### BMP Maintenance

Middle St. Croix Watershed Management Organization Member Communities  
Afton, Bayport, Baytown, Lakeland, Lakeland Shores, Lake St. Croix Beach, Oak Park Heights, St. Mary's Point, Stillwater, & West Lakeland

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**Description:** The MSCWMO has a maintenance obligation for its Capital Improvement Projects and projects funded by Clean Water Fund grants. The MSCWMO partners with the Washington Conservation District to fulfill this maintenance requirement.

**Activities this month:** Vegetative maintenance at SCC and Golden Creeper treatment support in the Mulberry Ravine.

**Staff:** Cameron Blake, WCD

### Small Scale Habitat & Water Quality Enhancement Projects

**Description:** The WCD applied for Conservation Corps crew time on behalf of the WMO under FY24 Clean Water Funding to continue small-scale habitat and water quality enhancement projects in throughout the District. Identified projects included a vegetative buffer enhancement along Perro Creek in Bayport, support for a 215-foot buffer expansion between Riviera Avenue S and the St. Croix River in Lake St. Croix Beach under the WCD FY23 Habitat Enhancement Landscape Pilot (HELP) Grant, and continued support for private shoreline enhancement.

**Activities This Month:** In July, CCM crews assisted WCD staff with a bioengineered shoreline stabilization project on Lake McKusick and native buffer establishment along the St. Croix in Lake St. Croix Beach. Work to stabilize a 300 linear-foot stretch of Perro Creek in Bayport will commence in September with \$20,000 supplied by the Washington Conservation District using FY22 Clean Water Fund dollars. Volunteer planting events will be held at the end of September to continue buffer restoration efforts in Lake St. Croix Beach.

**Staff:** Brett Stolpestad, WCD

### **Meetings**

- Waterford Site Visit – August 8<sup>th</sup>
- 10 Point Road Pre-app – August 23<sup>rd</sup>