

**BOARD MEETING AGENDA**  
**Board Room**  
**Coon Creek Watershed District Offices**  
**Monday, January 9, 2023**  
**11:00 a.m.**

**Board of Managers:**

Matthew Herbst, Vice President; Patrick Parker, Secretary; Mary Campbell, Treasurer; Dwight McCullough, Member at Large (Acting Secretary)

**Note:** Individuals with items on the agenda or who wish to speak to the Board are encouraged to be in attendance when the meeting is called to order.

**1. Call to Order**

**2. Approval of the Agenda** (*Additions/Corrections/Deletions*)

**3. Announcements**

**4. Discussion from the Floor**

*Anyone wishing to address the Board of Managers on an item not on the agenda or on the consent agenda may come forward at this time. Comments are limited to three minutes.*

**CONSENT ITEMS**

*The consent agenda is considered as one item of business. It consists of routine administrative items or items not requiring discussion. Items can be removed from the consent agenda at the request of a Board member, staff member or a member of the audience.*

**5. Approval of Minutes of December 12, 2022**

**6. Receive Administrator's Report**

**7. Advisory Committee Report**

**8. Approve Bills for Payment**

**POLICY ITEMS**

**9.** Election of Officers

**10.** Designation of Depository

**11.** Designation of Fund Equity

**12.** Designation of 2023 Mileage Rates

**13.** Board Waiver of Tort Liability

**14.** Designation of Official Paper

**15.** Appointment 2023 Citizen Advisory Committee

**PERMIT ITEMS**

**16.** 99<sup>th</sup> Ave & Baltimore Roundabout

**17.** Coon Creek Blvd Bridge Replacement

**18.** Mercy Hospital Ambulance Garage

**19.** Scooters Coffee

**20.** Tronson Apartments

**DISCUSSION ITEMS**

- 21. Comprehensive Plan**
- 22. Initial Planning Meeting**

**INFORMATIONAL ITEMS**

- 23. Jeff Stalberger – MECA 2023 Industry Leadership Award**
- 24. Star Tribune News Article**

**ADJOURN**

## **COON CREEK WATERSHED DISTRICT BOARD OF MANAGERS' MEETING**

The Board of Managers of the Coon Creek Watershed District held their regular meeting on, December 12, 2022, at the Coon Creek Watershed District Office.

**1. Call to Order:** The meeting was called to order at 5:31 PM

Board Members Present: Mary Campbell, Matthew Herbst, Michael Kreun and Dwight McCullough

Board Member Absent: Patrick Parker

Staff Present: Erin Edison, Jenny Gooden, Tim Kelly, and Michelle Ulrich

Staff Present via Zoom: Erik Bye, Dawn Doering, Corinne Elfelt, Jon Janke, Abbey Lee, Abby Shea, and Eileen Weigel

Guest: Citizen Rhonda Ganske

**2. Approval of the Agenda:** Board Member Herbst made a motion to add Permit Review Item 12: MG Water Tower to the Consent Agenda. Seconded by Board Member McCullough. Motion carried with four yeas (Board Members Mary Campbell, Matthew Herbst, Michael Kreun, and Dwight McCullough) and no nays.

Board Member Herbst moved to Approve the Amended Agenda. Seconded by Board Member Campbell. Motion carried with four yeas (Board Members Mary Campbell, Matthew Herbst, Michael Kreun, and Dwight McCullough) and no nays.

### **3. Announcements**

Administrator Kelly reported that the Minnesota Pollution Control Agency is researching Section 401 of the Water Quality Act and possibly reactivating enforcement. He stated that the Department of Natural Resources is reactivating legislature on the Drainage law and the drainage registry for public drainage systems.

**4. Discussion from the Floor:** None

### **CONSENT ITEMS**

**5. Approval of Minutes of November 28, 2022**

**6. Administrator's Report**

**7. Advisory Committee Report**

**8. Approval of Bills:** Claims totaling \$52,545.60 on the following disbursement(s) list will be issued and released upon Board approval.

December 12, 2022	
To	Amount
A1 Floor & Carpet	1,056.25
Bastian Well Service	2,135.00
City of Roseville	3,707.70
Connexus Energy	232.93
Loffler	114.15
Michelle J. Ulrich PA	4,096.00
Pace Analytical	1,604.03
Petty Cash	35.00
Poop 911	914.25
Respec	7,911.25
True Blue Plumbing LLC	600.00
US Bank	9,879.81
Xcel Energy	46.73
YTS Companies	20,212.50
	<b>52,545.60</b>

*The following Permit Items were moved to the Consent Agenda by motion:*

**12. 1.0 MG Water Tower Permit Review:** The purpose of this project is the construction of a new water tower and associated stormwater treatment features located at Foley Boulevard and Coon Rapids boulevard in Coon Rapids, Minnesota.

Staff recommendation was to Approve with 4 Conditions and 2 Stipulations as follows:

**Conditions: Conditions:**

1. Receipt of Escrows.
2. Ensure the stage-storage data for the east wet pond in the proposed HydroCAD models is consistent with the grading plan.
3. Ensure the HWL listed for the east wet pond is consistent between the grading plan and the proposed HydroCAD model.
4. Provide note on the erosion and sediment control plan does not provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices

**Stipulations:**

1. Submittal of as-builts for the following stormwater management practices, including volume and critical elevations:

Stormwater Treatment Practices	Number
Wet Sedimentation Pond Expansion	1
Catch Basin Sump	1

2. If dewatering is required, provide DNR dewatering permit prior to construction. If a DNR permit is not required, provide well-field location, rates, discharge location, schedule, and quantities prior to construction.

3. Board Member Herbst moved to Approve the Consent Agenda Items seconded by Board Member McCullough. Motion carried with four yeas (Board Members Mary Campbell, Matthew Herbst, Michael Kreun, and Dwight McCullough) and no nays.

## **POLICY ITEMS**

### **9. Approve 2023 Property Tax Levy**

Administrator Kelly presented Resolution 22-03 ADOPTING AND CERTIFYING METROPOLITAN SURFACE WATER MANAGEMENT TAX LEVY to the Board. He stated that the purpose is to levy a tax sufficient for the year 2023 for the purpose of paying the current and increased costs of implementing Minnesota Statutes section 103B.231 in preparing a plan or for projects in the plan.

Mr. Kelly reported that on September 12, 2022, the Board of Managers adopted an operating budget of \$4,514,875 for District operations in 2023 as required by MS 103D. A total of \$3,187,821 of the revenue of the operating budget is to be derived from property tax. Minnesota Statutes require that property taxes be adopted and certified by December 15 of each year.

Motion made by Board Member McCullough Adopt Resolution 22-03 ADOPTING AND CERTIFYING METROPOLITAN SURFACE WATER MANAGEMENT TAX LEVY in the amount of \$3,187,821. Motion seconded Herbst by Board Member. Motion carried with four yeas (Board Members Mary Campbell, Matthew Herbst, Michael Kreun, and Dwight McCullough) and no nays.

### **10. 2023 Citizens Advisory Committee (CAC) Appointment**

Administrator Kelly reported that Minnesota Statute §103D.331 states that the Board of Managers "must annually appoint an Advisory Committee to advise and assist the managers on all matters affecting the interests of the Watershed District and make recommendations to the Managers on all contemplated projects and improvements in the Watershed District. Mr. Kelly explained the guidelines and procedure for appointment of the committee members. He reported that there are six current members on the committee who expressed an interest in reappointment for the upcoming year. He stated that one current member, Jim Beardsley, did not respond to the reappointment deadline. He had previously attended a few meetings this past year but has not had regular attendance at the meetings.

Board Member Herbst inquired to Board Member McCullough if he knew the status of Mr. Beardsley and if it is known that he would like to continue on the committee.

Member McCullough stated that to his knowledge Mr. Beardsley is interested and he will reach out to him personally to see what his status is. He stated that he will report to the Board at the next Board meeting in January.

Engagement Specialist Shea stated that she will email the agenda of the next CAC meeting to Mr. Beardsley and confirm with him that he will be attending.

Board Member Herbst inquired if the Board could appoint the other members of the committee at this time and at the next meeting appoint Mr. Beardsley should he still have an interest serving on the committee. Mr. Kelly stated that is a reasonable option for the Board.

Motion made by Board Member Herbst to reappoint the following Citizen members: Barbara Goodboe-Bisschoff, Roger Johnson, Paddy Jones, Bill Kurdziel, Erin Lind, and Gary Nereson to the 2023 Citizens Advisory Commission. Motion seconded by Board Member McCullough. Motion carried with four yeas (Board Members Mary Campbell, Matthew Herbst, Michael Kreun, and Dwight McCullough) and no nays.

### **11. Conditional Delegation of Authority for Bills, Permits and Contracts**

Administrator Kelly requested that the Board authorize the District Administrator to have the authority pay bills, approve permits, and sign O & M agreements should the Board be unable to convene to conduct business. He stated that if there was not a quorum at a future Board meeting, this authority would allow him to conduct business the day-to-day business needs of the District. He stated that he would not approve any bids or new projects.

President Kreun requested that the resolution be amended to include that if any decisions are made by the Administrator, that those decisions or outcomes be added to the Discussion portion of the next Board meeting agenda.

Motion made by Board Member Campbell to approve Resolution 22-04 TEMPORARY DELEGATION OF CERTAIN AUTHORITY as amended. Motion seconded by Board Member Herbst. Motion carried with four yeas (Board Members Mary Campbell, Matthew Herbst, Michael Kreun, and Dwight McCullough) and no nays.

## **PERMIT ITEMS – moved to Consent Agenda**

### **DISCUSSION ITEMS**

#### **12. Ganske Drainage Concern**

Administrator Kelly provided the Board Members with a staff report regarding Ms. Ganske's concern with the Nightingale Villas development. Ms. Ganske would like to see the overflow culvert and emergency overflow, that are directed toward her property, removed.

Administrator Kelly reviewed the events that have led up to Ms. Ganske's concerns. Erin Edison, Watershed Development Coordinator, provided a timeline of communication between Ms. Ganske, Coon Creek Watershed District and the City of Andover.

President Kreun stated that he had reviewed the minutes of the last Board Meeting and noted that Ms. Ganske's communications had been documented in the minutes of the November 26, 2022, meeting.

Board Member Herbst reported that he had driven past Ms. Ganske's property and stated that it was difficult to see the area with the snow. He stated that he felt there are

not a lot of options that would be feasible to move the water flow in a different direction or away from Ms. Ganske's property.

Mr. Kelly reviewed the findings of the Engineering modeling and reminded the Board Members and Ms. Ganske that the amount of water that would cause major flooding to Ms. Ganske's property would be having to be the event of two back-to-back 100-year floods.

Mr. Kreun and the Board Members agreed that the CCWD cannot do anything more for Ms. Ganske since the current culvert meets the District's rules. He stated that the issues that Ms. Ganske is currently concerned about should be addressed with the City of Andover. He stated that there is no error or omission on the behalf of the of the CCWD.

Ms. Ganske reported that she has been in contact with the City of Andover and has attended the meetings and received the notifications regarding the rezoning of the property and other public meetings. She expressed great concern with the possibility of the flooding to her property currently and in the future or for future development.

The consensus of the Board Members was the District has assisted Ms. Ganske the best that is possible with staff and suggested that she follow up with the City of Andover and future developers of the property.

### **13. Succession Planning and Recognition of Assistant Administrator for Operations**

Administrator Kelly reported that he has been working on a succession plan and he will share it with the Board Members in the new year. He stated that at this time, he would like to recognize Jon Janke as the Assistant Director of Operations. He stated that he is currently working on the position description. He stated that the Direct Resources Coordinators will report to him.

Mr. Kelly stated that he will have a succession plan and training schedule in place in January or February.

Board Member Campbell inquired if there was an update Board Member Parker. Mr. Kelly stated that he had spoke to him and he hopes to return to the Board soon, however; the date is unknown at this time. He stated that the County will be working on filling the vacant position on the Board since President Kreun has resigned.

## **INFORMATIONAL ITEMS**

### **14. Audit Exit Interview**

Administrator Kelly reported that the County Auditor Opinion letter was complete and is ready for the Board signature. He stated that it was clean audit with no findings.

### **15. Other**

Board Member Herbst stated that it was President Kreun's last Board meeting. Mr. Kreun thanked the Board for allowing him to serve and stated that he learned a great deal

while serving. He stated that the Coon Creek Watershed District has a great group of people.

**ADJOURN**

Board Member McCullough moved to adjourn at 7:07 p.m. seconded by Board Member Campbell. Motion carried with four yeas (Board Members Mary Campbell, Matthew Herbst, Michael Kreun, and Dwight McCullough) and no nays.

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Michael Kreun, President



**COON CREEK WATERSHED DISTRICT  
Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 6  
**ITEM:** Administrator’s Situation Report

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**AGENDA:** Consent

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**REQUESTED ACTION:**

Receive report

**ADMINISTRATOR’S EVALUATION**

**Condition of the Watershed**

The watershed finished 2022 17% below average. remains dry, and at minimum flows. 2022 ended 17% below for year. So far, the water content of the snow equals 2 inches, equivalent to a 1 year event.

**Organizational Assessment**

The District possesses the required resources and is trained to undertake the full mission for which it is organized and designed.

**Upcoming Board Considerations**

- January 23: Hearing on priority water management issues for 2023 to 2030 Comprehensive Plan
- February 13: Approval of the JOE, Plan Scope & Priority Issues for agency & public review

**Staff Work Priorities**

Comp Plan Joint Operating Environment, Scope & Priority Issues  
2023 Legislative Issue Tracking  
Pleasure Creek Filter Construction  
Epiphany Creek Filter Bid & Award

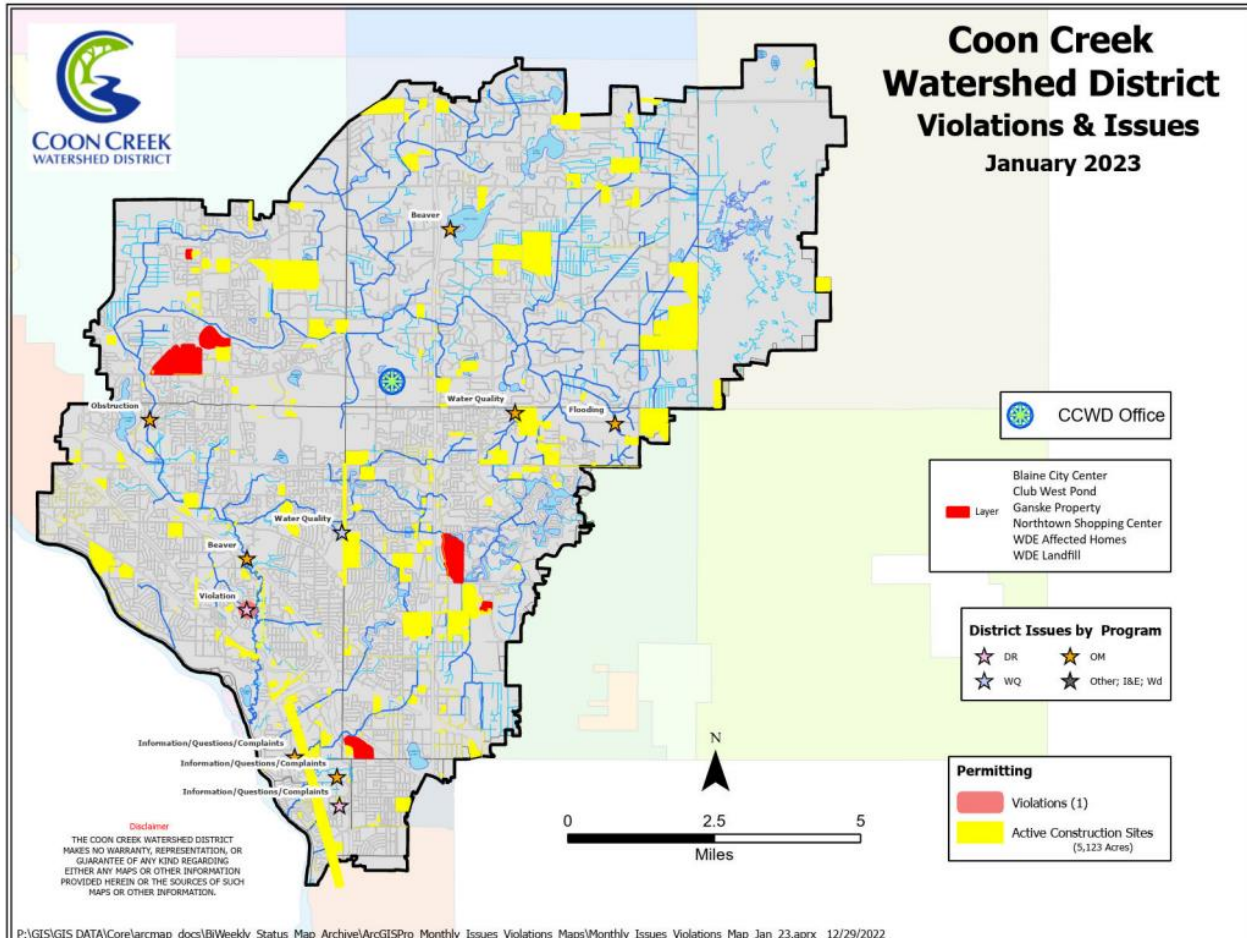
**MANAGEMENT SITUATION**

The District averaged 2.0” of precipitation (water equivalency) in the month of December with about 15” snowfall. That leaves us 1.0” or 95% above average for the Month and 5.5” or 17% below for the year. The District received a total of 25.7” of precipitation in 2022. There is currently 12” ± 2” of snowpack depending on where you are in the District. A snow water equivalency of approximately 2”.

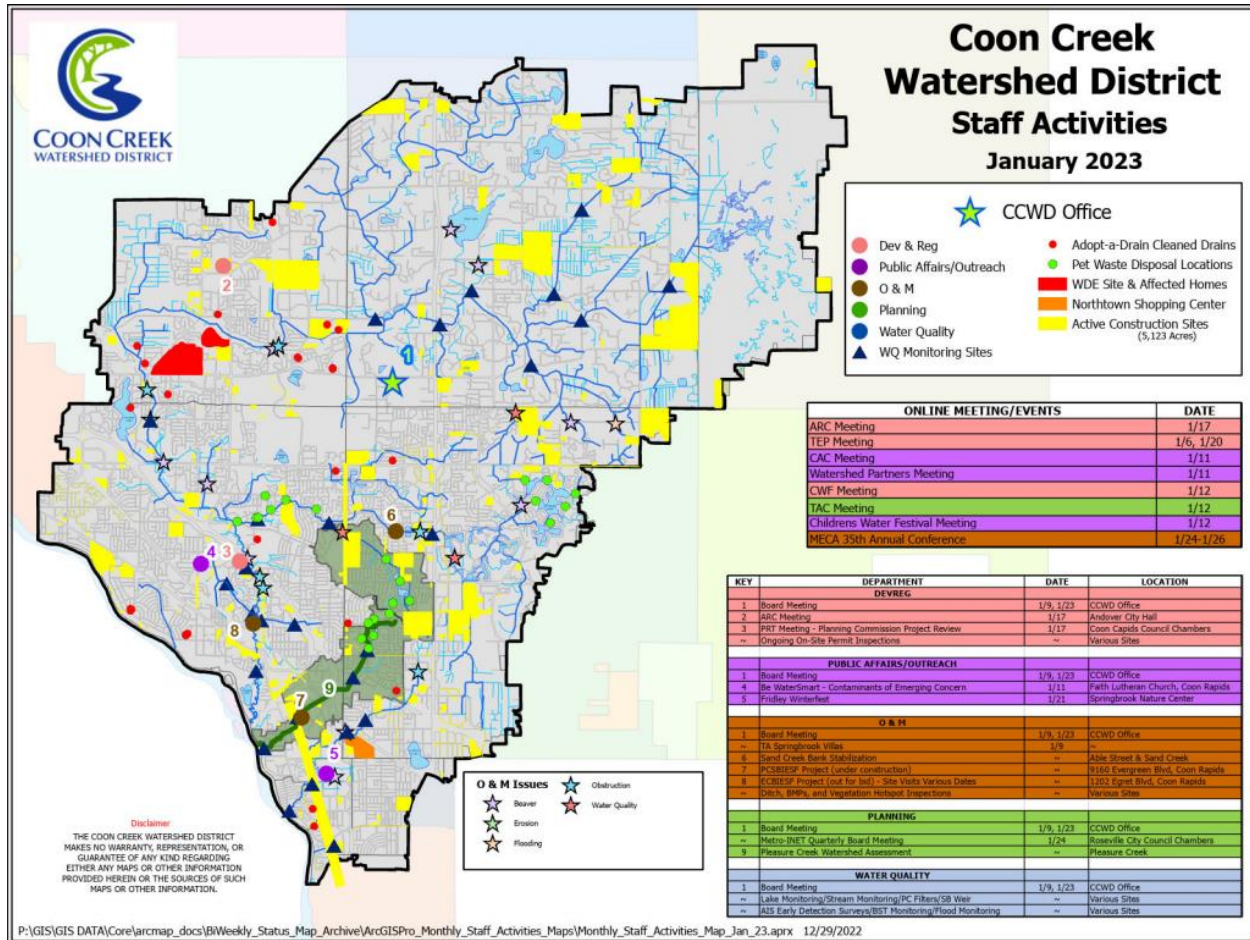
Most of Anoka County is still experiencing Severe Drought (73%) with the remaining portion in Moderate Drought (27%), but all Extreme Drought status has been removed from the state/County.

2020 ended with a 7.1” precipitation deficit, 2021 with a 6.8” precipitation deficit, and 2022 has ended with a 5.5” deficit. Compounding years of drought resulted in very dry soils that mostly soaked up the small precipitation events we experienced in 2022. If this trend continues or worsens, water levels in streams, lakes, wetlands, and groundwater will grow increasingly sensitive.

**Problems, Issues and Concerns**



# EXECUTION



## January Priorities

O&M	Planning	PGA	WQ	Development
Sand Creek Bank Stabilization	Pleasure Creek Subwatershed Plan	Rules & MS4 Front rollout videos	CFW final grant reporting: CCPSR	Findings Development & Review
Pleasure Creek Filter Construction	Comp Plan JOE, Scope & Priority Issues	Event - Fridley WinterFest	Pleasure Cr Discharge Monitoring Contracting	MS4 Front implementation
Epiphany Creek Filter Bid Evaluation	Subwatershed Priority Planning	Article - Feb Ham Laker - Spring Flood outlook?	CFW final grant reporting: Aurelia Park Pond	Comp Plan JOE, Scope & Priority Issues
Hot Spot & snow depth inspections	Succession Planning	Event - Coon Rapids CEC presentation - Faith Lutheran Church	CFW annual grant reporting: EC BIESF	

## **MANAGEMENT DISPOSITION**

### **Financial Position:**

December started with an operational fund balance of approximately \$770,697.97. 5.3% of those funds are restricted, leaving a working fund balance of \$729,947.97. Change in net cash position was -\$912.01. Balance of the escrow trust fund is \$2,091,181.12. Eleven months into the new fiscal year, the budget variance is +\$349,723 (10%) more than planned and at the maximum acceptable variance.

**Equipment:** The status of the existing/available equipment will neither limit the ability of staff nor increase the vulnerability of the public or resource. The status of the existing/available equipment may cause isolated decreases in flexibility in methods for mission accomplishment but will not increase the vulnerability of the public or resource. Old computers are being offered to staff in order to recoup some computer costs and reduce inventory.

### **Staffing:**

- **Staff Availability:** District should be at 97% staffing in January
  
- **Personnel:**
  - **Vacancies**
    - **Planner:**
      - Position Description being developed
      - Plan is to post position in March
  
  - **Annual Dates & Performance Reviews**
    - Justine Dauphinais
  
  - **Succession**
    - Initial preparations for succession planning has started
  
- **Training:** Staff is fully trained. Proficiency is >90% of performance measures & leader performance measures and 100% of critical performance measures. Individual requires minimum training to meet standard. The programs possess the required resources and are trained to undertake most of the mission requirements for which they were organized and designed.
  
- **FTO & LOA:** Two employees are taking FTO. One for a much needed and well-deserved week plus to have fun.
  
- **Health:** Generally, employees are healthy. Employees with small and school age children have struggled with sickness and day care issues but have remained involved and productive.

**COON CREEK WATERSHED DISTRICT  
Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 7  
**ITEM:** Advisory Committees Report

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**AGENDA:** Policy Discussion Information

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**ACTION REQUESTED** Receive Report

**BACKGROUND**

The Citizen Advisory Committee (CAC) did not meet in December, per policy. The Technical Advisory Committee (TAC) met virtually on December 8<sup>th</sup>. Meetings are recorded. Recordings available upon request.

- The next CAC meeting scheduled: January 11<sup>th</sup> at 4:30pm by Zoom.
- The next TAC meeting scheduled: January 12<sup>th</sup> at 8:30am by Zoom.

**ISSUES/CONCERNS**

**Technical Advisory Committee (TAC)**

Cities, County Highways, Met Council and BWSR representatives were present with exception of city of Columbus.

Primary agenda item was a presentation & discussion led by Tim Kelly on Comprehensive Plan Development

Framing the Problem, Guidance in developing alternatives:

- Groundwater- Primary PICs: CECs, Chlorides, Source water protection
- Public Drainage – most cities said to continue as is with exception of Ham Lake because it is highly affected by rules
- Wetlands – discussion primarily focused on future development of sod fields and consideration of wetland banking or restoration alternatives to development

**RECOMMENDATION**

Receive Report



## COON CREEK WATERSHED DISTRICT Request for Board Action

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 8  
**ITEM:** Bills to Be Paid

**FISCAL IMPACT:** Budgeted  
**POLICY IMPACT:** Policy

**REQUEST**  
 Approve bills

**BACKGROUND**

Claims totaling \$211,884.64 for December 27 & \$45,450.95 for January 9 on the following disbursement(s) list will be issued and released upon Board approval.

December 27, 2022	
To	Amount
Advanced First Aid	713.00
Anoka County	125,086.63
Centerpoint Energy	456.29
City of Fridley	10,000.00
Dawn Doering	27.49
EOR	6,611.63
North Risk Partners	255.00
Sarah Grace Photography	1,956.00
Abby Shea	215.87
Stantec Consulting Services	46,818.50
U of MN Regents	18,600.00
Well Groomed Lawns	1,105.00
Xcel Energy	39.23
	<b>211,884.64</b>

Vendor	Paid vendor #	Div	Checkid	RefDt	Ref	Desc	DistAmt	DistAmt	GRKey	GLOBj	JIGr	JIKey	JLOBj	Units	UnitPrice	RecvAddr	Cd	DutyCd	Payment	Fiscal Year
				Invoice date	Invoice #										unit rate	serv/address				
ADVANCED FIRST AID INC	129137	CCWD	CC	12/06/2022	1122-777	AED UPGRADE TO 2019 MDL 48093178	713.00			0699560112				1	713.00		RO	GEN	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	92,593.17			0699560112				1	92,593.17		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	6,836.64			0699560112				1	6,836.64		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	6,833.32			0699560112				1	6,833.32		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	15,758.00			0699560112				1	15,758.00		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	1,563.07			0699560112				1	1,563.07		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	37.08			0699560112				1	37.08		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	922.50			0699560112				1	922.50		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	106.18			0699560112				1	106.18		RH	HOLD	CHK	2022
ANOKA COUNTY MN	129757	CCWD	CC	12/15/2022	CCWD-1122	SALARY/BENEFITS EXP-NOV 2022	416.67			0699560112				1	416.67		RH	HOLD	CHK	2022
CENTERPOINT ENERGY	156202	CCWD	CC	12/19/2022	1086262-1222	ACCT 1086262-4 CCWD	456.29			0699560112				1	456.29		RO	GEN	CHK	2022
CITY OF FRIDLEY	130869	CCWD	CC	12/07/2022	WQCS-FM-20%	WQCS ST SHARE FINAL 20% DISB	10,000.00			0699560112				1	10,000.00		RO	GEN	CHK	2022
DAWN DOERING	40802	CCWD	CC	12/20/2022	REIMB 2022	REIMB MILEAGE	11.12			0699560112				1	11.12		RO	GEN	CHK	2022
DAWN DOERING	40802	CCWD	CC	12/20/2022	REIMB 2022	REIMB PGR MSC SUPPLIES	4.99			0699560112				1	4.99		RO	GEN	CHK	2022
DAWN DOERING	40802	CCWD	CC	12/20/2022	REIMB 2022	REIMB LAKE MGMT NOTES	11.38			0699560112				1	11.38		RO	GEN	CHK	2022
EMMONS & OLIVER SERVICES INC	240839	CCWD	CC	12/19/2022	0188-0001-3	PROJ 0188-0001 TP CREDIT ST SWEEP STUDY	6,611.63			0699560112				1	6,611.63		RO	GEN	CHK	2022
NORTH RISK PARTNERS	250252	CCWD	CC	12/12/2022	5627708	SYNERGY HR LEGAL SERVICES	255.00			0699560112				1	255.00		RO	GEN	CHK	2022
SARAH GRACE PHOTOGRAPHY	236280	CCWD	CC	12/06/2022	20221206-02	PRINTS FROM WEBSITE QTY 4	1,956.00			0699560112				1	1,956.00		RO	GEN	CHK	2022
ABBY SHEA	240556	CCWD	CC	12/20/2022	REIMB 2022	REIMB MILEAGE	215.87			0699560112				1	215.87		RO	GEN	CHK	2022
STANTEC CONSULTING SERVICES	244057	CCWD	CC	12/02/2022	2012025	PROJ22705019 CCEUBWTRSD ASS 11/22	1,215.50			0699560112				1	1,215.50		RO	GEN	CHK	2022
STANTEC CONSULTING SERVICES	244057	CCWD	CC	12/02/2022	2012687	PROJ22705055 ECESF 11/22	2,334.62			0699560112				1	2,334.62		RO	GEN	CHK	2022
STANTEC CONSULTING SERVICES	244057	CCWD	CC	12/02/2022	2012685	PROJ22704759 WCA ASSIST 11/22	4,796.50			0699560112				1	4,796.50		RO	GEN	CHK	2022
STANTEC CONSULTING SERVICES	244057	CCWD	CC	12/02/2022	2012680	PROJ22704742 PARMT PRDGG 11/22	30,023.88			0699560112				1	30,023.88		RO	GEN	CHK	2022
STANTEC CONSULTING SERVICES	244057	CCWD	CC	12/02/2022	2012678	PROJ22704741 O&M 11/22	97.75			0699560112				1	97.75		RO	GEN	CHK	2022
STANTEC CONSULTING SERVICES	244057	CCWD	CC	12/02/2022	2012682	PROJ22704745 PLANNING 11/22	8,350.25			0699560112				1	8,350.25		RO	GEN	CHK	2022
UNIVERSITY OF MN REGENTS	150965	CCWD	CC	12/09/2022	0180007855	BACTERIA SOURCE TRKG	18,600.00			0699560112				1	18,600.00		R1	GEN	CHK	2022
WELL GROOMED LAWNS INC	212895	CCWD	CC	11/30/2022	23911	CCWD FLOWING NOV 2022	1,105.00			0699560112				1	1,105.00		RO	GEN	CHK	2022
XCEL ENERGY	130277	CCWD	CC	12/13/2022	SR0216019	51-0013973006-9 12/22	39.23			0699560112				1	39.23		RO	GEN	CHK	2022
							211,884.64								211,884.64					





**COON CREEK WATERSHED DISTRICT  
Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 9  
**ITEM:** Election of Officers

**POLICY IMPACT:** Policy

**BACKGROUND**

Minnesota Statutes 103D.315 Subd. **Officers.** ...the managers must elect different managers as president, secretary, and treasurer.

District Policy 1.4: Duties and Powers of the Board of Managers (adopted 7/23/90 and revised 5/10/93) stipulates that the Board of Managers shall have four officers:

1. President
2. Vice-President
3. Secretary
4. Treasurer

**ISSUES/CONCERNS**

- 1. Board Chair elected in June is no longer on the Board:**
  
- 2. Board is down two members:**
  - a. One position has been posted by the County
  - b. Patrick Parker: update available at meeting

**OPTIONS**

1. Recognize/elect Vice President to President position as an act of succession
  
2. Consider all positions open

**RECOMMENDATION**

Hold elections for all offices.

<b>Office</b>	<b>2023</b>	<b>Elect</b>
President		
Vice-President	Matt Herbst	
Secretary	Dwight McCauley	
Treasurer	Mary Campell	



**COON CREEK WATERSHED DISTRICT**  
**Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 10  
**ITEM:** Designation of Depository

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**AGENDA:** Policy

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**BACKGROUND**

The District is required to disclose its official depository. In 1999, the District transferred its remaining funds to the US Bank for investment into the Minnesota Association of Governments Investing for Counties (MAGIC) fund.

**ACTION REQUESTED**

Adopt Resolution 2023-01 designating the US Bank as the official depository.

**COORDINATION**

Depository is coordinated by Anoka County who acts as our treasury.

**PERTINENT FACTS**

1. Minnesota Statutes 103D.351 requires the District to report its financial transactions.
2. Minnesota Statutes 103D.925 authorizes the District to issue warrants for payment of contracts and general expenses.

**ISSUES/CONCERNS/RISKS**

Investments: The MAGIC fund was formed in part to deal with the both the restraints and constraints of investing public funds.

**OPTIONS FOR ACTIONS**

1. Designate US Bank
2. Table for additional information
3. Suggest and act on an alternative

**CONCLUSION**

US Bank and the MAGIC fund provides the assurance the District funds are invested in a manner consistent with current restrictions on public funds, is coordinated with Anoka County and therefore facilitates the District's annual audit.

**RECOMMENDATION**

Adopt Resolution 2023-01 DESIGNATING THE US BANK AS THE OFFICIAL DEPOSITORY.

**ACTION & IMPLEMENTATION STEPS**

1. Adopt the Resolution



**RESOLUTION 2023-01  
DESIGNATING THE US BANK AS  
THE OFFICIAL DEPOSITORY**

WHEREAS, The Coon Creek Watershed District is authorized and formed under Minnesota Statutes 103D, and

WHEREAS, Minnesota Statutes 103D.351 requires the District to report its financial transactions, and Minnesota Statutes 103D.925 authorizes the District to issue warrants for payment of contracts and general expenses, and

WHEREAS, To accomplish both payment, and reporting the District must have a depository for its funds.

THEREFORE, BE IT RESOLVED THAT, The US Bank is the Official depository of the Coon Creek Watershed District.

**Resolution 2023-01 was moved by \_\_\_\_\_, seconded by \_\_\_\_\_.**

**Motion to adopt Resolution 2023-01 DESIGNATING THE US BANK AS THE OFFICIAL DEPOSITORY.**

\_\_\_\_\_**AYES** \_\_\_\_\_**NAYS** \_\_\_\_\_**ABSTENTIONS.**

**Date: January 9, 2023**

\_\_\_\_\_

**Date: January 9, 2023**



**COON CREEK WATERSHED DISTRICT  
Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 11  
**ITEM:** Designation of Fund Equity

**AGENDA:** Policy

**BACKGROUND**

The State Auditor recommends that the District maintain an unreserved Fund Balance of approximately 35% to 50% of Operating Revenue or no less than five (5) months (42%) of operating expenditures.

**ACTION REQUESTED**

Designate fund equities of \$998,248

**COORDINATION**

Amount presented is the minimum in the range recommended in the 2021 audit of District funds.

**PERTINENT FACTS**

**Year End Fund Balances**

	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
General & 509 Fund	\$2,101,227	\$2,637,242	\$2,534,806	\$1,710,415
Designated Fund Equity	\$ 572,798	\$1,098,850	\$1,126,020	\$ 998,248

**ISSUES/CONCERNS/RISKS**

<b>Guideline</b>	<b>Amount</b>
2023 Operating Budget	\$4,514,876
35% of Operating Revenue	\$1,580,206
50% of Operating Revenue	\$2,257,438
5 months (42%) Operating Expenditures (salaries & Operating costs)	\$998,248

**OPTIONS FOR ACTIONS**

1. Adopt
2. Table pending clarification(s)
3. Review and act on alternative proposal

**CONCLUSION**

The 5-month operating alternative of \$998,248 is the least cost option.

**RECOMMENDATION**

Designate \$998,248 for Fund equity

**ACTION & IMPLEMENTATION STEPS**

1. Motion to designate \$998,248 for fund equity
2. Staff will manage fund balances to ensure this minimum balance



**COON CREEK WATERSHED DISTRICT**  
**Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 12  
**ITEM:** Adopting 2023 Mileage Rate

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**AGENDA:** Policy

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**BACKGROUND**

The State Auditor has recommended that the Board explicitly adopt mileage rates effective for the year.

**ACTION REQUESTED**

Board adoption of 2023 Mileage rate of \$0.655/mile

**COORDINATION**

Recommendation of State Auditor

**PERTINENT FACTS**

Effective January 1, 2023, the IRS reimbursement mileage rate is \$0.655/mile

**ISSUES/CONCERNS/RISKS**

The standard mileage rate for business use is based on an annual study of the fixed and variable costs of operating an automobile. The rate for medical and moving purposes is based on the variable costs.

**OPTIONS FOR ACTIONS**

1. Use standard rate
2. Calculate the [actual costs](#) of using their vehicle rather than using the standard mileage rates.
3. Combination of standard rate and actual costs: Use the standard mileage rate but must opt to use it in the first year the car is available for business use. Then, in later years, choose either the standard mileage rate or actual expenses.

**CONCLUSION**

Standard rate is the most efficient and effective alternative for reimbursing employees.

**RECOMMENDATION**

Adopt standard rate of \$0.655/mile for reimbursement for use of personal vehicle.



**COON CREEK WATERSHED DISTRICT  
Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 13  
**ITEM:** Board Waiver of Tort Liability

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**AGENDA:** Policy

---

**BACKGROUND**

Effective for claims arising on or after July 1, 2009, the statutory municipal tort liability increased to \$500,000 per claimant and a total is \$1,500,000 per occurrence.

Organizations obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased.

**ACTION REQUESTED**

Approve signing of LMCIT Liability Coverage - Waiver Form indicating that the District **DOES NOT WAIVE** the monetary limits.

**COORDINATION**

Requested action is consistent with League of Minnesota Cities Guidelines and is a request from North Risk Partners, our insurance agent.

**PERTINENT FACTS**

The League of Minnesota Cities Insurance Trust (LMCIT) is a self-insured member cooperative that provides cost-effective coverage designed for the unique needs of cities.

The exposure of the District to legal liability has evolved over the years from almost complete protection under the doctrine of sovereign immunity to the current system where—with specific immunities, exceptions, and limits—the District is generally subject to liability for its wrongful acts and omissions (torts) in the same way that private individuals and corporations are liable. A tort is defined as a civil wrong or injury which arises out of a violation of a duty owed to an injured or damaged plaintiff.

Under Minnesota Statute 466.02 the District is also generally responsible for the torts of their agents when those people are acting within the scope of their authority. It makes no difference whether the tort happened while the District was performing a governmental function (like enforcing state or federal regulations) or performing a proprietary function (like maintaining drainage).

**ISSUES/CONCERNS/RISKS**

**Claim Recovery:** If the District does not waive the statutory tort limits an individual claimant cannot recover more than \$500,000.

**OPTIONS FOR ACTIONS**

<b>Option</b>	<b>If the District:</b>	<b>Then, Maximum Claimant Recovery is:</b>
1	Does not waive	Up to \$500,000
2	Waives and does not purchase excess liability insurance coverage	Up to \$2,000,000
3	Waives & Purchases excess liability insurance coverage	Up to the amount of excess coverage purchased

**CONCLUSION**

Do not waive the statutory tort liability limits.

**RECOMMENDATION**

Move to **not waive** the statutory tort liability limits.

**ACTION & IMPLEMENTATION STEPS**

1. Motion to not waive the statutory tort liability limits.
2. Inform insurance agent so they can finalize 2022 policy.

**COON CREEK WATERSHED DISTRICT  
Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 14  
**ITEM:** Adoption of Official Papers

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**AGENDA:** Policy

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**BACKGROUND**

Historically, the Coon Creek Watershed District (CCWD) has designated the ABC newspapers, the Union Herald (Andover - Coon Rapids) and The Life (Blaine-Spring Lake Park-Fridley), as the newspapers where legal notices pertaining to the Coon Creek Watershed District are published to ensure broad coverage to CCWD constituents.

**ACTION REQUESTED**

Adopt resolution designating the ABC newspapers, Anoka Union-Herald and The Life, as the official newspapers of the Coon Creek Watershed District.

**COORDINATION**

None required

**PERTINENT FACTS**

As a local unit of government, the CCWD is required to publish printed legal notices in a designated Official Newspaper. According to MN statute, the newspaper shall be “a newspaper of general circulation in the watershed management organization area.” (MS 103B.227, <https://www.revisor.mn.gov/statutes/?id=103B.227> )

**ISSUES/CONCERNS/RISKS**

We also publish our legal notices on our website for the same duration and in the same format as the newspapers.

**OPTIONS FOR ACTIONS**

1. Designate identified papers
2. Table pending clarification
3. Review and discuss proposed alternative

**CONCLUSION**

The two papers listed meet the statutory requirements.

**RECOMMENDATION**

Designate the ABC newspapers, Anoka Union-Herald and The Life, as the official newspapers of the Coon Creek Watershed District.



**RESOLUTION 2023-02  
DESIGNATING THE ABC NEWS AS THE OFFICIAL NEWSPAPERS**

**WHEREAS**, The Coon Creek Watershed District is authorized and formed under Minnesota Statutes 103D, and

**WHEREAS**, Minnesota Statutes 103D requires that under certain circumstances, the CCWD notice its meetings, hearings, and decisions, and

**WHEREAS**, the requirement and the CCWD goal of keeping the public informed is best served by always Noticing CCWD information in a specified source(s),

**BE IT RESOLVED THAT**, the ABC Newspapers Union Herald and The Life are designated as the official newspapers of the Coon Creek Watershed District where all legal notices pertaining to the Business of the District will be published.

**BE IT FURTHER RESOLVED THAT**, in addition to publishing its legal notices in the above official newspapers, the CCWD will also post its legal notices on the CCWD Website to facilitate public access to this information. The CCWD will post the legal notices in the same format and for the same period of time or longer as required for publication in the official newspapers.

**Resolution 2023-02 was moved by \_\_\_\_\_, seconded by \_\_\_\_\_.**

**Motion to adopt Resolution 2023-02 DESIGNATING THE ABC AS THE OFFICAL NEWSPAPERS.**

**\_\_\_\_\_AYES \_\_\_\_\_NAYS \_\_\_\_\_ABSTENTIONS.**

**Date: January 9, 2023**

\_\_\_\_\_

**Date: January 9, 2023**





**COON CREEK WATERSHED DISTRICT  
Request for Board Action**

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 15  
**ITEM:** Appointment of 2023 Citizen Advisory Committee

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**AGENDA:** Policy

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**BACKGROUND**

Minnesota Statute 103D.331 states that the Board of Managers “must annually appoint an advisory committee to advise and assist the managers on all matters affecting the interests of the watershed district and make recommendations to the managers on all contemplated projects and improvements in the watershed district.”

At the October 10, 2011, meeting the Board adopted policy 1.8.1-Citizen Advisory Committee (CAC) and approved a plan to advertise and select Citizens for this CAC.

At the December 14, 2020, meeting the Board adopted revisions to policy 1.8.1-Citizen Advisory Committee (CAC). These revisions included:

- Committee size limited to 9 members: 7 citizens and 2 Agency representatives
- All interested applicants must apply by November 15<sup>th</sup> to be considered for service in following year
- Recruiting efforts should focus on recruiting one member of a sporting organization and one member of a farm or agricultural organization
- All appointments are for one year and are to be renewed in December or January

Considering Mr. Beardsley’s technical knowledge due to his background, the Board appointed Mr. Beardsley to the 2022 CAC under 103D.331 Subd. 2 (b) as an applicant with relevant technical knowledge. All existing CAC members were re-appointed.

At the December 12, 2022, meeting, the Board re-appointed six citizen members seeking re-appointment to the CAC: Barbara Goodboe-Bisschoff, Roger Johnson, Paddy Jones, Bill Kurdziel, Erin Lind, and Gary Nereson. The Board did not make a decision on technical member James Beardsley, but instead decided to wait until the January 9, 2023 meeting to re-appoint him, should he express an interest in continuing to serve on the CAC. Board Member McCullough stated that he would reach out to Mr. Beardsley and report back to the Board at the January 9, 2023 meeting.

**ACTION REQUESTED**

Decision regarding appointment of Mr. Beardsley to the 2023 Citizen Advisory Committee.

**COORDINATION**

Backgrounds for all 2023 CAC members are included after this report.

The Policy is attached at end of this staff report.

### **PERTINENT FACTS**

1. Committee Size: 2022 ended with 10 members (7 citizen + 2 agency + 1 technical)
  - 1) Donna Bahls, Fridley
  - 2) Barbara Goodboe-Bisschoff, Spring-Lake Park City Council representative
  - 3) Roger Johnson, Coon Rapids
  - 4) Bill Kurdziel, Coon Rapids (Crooked Lake resident)
  - 5) Paddy Jones, Ham Lake
  - 6) Erin Lind, Coon Rapids (on Lower Coon Creek)
  - 7) Gary Nereson, Andover, Crooked Lake Area Association representative
  - 8) Anoka Conservation District representative
  - 9) Anoka County representative
  - 10) James Beardsley, technical member
2. On October 18, 2022, Donna Bahls wrote to District staff that she does not wish to be re-appointed to the CAC. She has served on the CAC for 11 years.
3. By the policy deadline of November 15, 2022, six 2022 CAC members had indicated an interest and ability in continuing to serve. There has been no communication from Mr. Beardsley to staff about interest in serving on the 2023 CAC.
4. No new applications for CAC membership were received by the policy deadline of November 15, 2022.

### **ISSUES/CONCERNS/RISKS**

**Committee Size:** With Ms. Bahls not seeking re-appointment and no new applicants, the committee will no longer be at its maximum size of 7 citizen members.

**Technical Member:** The 2022 CAC includes an additional technical member, Mr. Beardsley, who has not requested re-appointment and has not been active on the committee. He has not attended a CAC meeting since May 2022 and has not contacted District staff regarding the CAC since June 2022.

### **OPTIONS FOR ACTION**

1. Finish appointment of the 2023 CAC by not re-appointing Mr. Beardsley.
2. Finish appointment of the 2023 CAC by appointing Mr. Beardsley as a citizen member.
3. Finish appointment of the 2023 CAC by re-appointing Mr. Beardsley as a technical member under 103D.331 Subd. 2. (b) other interested and technical persons to serve at the pleasure of the Managers.

### **CONCLUSION**

1. The 2023 Citizens Advisory Committee needs to be appointed in or before January 2023.
2. The first CAC meeting for 2023 is scheduled for Wednesday, January 11, 2023.

**RECOMMENDATION**

1. Finish appointment of the 2023 Citizens Advisory Committee members.

**ACTION & IMPLEMENTATION STEPS**

1. Motion to finish appointment of the 2023 Citizen Advisory Committee members.

Current CAC members who did not respond regarding re-appointment by the deadline of 11/15/2022:

Technical Member:

Name	City	Background/ Interests	Represent/ Occupation
James Beardsley	Blaine	13 years Local/national Board of Directors with a non-profit organization; Public/Community Service; Wants to use vast amount of knowledge he's acquired in his years of business to serve the community.	35 years Owner/Operator of a residential excavating company, Certified Septic Installer, Director of operations for an outdoor service company. Company is in Ham Lake within District boundaries.

## COON CREEK WATERSHED DISTRICT

### POLICY & PROCEDURES MANUAL

**Policy # 1.8.1**

**Pages:** 1 of 5

**Program:** Public & Government Relations

**Policy Name:** CITIZEN ADVISORY COMMITTEE

---

#### **POLICY**

The Coon Creek Watershed District shall have a Citizen Advisory Committee (CAC) to advise and assist the Managers on all matters affecting the interests of the Watershed District and make recommendations to the Managers on all contemplated projects and improvements within the District.

#### **INTENT**

To establish a Citizen Advisory Committee; provide for membership, eligibility requirements, and removal, filling of vacancies and committee powers and duties.

#### **SOURCE**

Minnesota Statutes section 103D.331, Citizen Advisory Committee.

#### **BACKGROUND**

The District CAC was established in 1988 in response to a complaint to the Water Resources Board (preceded BWSR) and in response to District activities involving ditch repairs and special assessments. The CAC remained active through 1991 and stopped meeting in 1992 due to lack of interest.

In 1998, the District attempted to once again reconstitute the CAC by requesting that a city council member from each of the five cities be the principal contact with the District. The District heard from three cities and in 2005 no longer heard from any of the cities.

#### **PROCEDURES**

##### **1) Purpose of Committee**

To advise and assist the Managers on all matters affecting the interests of the Watershed District and make recommendations to the Managers on all contemplated projects and improvements within the District.

##### **2) Membership**

Members of the Citizen Advisory Committee are appointed by and serve at the pleasure of the Board of Managers.

- 1) **Committee Size:** The total size of the Committee shall be limited to nine (9) members. Seven of those members must be residents of the watershed district and does not include the representatives of the either Anoka County or the Soil and Water Conservation District. The intent in limiting the size of the advisory

committee is increase the committees' effectiveness in fulfilling its statutory purpose

- 2) **Committee Makeup and Composition:** Consistent with Minnesota Statutes section 103D.331, Subd. (2)(a), the makeup of the Citizen Advisory Committee shall be as follows:
  - a) Up to seven (7) Citizen Members. Citizen Members must be district residents. Recruitment must be targeted, and preference must be given, to ensure, if practicable, that the Citizen membership includes one (1) member of a sporting organization, and one (1) member of a farm or agricultural organization.
  - b) If practicable, one (1) Representative from the Anoka County Conservation District Board of Supervisors. This member does not need to be a district resident.
  - c) If practicable, one (1) Representative from Anoka County Board of Commissioners, or designee. This member does not need to be a district resident.
  - d) Total membership of CAC must be minimum of five (5) members.
- 3) **Discretion of Board to Appoint Other Interested/Technical Persons:** Consistent with Minnesota Statutes section 103D.331, Subd. (2)(b), the Board of Managers may appoint other interested and technical persons who may or may not reside with the Watershed District to serve at the pleasure of the Managers. Interested and technical persons who are not District residents may either own or work for businesses located with the Watershed District or contribute special knowledge or expertise to the mission of the Watershed District.

One Manager and the District Administrator, or staff person appointed by the Administrator, shall act as liaisons to the Citizen Advisory Committee as described in sections 13 and 14 of this Policy.

### **3) Meetings**

The Coon Creek Citizen Advisory Committee will meet on the second Wednesday of each month, convening at 5:00 p.m. – 6:30p.m., except in the month of December when there will not be a regularly scheduled meeting.

### **4) Role and Responsibilities**

The Committee shall act in an advisory capacity to the Coon Creek Watershed District Board of Managers.

- 1) The Committee may hold public meetings and
- 2) Shall make such studies, analyses, and reports as requested by the Board of Managers
- 3) May review, advise, and make recommendations to the Board of Managers

Citizen Advisory Committee members will be asked to review, advise, and make recommendations on short and long term

- 1) Surface water planning
- 2) Policy and operational issues
- 3) Annual Budget
- 4) Project Financing
- 5) Major development proposals, and land use changes directly relating to water and related land resource management
- 6) Proposed projects to be conducted by the District
- 7) Water and related land resource rules and resolutions
- 8) District policies relating to land and water management

### **5) Recruitment**

The Coon Creek Watershed District shall use all practical means to solicit applications for membership on the Citizen Advisory Committee. These shall include but are not limited to:

- 1) Word of Mouth
- 2) Advertising in the:
  - a) Official Paper of the District
  - b) District website
  - c) Websites of municipalities within the Watershed District

Primary recruitment efforts must be targeted to ensure, if practicable, one member of a sporting organization, and one member of a farm organization. Secondary recruitment efforts should target membership so that it evenly represents the geography of the Watershed, if practicable.

### **6) Application**

- 1) Application Form: Interested parties will be asked to fill out an application that includes the following information.
  - a) Occupation
  - b) Availability
  - c) Experience/Qualifications & civic activities
  - d) Motivation/Reason for serving
- 2) Application Period:
  - a) General Application: Applications to serve on the Advisory will be accepted year-round but must be received by November 15 to be considered for the following year.

### **7) Desired Qualifications**

Prospective and active members of the Citizen Advisory Committee should be:

- 1) Interested in at least one of the following:
  - a) Water Resource Protection/ Management
  - b) Public Education/Outreach
  - c) Water Resource Planning
  - d) Budget Planning

- 2) Able to serve as a liaison between the District and their geographic area or area of interest.
- 3) Able to effectively work and communicate with others.

### **8) Evaluation and Selection Criteria**

Applications will be reviewed by staff and reported to the Board of Managers based upon the following:

- 1) Applicant's ability to complete the assigned responsibilities
- 2) Obvious conflicts of interest
- 3) Applicant's background/experiences/interests that add value, new perspective or diverse experience to the CAC
- 4) Applicant's ability to provide a perspective that reflects the watershed constituency, and the watershed district's mission
- 5) Applicant's involvement in civic, professional, community or volunteer groups
- 6) Applicant's ability to work cooperatively with other CAC members and the Board of Managers.

### **9) Appointment**

Applications are reviewed by the CCWD Administrator for qualification and are approved by the Coon Creek Watershed District Board of Managers. Appointments are for one (1) year and may be renewed annually in December or January.

### **10) Removal & Vacancy on Advisory Committees**

Members of the Committee may be removed by the Board of Managers for any reason deemed sufficient by a majority of the Board of Managers. Should a representative of the Anoka County Conservation District Board or the designee of the Anoka County Board of Commissioners resign or be removed, the Watershed District shall request, in writing, to those Boards to appoint a new representative. Failure of an organization to appoint a representative to the Committee does not preclude future participation.

### **11) Removal**

The eventual 'Removal' of a CAC member is a distinct possibility. Below is one policy statement and method for achieving this.

A Citizen Advisor serves at the will and pleasure of the CCWD Board of Managers and may be removed at the discretion of the CCWD Board of Managers

- 1) Being a Citizen Advisor is an At-will appointment
- 2) Removal may occur when a Citizen Advisor fails to meet the criteria for representing the geographic area to which the member was appointed.
- 3) Removal may occur when a Citizen Advisor has engaged in conduct detrimental to the accomplishment of CAC responsibilities and/or CCWD mission, or engaged in conduct contrary to the CAC Code of Conduct.

The CCWD staff shall notify a member if they are removed from the CAC. The position will then be considered vacant and open to be filled.



**12) Expense Reimbursement**

Minnesota Statutes section 103D.331 (3) provides that the Managers may reimburse CAC members for actual traveling and other necessary expenses incurred in the performance of their duties.

**13) Board Liaison**

The Board will appoint a Board member to serve as a liaison to the CAC. The principal role of the Board Liaison is to facilitate the flow of information between the CAC and the CCWD Board of Managers.

**14) Staff Liaison**

The District Administrator or the appointed staff liaison will serve as the principal staff member, in that order, who serve as a liaison to the CAC. The principal role of the Staff Liaison is to facilitate the flow of information between the Committee, the CCWD Board of Managers and the CCWD staff. Other general staff responsibilities include:

- 1) Orient new Committee members
- 2) Distribute Committee notices and agendas
- 3) Provide recommendations from the Committee to the CCWD Board of Managers
- 4) Support and motivate the Committee to participate in other Watershed activities

**AUTHORIZATION**

**Adopted:** October 10, 2011

**Revised:** January 18, 2017

**Revised:** December 14, 2020

**APPROVED**

District Administrator, December 14, 2020

### Citizen Advisory Committee Code of Conduct

- This is a volunteer position with no reimbursement, except possibly for conference attendance.
- The Coon Creek Watershed District (CCWD) expects CAC members to:
  - Attend a new member orientation
  - Make a serious commitment to actively participate in CAC work. Notify the staff liaison if unable to attend meetings. Prepare for meetings and reviews
  - Become familiar with the CCWD Mission and CAC role
  - Understand the roles and relationships of the CAC and the CCWD staff and Board of Managers. Get to know other CAC members to build a working relationship
  - Reflect the perspectives of the watershed's diverse constituency in discussions and decision-making. Serve the CCWD in a professional and non-partisan manner. Support the majority decision on issues decided by the CAC and the CCWD Board of Managers at meetings and when representing CCWD at other forums, even if personal opinions are different
  - Refrain from making public comments and statements that would misrepresent or negatively represent the CCWD, its decisions or policies including written or verbal comments to the media, on blogs, websites, or other forums where it is foreseeable that the comments will become known to the public.

## COON CREEK WATERSHED DISTRICT PERMIT REVIEW

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 16  
**FILE NUMBER:** P22-090  
**ITEM:** 99<sup>th</sup> Ave and Baltimore Roundabout Improvements

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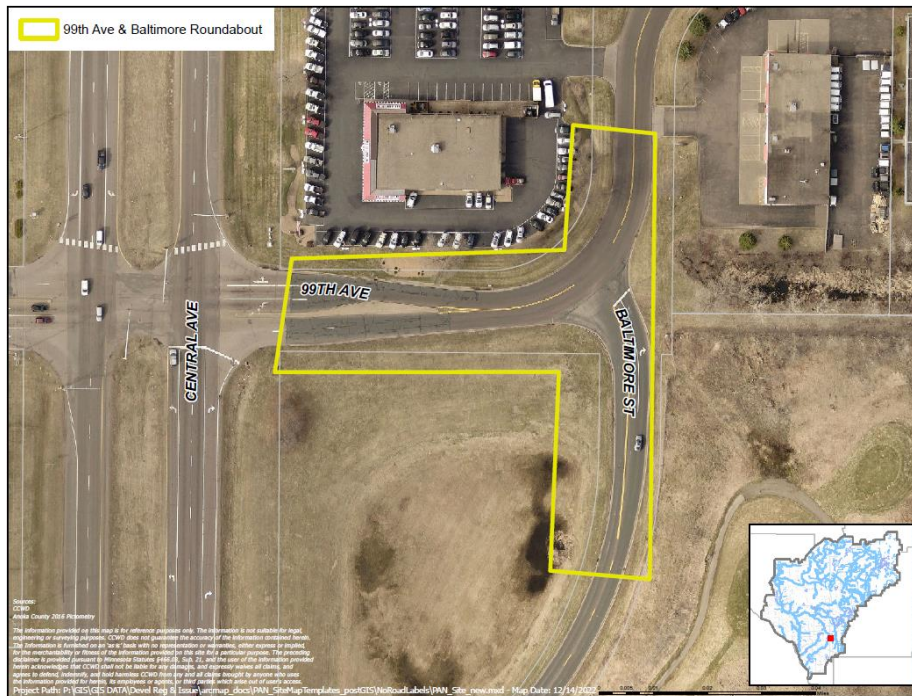
**RECOMMENDATION:** Approve with 2 Conditions and 1 Stipulation

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**APPLICANT:** City of Blaine  
Attn: Dan Schluender  
10801 Town Square Dr NE  
Blaine, MN 55449

**PURPOSE:** Reconstruction of an intersection to include a roundabout

**LOCATION:** Intersection of 99<sup>th</sup> Ave & Baltimore Street, Blaine

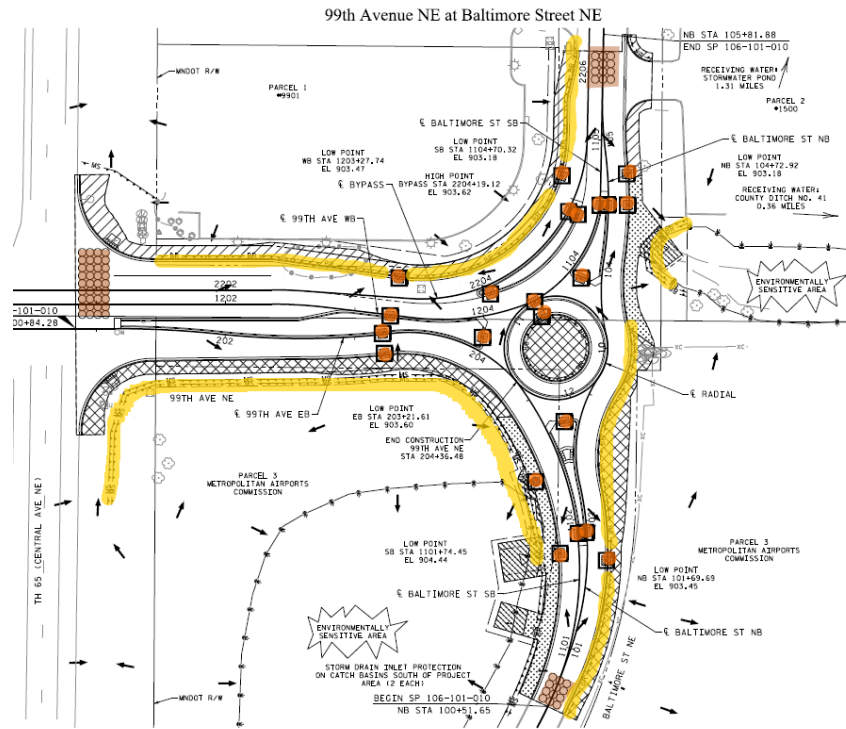


**APPLICABILITY:**

1. Any work in or adjacent to wetlands, lakes or water courses
2. One or more cumulative acres of land disturbance
3. Activities upstream from land that is dependent upon removal of water from the soil profile for their continued use (Drainage Sensitive Land Uses)
4. High infiltration soils

**EXHIBITS:**

1. Construction Plan set (90 sheets); by WSB, dated 12/08/2022, received 12/12/2022.
2. Stormwater Management Report; by WSB, dated 12/08/2022, received 12/12/2022.
3. Geotechnical Report; by Braun Intertec, dated 6/09/2022, received 12/12/2022.
4. Permit Application; dated 12/12/2022, received 12/12/2022.
5. Project Narrative; dated 12/08/2022, received 12/12/2022.
6. Wetland Delineation; by WSB, dated 4/22/2022, received 4/27/2022.
7. Wetland Replacement plan; by WSB, dated 11/08/2022, received 12/02/2022.



**PREVIOUS ACTION TAKEN:** This is a new application.

**FINDINGS:**

**Pre-application Meeting:** The project as submitted has received a general review during a pre-application meeting.

**Ditches:** There is not a public ditch on the property.

**Ditch Hydraulics:** A crossing of the ditch is not proposed.

**Erosion and Sediment Control:** Soils affected by the proposal are Lino and Isanti.

- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss and do have a note to stabilize within seven (7) days of inactivity.

- Adjacent properties and stormwater ponds are protected from sediment deposition.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
- Stormwater runoff does not pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity and is not required.
- Stabilization adequate to prevent erosion has been provided at the outlets of all storm sewer pipes.
- All storm sewer inlets are protected from sediment-laden water during construction.
- All work adjacent to water or related resource has not taken precautions to contain sediment, and stabilize the work area during construction.
- Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
- Construction entrance points are clearly located on the erosion and sediment control plan.
- The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
- Details have been provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

Dewatering: Shallow ground water does exist on site. The project does not require dewatering.

An assessment of risks to other water and related resources has not been conducted.

**Floodplain**: There is no floodplain on the property according to the District model and FEMA.

High Water Flooding: Information has not been provided to substantiate low floor elevations and it is not needed for this project.

**Groundwater**: Geotechnical information collected in July 2022 indicates long term (seasonally high) groundwater elevation is present at 5 to 14 feet below the surface. This corresponds to 898.5 to 903.6 feet.

The project site is within the 10 Year Well Head Protection Area/Drinking Water Supply Management Area. It is listed as moderate vulnerability.

The proposal does not contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA).

**Historic Sites:** The proposed project does not include sites of historic or archeological significance.

**Local Planning & Zoning:** The applicant is the City of Blaine.

**Maintenance:** The owner of the Stormwater Management features and treatment practices is City of Blaine. The Stormwater Treatment Practices (STPs) consisting of the following:

<b>Stormwater Treatment Practices</b>	<b>Number</b>	<b>Inspection &amp; Maintenance Responsibility</b>
Catch Basin Sumps	2	City of Blaine

As a requirement of the City's MS4 program, the city will inspect and maintain the stormwater facilities.

**Easements:** The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required. A maintenance access to all storm water management features is provided.

**Stormwater & Hydrology:** Infiltration is allowed within the project area. The District's 1-inch infiltration requirement is not achieved. The stormwater management system utilizes the on-site stormwater management features and practices listed in the maintenance section and an existing infiltration basin. Project is within the City of Blaine which has adopted the MIDS performance standard. The 1.1-inch infiltration is not achieved. Calculations have not been provided that illustrate the 1.1-inch infiltration volume is available below the outlet.

Drainage sensitive uses exist downstream from the proposed site. The rate of post-development runoff from the site does exceed predevelopment rates for drainage sensitive uses. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into wetlands/stormwater basins are pretreated by a sediment basin/water quality pond but are not designed correctly. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal may detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

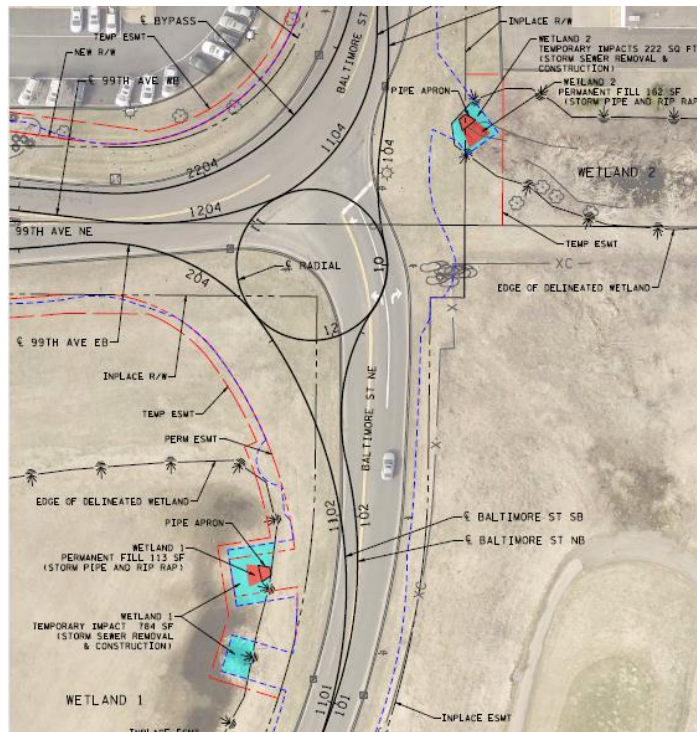
**Impairments:** This project is within one (1) mile of an Impaired Water. The Impaired Water is Springbrook Creek. Springbrook Creek is impaired for (Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). The major stressors are Total Suspended

Solids (TSS)/ Total Phosphorus (TP)/E.coli. There is an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are new impervious or reconstructed surfaces proposed as part of this project.

**Wetlands:** Wetlands do exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey. Wetlands have been delineated. The most recent delineation was completed on 4/22/2022. The wetland boundary has been checked and approved on 5/27/2022.

The wetland is not a DNR protected water. The total proposed wetland impact is 275 square feet. The impact is through fill in 2 locations as shown below:



The de minimis is 2,500 sf (type 1 2, 6, 7, 8) or 400 sf (type 3, 4, 5). TEP members have been notified with a complete plan and have been requested to submit comments. The project is not wetland dependent. The project is not exempt.

The applicant has contacted the DNR area hydrologist and the Corps of Engineers.

**Wetland Replacement Plan:** A wetland replacement plan has been submitted. A replacement plan application has been submitted.

Replacement was proposed to be through the Local Government Road Wetland Replacement Project. The TEP determined that all impacted wetlands are incidental and do not require replacement. A no-loss application has been approved.

**Wildlife:** The proposed project does not include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

**Performance Escrow:** \$2,895.00

**Wetland Escrow:** \$ N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

<b>ISSUE</b>	<b>NEED</b>
<b>Escrows:</b> $\$2,000 + (1.79 \text{ ac} * \$500/\text{ac} = \$2,895.00$	1. Receipt of escrows.
<p><b>Stormwater &amp; Hydraulics:</b> Volume management is met to the maximum extent practicable due to site conditions, existing grades.</p> <p>Rate control is not met for drainage sensitive uses for 100-yr proposed to be at or less than 25-yr existing. However, no impact to drainage sensitive uses are expected given project type and size.</p>	<p>No action needed.</p> <p>No action needed.</p>
<p><b>Water Quality:</b> The proposed sump manholes are not designed correctly for water quality treatment prior to discharge into the existing infiltration basin and private ditch.</p>	<p>2. Update the proposed catch basin sumps to have a minimum of 4-foot depth to prevent resuspension and to provide SHSAM calculations indicating TSS removal rates of at least 80% to meet the District's requirements.</p>

**RECOMMENDATION:** Approve with 2 Conditions and 1 Stipulation

**Conditions:**

1. Receipt of Escrows.
2. Update the proposed catch basin sumps to have a minimum of 4-foot depth to prevent resuspension and to provide SHSAM calculations indicating TSS removal rates of at least 80% to meet the District's requirements.

**Stipulations:**

1. Submittal of as-builts for the following stormwater management practices, including critical elevations and proof of installation for hydrodynamic separators, if applicable:



<b>Stormwater Treatment Practices</b>	<b>Number</b>
Catch Basin Sumps	2



## COON CREEK WATERSHED DISTRICT PERMIT REVIEW

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 17  
**FILE NUMBER:** 22-091  
**ITEM:** Coon Creek Blvd Bridge Replacement

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**RECOMMENDATION:** Approve with 3 Conditions and 2 Stipulations

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**APPLICANT:** Anoka County Highway Department  
1440 Bunker Lake Blvd  
Andover, MN 55304

**PURPOSE:** Replace Bridge 02549 over Coon Creek

**LOCATION:** Coon Creek Blvd over Coon Creek



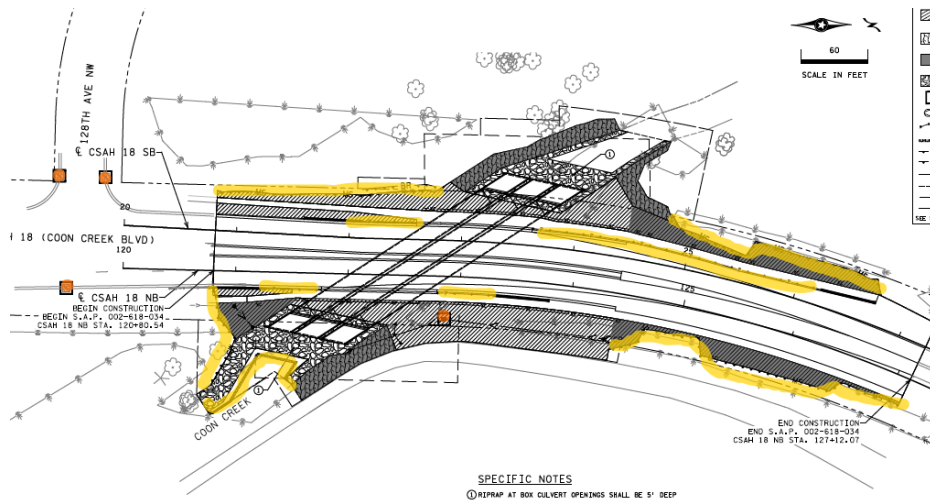
**APPLICABILITY:**

1. Within 1 mile of an impaired waters.
2. Any work within or adjacent to a Public ditch within the Watershed District.
3. Any work in or adjacent to wetlands, lakes or water courses
4. One or more cumulative acres of land disturbance
5. The lands and waters that have been, or may be covered by the regional flood.

6. Activities upstream from land that is dependent upon removal of water from the soil profile for their continued use (Drainage Sensitive Land Uses)
7. Excavation or filling or a combination of excavation and filling of sand or other excavation or fill material including the laying, repairing, replacing or enlarging of a culvert or an underground pipe or facility where it crosses a public ditch or waters of the state.

**EXHIBITS:**

1. Construction Plan set (79 sheets); by Anoka County & HDR, dated 11/11/2022, received 12/14/2022.
2. Drainage Report; by HDR, dated 12/13/2022, received 12/14/2022.
3. Geotechnical Report; by Braun, dated 11/08/2021, received 12/14/2022.
4. Wetland Delineation Report: by HDR, dated 5/2021, received 10/19/2021.
5. Wetland Replacement Plan, by HDR, dated 2/28/2022, received 2/28/2022.



**PREVIOUS ACTION TAKEN:** This is a new application.

**FINDINGS:**

**Pre-application Meeting:** The project as submitted has received a general review during a pre-application meeting.

**Ditches:** There is a public ditch on the property. The public ditch is County Ditch Coon Creek according to the public drainage map. The approved elevations through this property are 850.2 ft MSL at the downstream end and 850.4 ft MSL at the upstream end. The existing elevations through this property are 851.7 ft MSL at the downstream and 852.1 ft MSL at the upstream end. Existing elevations, slopes and condition of the ditch are good and represent a <1% variance from the as-built elevations. The ditch is a 5th order stream. The ditch serves the primary role of trunk drainage system. The ditch serves approximately 20 acres of agricultural land. Land use in the area is toward residential. There are flooding concerns upstream and/or downstream. The ditch has been inspected. Existing elevations, slopes and condition of ditch are good. The ditch is not in need of repair. Alternatives to repair and additional drainage have been considered and reviewed.

**Ditch Hydraulics:** A crossing of the ditch is proposed. The proposed crossing involves the replacement of a bridge. The three proposed culverts are of sufficient hydraulic capacity and accounted for sediment accumulation of up to 2 feet.

**Erosion and Sediment Control:** Soil affected by the proposal is Alluvial.

- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss and do not have a note to stabilize within seven (7) days of inactivity.
- Adjacent properties and stormwater ponds are protected from sediment deposition.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
- Stormwater runoff does not pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity and is not required.
- Stabilization adequate to prevent erosion has not been provided at the outlets of all storm sewer pipes. No new outlets proposed.
- All storm sewer inlets are protected from sediment-laden water during construction.
- All work adjacent to water or related resource has not taken precautions to contain sediment, and stabilize the work area during construction. Not applicable to proposed project.
- Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
- Construction entrance points are not clearly located on the erosion and sediment control plan. Not applicable to proposed project.
- The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
- Details have been provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

Dewatering: Shallow ground water does exist on site. The project may require dewatering.

An assessment of risks to other water and related resources has not been conducted.

**Floodplain:** There is floodplain on the property according to the District model and FEMA. The District's floodplain elevation is at 858.8 feet. The FEMA floodplain is an AE Zone with a floodplain elevation of 858. There are no flooding concerns upstream or downstream.

High Water Flooding: Information has not been provided to substantiate low floor elevations and is not needed for this project.

**Groundwater:** Geotechnical information collected in March 2021 indicates long term (seasonally high) groundwater elevation is present at 7 to 9 feet below the surface. This corresponds to 855.5 to 852 feet.

The project site is not within the Emergency Response Area/10 Year Well Head Protection Area/Drinking Water Supply Management Area.

The proposal does not contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA).

**Historic Sites:** The proposed project does not include sites of historic or archeological significance.

**Local Planning & Zoning:** The applicant is Anoka County.

**Maintenance:** There are no Stormwater Management features or treatment practices proposed as part of this project.

**Easements:** The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required.

**Stormwater & Hydrology:** Stormwater requirements do not apply due to scope of the project.

Drainage sensitive uses exist downstream from the proposed site. The rate of post-development runoff from the site does exceed predevelopment rates. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

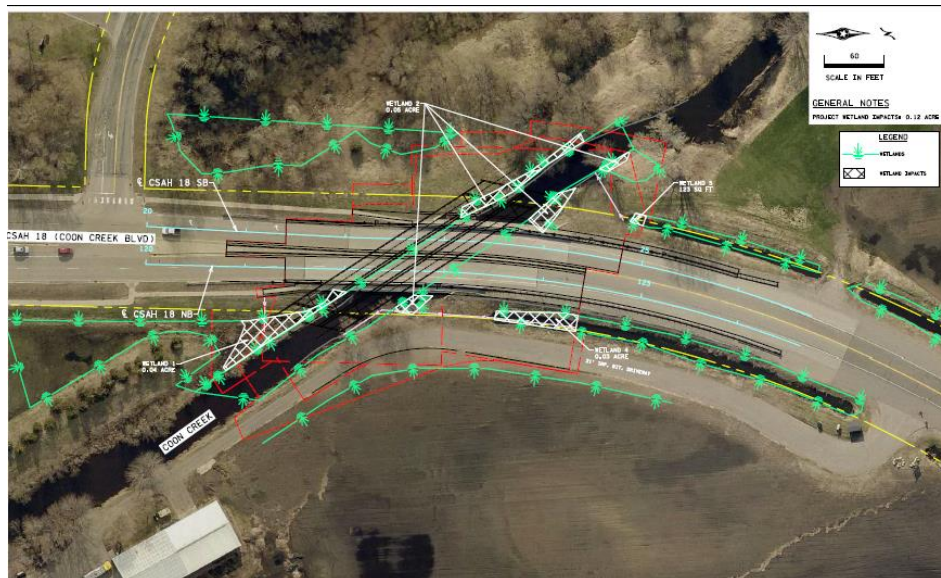
Impairments: This project is within one (1) mile of and drains to an Impaired Water. The Impaired Water is Coon Creek. Coon Creek is impaired for (Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). The major stressors are Total Suspended Solids (TSS)/ Total Phosphorus (TP)/E.coli. There is an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are new impervious or reconstructed surfaces proposed as part of this project.

**Wetlands:** Wetlands do exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey. Wetlands have been delineated. The most recent delineation was completed on April 21, 2021. The wetland boundary has been checked and approved on November 19, 2021.

The wetland is not a DNR protected water.

The total proposed wetland impact is 0.12 acres. The impact is through fill and excavation in 4 locations as shown below:



The de minimis is 2,500 sf (type 1 2, 6, 7, 8) or 400 sf (type 3, 4, 5). TEP members have been notified with a complete plan and have been requested to submit comments. The project is not wetland dependent. The project is not exempt. The applicant has contacted the DNR area hydrologist and the Corps of Engineers.

Two or more alternatives, plus the proposed project, have been submitted. On-site sequencing does apply. The avoidance alternatives are considered good faith efforts. None of the avoidance alternatives are considered feasible and prudent.

1. The applicant suggests that avoidance is not reasonable because there is no alternative. No alternative exists because:

- 1) The basic purpose of the project cannot reasonably be accomplished at an alternative site, alternative sites are not available, alternative sites are not practical/prudent;
- 2) The applicant has demonstrated that the activity will minimize wetland impacts through:
  - a. modifying the size, scope, configuration, and density of the project

**Wetland Replacement Plan:** Wetland replacement plan has been submitted. A replacement plan application has been submitted. The wetland replacement plan has been sent to TEP members for comment. Replacement is proposed to be through the Local Government Road Wetland Replacement Program. The TEP has approved the wetland mitigation plan.

**Wildlife:** The proposed project does not include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

**Performance Escrow:** \$2,995.00

**Wetland Escrow:** \$ N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

ISSUE	NEED
<b>Escrows:</b> \$2,000 + (1.99 ac * \$500/ac = \$2,995.00	1. Receipt of escrows.
<b>Stormwater &amp; Hydraulics:</b> Rate control is not met for drainage sensitive uses for 100-yr proposed to be at or less than 25-yr existing. However, no impact to drainage sensitive uses are expected given project type and size.	No action needed.
<b>Soils &amp; Erosion Control:</b> Soil stockpiles do not have a note to stabilize within seven (7) days of inactivity.	2. Update construction plans to stabilize soil stockpiles within 7 days of rough grading or inactivity.
<b>Wetlands:</b> Replacement is proposed to be through the Local Government Road Wetland Replacement Program.	3. Provide verification that wetland credits have been approved by BWSR.

**RECOMMENDATION:** Approve with 3 Conditions and 2 Stipulations

**Conditions:**

1. Receipt of Escrows.
2. Update construction plans to stabilize soil stockpiles within 7 days of rough grading or inactivity.
3. Provide verification that wetland credits have been approved by BWSR.

**Stipulations:**

1. Submittal of as-built (invert, pipe material, pipe size) for culvert installation within County Ditch 57.



2. If dewatering is required, provide DNR dewatering permit prior to construction. If a DNR permit is not required, provide well-field location, rates, discharge location, schedule and quantities prior to construction.



## COON CREEK WATERSHED DISTRICT PERMIT REVIEW

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 18  
**FILE NUMBER:** P22-089  
**ITEM:** Mercy Hospital Ambulance Garage

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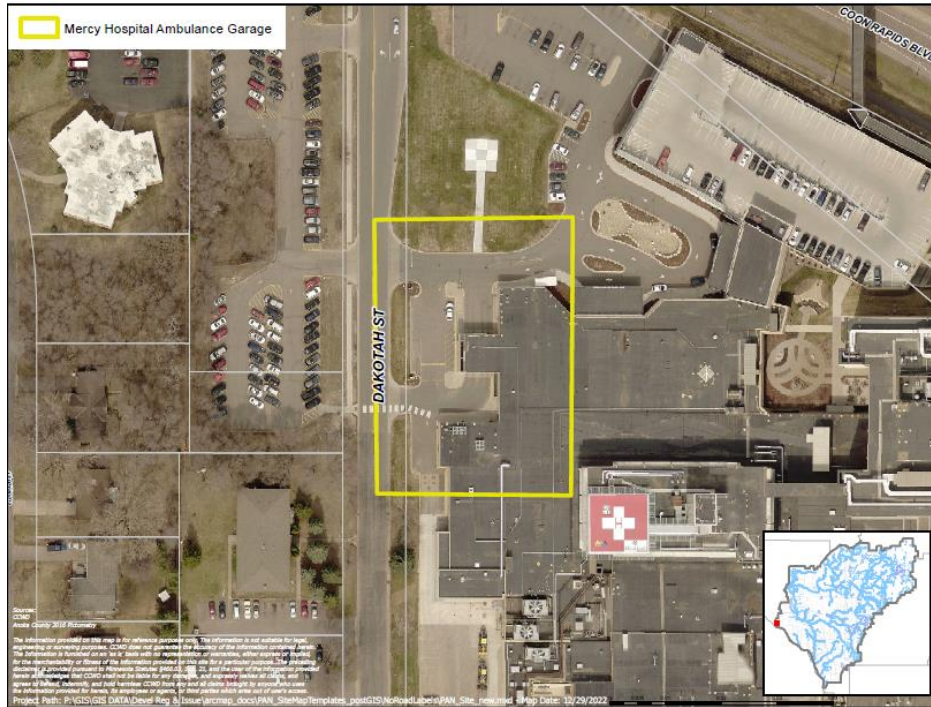
**RECOMMENDATION:** Approve with 6 Conditions and 2 Stipulations

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**APPLICANT:** Allina Health System  
PO Box 43  
Minneapolis MN 55440

**PURPOSE:** Expand ambulance garage and relocate main entrance and stormwater treatment features.

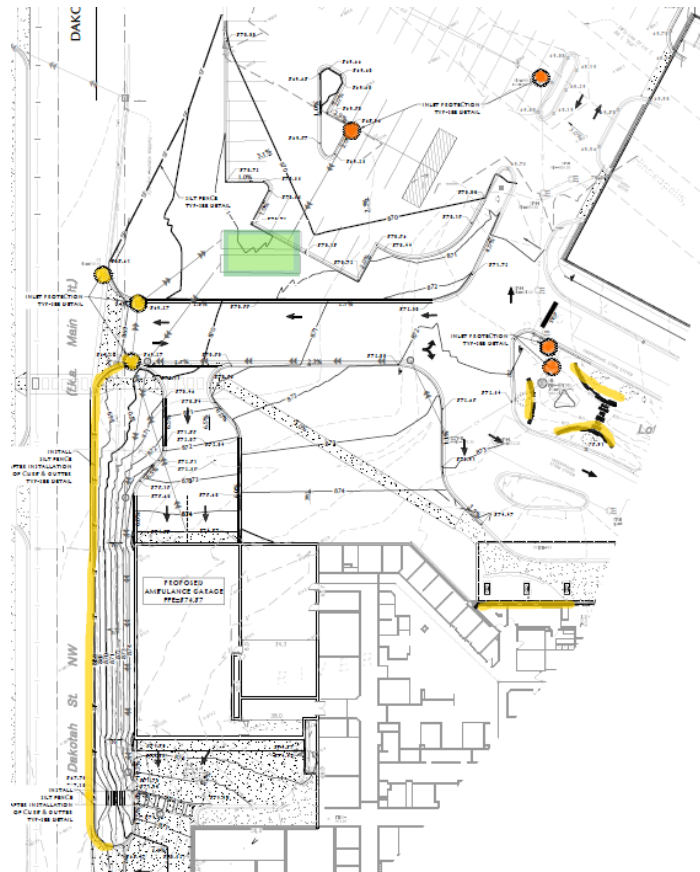
**LOCATION:** 4050 Coon Rapids Blvd NW, Coon Rapids, MN 55433



- APPLICABILITY:**
1. Within 1 mile of an impaired waters.
  2. One or more cumulative acres of land disturbance

- EXHIBITS:**
1. Permit Application; dated 11/28/2022, received 12/05/2022.

2. Construction Plan set (9 sheets); by Loucks, dated 12/09/2022, received 12/28/2022.
3. Stormwater Management Report; by Loucks, dated 12/09/2022, received 12/28/2022.
4. Geotechnical Report; by Braun, dated 12/06/2022, received 12/28/2022.



**PREVIOUS ACTION TAKEN:** This is a new application.

**FINDINGS:**

**Previous Project Phases:** The proposed project is the third phase of additions proposed on the Mercy Hospital site. The first phase of additions to the site required 9,435 cubic-feet of water quality volume however, only 8,675 cubic-feet was provided. The second phase of additions required 80,108 cubic-feet of the water quality volume and 81,566 cubic-feet was provided, making up for the 760 cubic-feet needed for the first phase, with 698 cubic-feet extra in preparation for additional phases.

**Pre-application Meeting:** The project as submitted has not received a general review during a pre-application meeting.

**Ditches:** There is not a public ditch on the property

**Ditch Hydraulics:** A crossing of the ditch is not proposed.

**Erosion and Sediment Control:** Soil affected by the proposal is Urban.

- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss and do have a note to stabilize within seven (7) days of inactivity.
- Adjacent properties and stormwater ponds are protected from sediment deposition.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
- Stormwater runoff does not pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity. Not applicable to proposed project.
- Stabilization adequate to prevent erosion has not been provided at the outlets of all storm sewer pipes. Not applicable to proposed project.
- All storm sewer inlets are protected from sediment-laden water during construction.
- All work adjacent to water or related resource has taken precautions to contain sediment, and stabilize the work area during construction.
- Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
- Construction entrance points are not clearly located on the erosion and sediment control plan.
- The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
- Details have been provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

Dewatering: Shallow ground water does not exist on site. The project does not anticipate dewatering.

An assessment of risks to other water and related resources has not been conducted.

**Floodplain**: There is no floodplain on the property according to the District model and FEMA.

High Water Flooding: Information has been provided to substantiate low floor elevations. Low floor elevations meet the criteria for the City of Coon Rapids; 3 ft above mottled, 2 ft above 100 yr.

**Groundwater**: Geotechnical information collected in November 2022 indicates long term (seasonally high) groundwater was below the depths explored on the project site.

The project site is not within the Emergency Response Area/10 Year Well Head Protection Area/Drinking Water Supply Management Area.

The proposal does not contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA).

**Historic Sites:** The proposed project does not include sites of historic or archeological significance.

**Local Planning & Zoning:** The applicant has applied to the City. The City has completed the review of the plans. The City has no water resources issues or concerns with the project at this time.

**Maintenance:** The owner of the Stormwater Management features and treatment practices is unknown. The Stormwater Treatment Practices (STPs) consisting of the following:

<b>Stormwater Treatment Practices</b>	<b>Number</b>	<b>Inspection &amp; Maintenance Responsibility</b>
Underground Infiltration System	1	Unknown
Catch Basin Sump	3	Unknown
Rain Guardian	1	Unknown

Inspection and maintenance of stormwater facilities will be the responsibility of unknown. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.

**Easements:** The proposed project does not include ditch maintenance easement. A ditch maintenance easement is not required. A maintenance access to all storm water management features is provided.

**Stormwater & Hydrology:** Infiltration is allowed within the project area. The District's 1-inch infiltration requirement is achieved. The stormwater management system utilizes the on-site stormwater management features and practices listed in the maintenance section. Project is within the City of Coon Rapids which has adopted the MIDS performance standard. The 1.1-inch infiltration is achieved. Calculations have been provided that illustrate the 1-inch/1.1-inch infiltration volume is available below the outlet.

Drainage sensitive uses do not exist downstream from the proposed site. The rate of post-development runoff from the site does not exceed predevelopment rates. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into wetlands/stormwater basins are pretreated by a catch basin sump/water quality pond, it is unknown if they are designed correctly. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

Impairments: This project is within one (1) mile of and drains to an Impaired Water. The Impaired Water is the Mississippi River. The Mississippi River is impaired for Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). The major stressors are Total Suspended Solids (TSS)/ Total Phosphorus (TP)/E.coli. There is not an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are new impervious or reconstructed surfaces proposed as part of this project.

**Wetlands:** Wetlands do not exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey

**Wetland Replacement Plan:** A wetland replacement plan is not required.

**Wildlife:** The proposed project does not include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

**Performance Escrow:** \$2,565.00

**Wetland Escrow:** \$ N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

ISSUE	NEED
<b>Escrows:</b> \$2,000 + (1.13 ac * \$500/ac = \$2,565.00	1. Receipt of escrows.
<b>Stormwater &amp; Hydraulics:</b> The applicant is meeting the volume management requirement equivalent to infiltrating runoff from the first 1.1-inch of precipitation. The following issues were identified. <ul style="list-style-type: none"> <li>• Detail 1 on sheet C8.2 is mislabeled.</li> </ul>	2. Update the label of detail 1 on sheet C8.2 to “Underground Infiltration System Typical Section”.
<b>Soils &amp; Erosion Control:</b> Construction entrance points are not clearly located on the erosion and sediment control plan.	3. Clearly locate construction entrance points on the erosion and sediment control plan.

<p><b>Water Quality:</b> All discharges into water quality basin are pretreated by a sump catch basin however, it is unknown if the sumps were sized correctly.</p> <p>The existing Rain Guardian Turret that is to be relocated is shown in two different locations on the site plan and utility plan. The proposed Rain Guardian Turret is not shown on the site plan.</p>	<p>4. Provide calculations and inputs to indicate sumps are appropriately sized to meet district removal rates of 80% TSS. SHSAM can be used with an OK110 particle size. A minimum of 4-foot depth is required to prevent resuspension.</p> <p>5. Ensure the existing Rain Guardian Turret that is to be relocated is shown in a consistent location on all plan sheets. Show the proposed Rain Guardian Turret on the site plan.</p>
<p><b>Maintenance:</b> It is unknown who will be responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.</p>	<p>6. Provide an O&amp;M Agreement that meets District requirements.</p>

**RECOMMENDATION:** Approve with 6 Conditions and 2 Stipulations

**Conditions:**

1. Receipt of Escrows.
2. Update the label of detail 1 on sheet C8.2 to “Underground Infiltration System Typical Section”.
3. Clearly locate construction entrance points on the erosion and sediment control plan.
4. Provide calculations and inputs to indicate sumps are appropriately sized to meet district removal rates of 80% TSS. SHSAM can be used with an OK110 particle size. A minimum of 4-foot depth is required to prevent resuspension.
5. Ensure the existing Rain Guardian Turret that is to be relocated is shown in a consistent location on all plan sheets. Show the proposed Rain Guardian Turret on the site plan.
6. Provide an O&M Agreement that meets District requirements.

**Stipulations:**

1. Submittal of as-builts for the following stormwater management practices, including volume, critical elevations:

Stormwater Treatment Practices	Number
Underground Filtration Basin	1
Catch Basin Sump	3
Rain Guardian	1



2. Completion of a post construction infiltration test(s) on the underground infiltration system by filling the basin to a minimum depth of 6 inches with water and monitoring the time necessary to drain, or multiple double ring infiltration tests to ASTM standards. The Coon Creek Watershed District shall be notified prior to the test to witness the results.



## COON CREEK WATERSHED DISTRICT PERMIT REVIEW

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 19  
**FILE NUMBER:** P22-092  
**ITEM:** Scooter's Coffee

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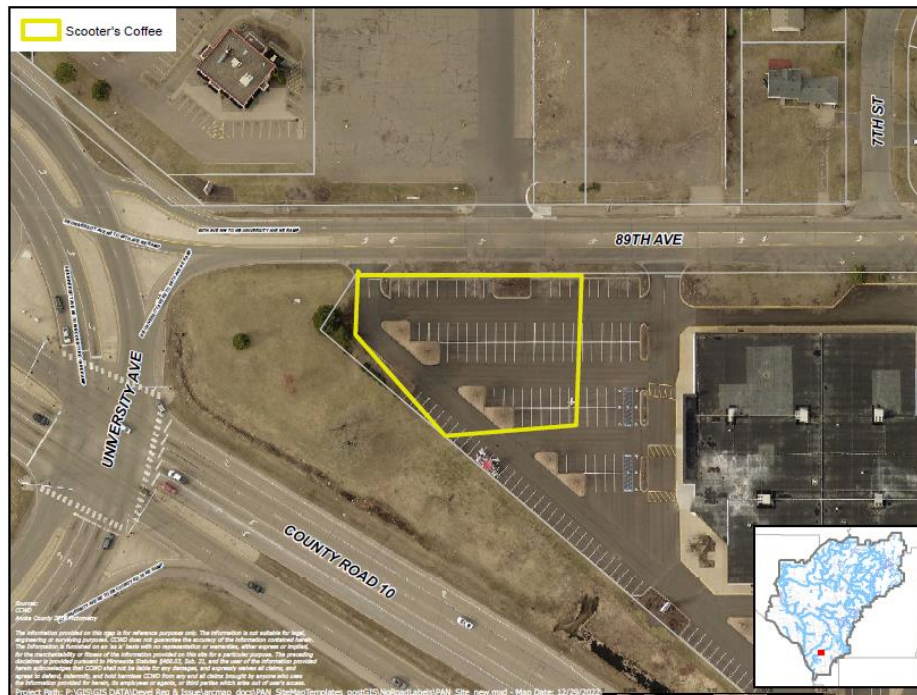
**RECOMMENDATION:** Approve with 2 Conditions and 1 Stipulation

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**APPLICANT:** Blaine/Atlantic Funding, LLC  
225 Edmor Road  
West Palm Beach, FL 33405

**PURPOSE:** New 678 sf drive-thru coffee shop

**LOCATION:** 170 89<sup>th</sup> Ave NE, Blaine, MN 55434



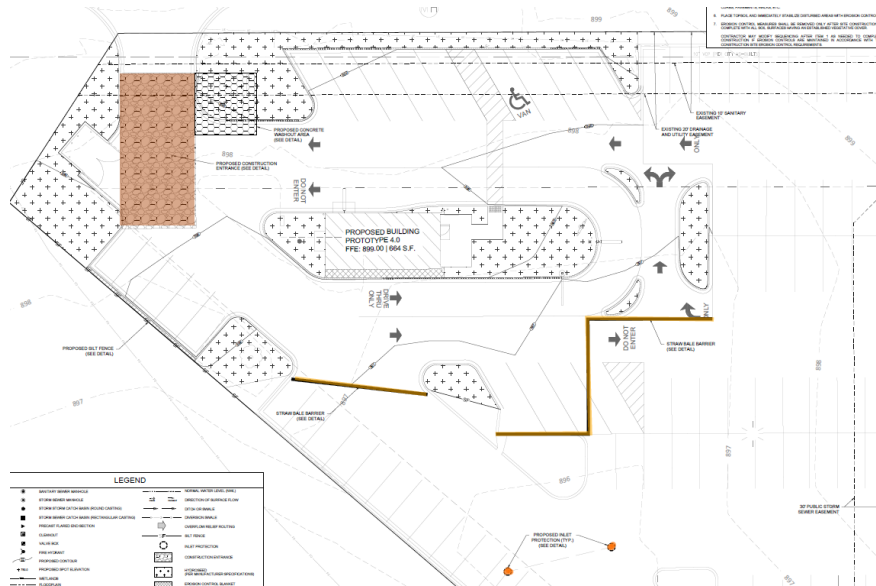
### APPLICABILITY:

1. Within 1 mile of an impaired waters.
2. Any work within or adjacent to a Public ditch within the Watershed District.
3. High infiltration soils
4. Highly erodible soils

### EXHIBITS:

1. Permit Application; dated 12/21/2022, received 12/21/2022.

2. Construction Plan set (12 sheets); by Pinnacle Engineering, dated 10/13/2022, received 12/21/2022.



**PREVIOUS ACTION TAKEN:** This is a new application.

**FINDINGS:**

**Pre-application Meeting:** The project as submitted has not received a general review during a pre-application meeting.

**Ditches:** There is a public ditch on the property. The public ditch is Springbrook Creek according to the public drainage map. The ditch is piped through this parcel. The ditch is a 4th order stream. The ditch serves the primary role of collector system. The ditch serves approximately 0 acres of agricultural land. Land use in the area is toward residential and industrial. There are no flooding concerns upstream and/or downstream. Alternatives to repair and additional drainage have been considered and reviewed.

**Ditch Hydraulics:** A crossing of the ditch is not proposed.

**Erosion and Sediment Control:** Soils affected by the proposal are Sartell and Lino.

- Stabilizing vegetation is not proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss and do have a note to stabilize within seven (7) days of inactivity.
- Adjacent properties and stormwater ponds are not protected from sediment deposition. Not applicable to proposed project.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.

- Stormwater runoff does not pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity and is not required.
- Stabilization adequate to prevent erosion has not been provided at the outlets of all storm sewer pipes. Not applicable to proposed project.
- All storm sewer inlets are protected from sediment-laden water during construction.
- All work adjacent to water or related resource has not taken precautions to contain sediment, and stabilize the work area during construction. Not applicable to proposed project.
- Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
- Construction entrance points are clearly located on the erosion and sediment control plan.
- The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
- Details have been provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

**Dewatering:** Shallow ground water does not exist on site. The project does not anticipate dewatering.

An assessment of risks to other water and related resources has not been conducted.

**Floodplain:** There is no floodplain on the property according to the District model and FEMA.

**Groundwater:** Geotechnical information was not collected for the proposed project and is not needed.

**Historic Sites:** The proposed project does not include sites of historic or archeological significance.

**Local Planning & Zoning:** The applicant has not applied to the City. The City has completed the review of the plans. The City has no water resources issues or concerns with the project at this time.

**Maintenance:** There are no stormwater treatment practices proposed for the project.

**Stormwater & Hydrology:** Stormwater requirements do not apply to this project due to the size and scope of the project.

Drainage sensitive uses do not exist downstream from the proposed site. The rate of post-development runoff from the site does not exceed predevelopment rates. No increases in

the volume, velocity and peak water flow rates of stormwater runoff are expected. Concentrated storm water leaving a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe. No on-site constructed storm water conveyance channels are proposed.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into wetlands/stormwater basins are pretreated via overland flow. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

Impairments: This project is within one (1) mile of and drains to an Impaired Water. The Impaired Water is Springbrook Creek. Springbrook Creek is impaired for Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). The major stressors are Total Phosphorus (TP)/E.coli. There is not an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are no new impervious or reconstructed surfaces proposed as part of this project.

**Wetlands:** Wetlands do not exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey.

**Wetland Replacement Plan:** A wetland replacement plan is not required.

**Wildlife:** The proposed project does not include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors.

**Performance Escrow:** \$2,250.00

**Wetland Escrow:** \$ N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

<b>ISSUE</b>	<b>NEED</b>
<b>Escrows:</b> \$2,000 + (0.50 ac * \$500/ac = \$2,250.00	1. Receipt of escrows.
<b>Soils &amp; Erosion Control:</b> District requires all stabilization of vegetation be within seven (7) days of rough grading or inactivity.	2. Update construction plans to provide stabilization within 7 days of rough grading or inactivity.

**RECOMMENDATION:** Approve with 2 Conditions and 1 Stipulation

**Conditions:**

1. Receipt of Escrows.
2. Update construction plans to provide stabilization within 7 days of rough grading or inactivity.

**Stipulations:**

1. If dewatering is required, provide DNR dewatering permit prior to construction. If a DNR permit is not required, provide well-field location, rates, discharge location, schedule and quantities prior to construction.





## COON CREEK WATERSHED DISTRICT PERMIT REVIEW

**MEETING DATE:** January 9, 2023  
**AGENDA NUMBER:** 20  
**FILE NUMBER:** P22-070  
**ITEM:** Tronson Apartments

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**RECOMMENDATION:** Approve with 4 Conditions and 3 Stipulations

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**APPLICANT:** Tronson Creek LLC  
Mary Tjosvold  
1555 118<sup>th</sup> Ln NW  
Coon Rapids, MN 55448

**PURPOSE:** 1 single family home, 30 multi-family residential development with associated stormwater features

**LOCATION:** 1354 121<sup>st</sup> Ave NW, Coon Rapids, MN



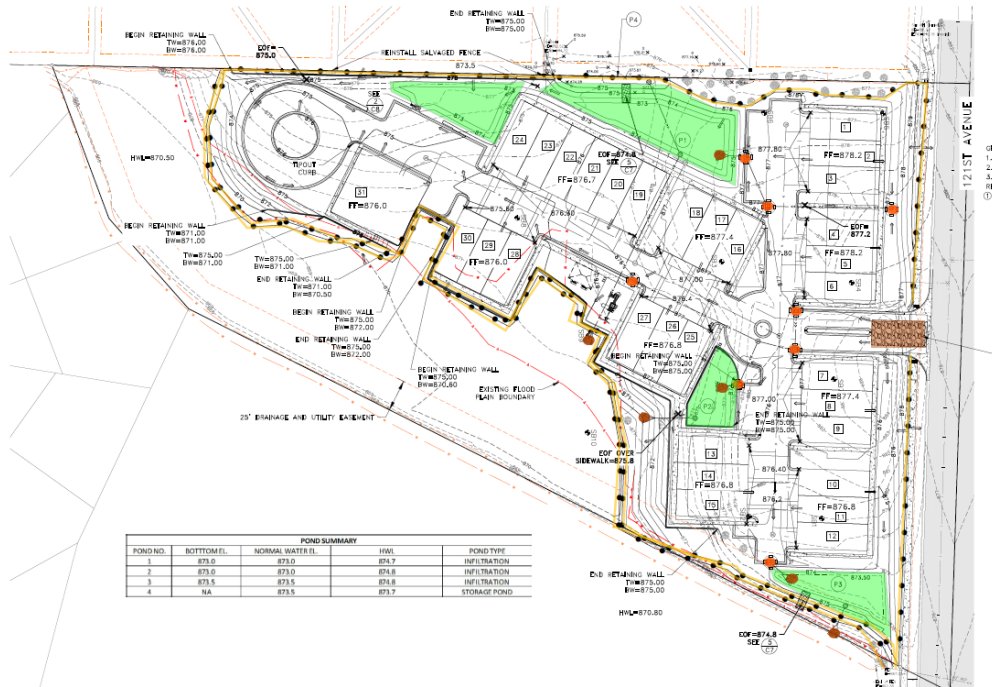
**APPLICABILITY:**

1. Within 1 mile of an impaired waters.
2. Any work within or adjacent to a Public ditch within the Watershed District.
3. Any work in or adjacent to wetlands, lakes or water courses
4. One or more cumulative acres of land disturbance
5. The lands and waters that have been, or may be covered by the regional flood.

6. High infiltration soils
7. Highly erodible soils
8. Endangered, Threatened or Special concern species, elements or communities

**EXHIBITS:**

1. Construction Plan set (14 sheets); by Hakanson Anderson, dated 12/20/2022, received 12/20/2022.
2. Stormwater Management Report; by Hakanson Anderson, dated 12/20/2022, received 12/20/2022.
3. Geotechnical Report; by Haugo, dated 3/01/2017, received 8/30/2022.
4. Wetland Delineation Report: by SEH, dated 11/15/2021, received 11/17/2021.
5. Wetland Replacement Plan, by SEH, dated 5/22, received 9/02/2022.
6. Permit application, dated 8/10/2022, received 8/24/2022.
7. SWPPP, by Hakanson Anderson, dated 12/20/2022, received 12/20/2022.



**PREVIOUS ACTION TAKEN:** This is a new application.

**FINDINGS:**

**Pre-application Meeting:** The project as submitted has received a general review during a pre-application meeting.

**Ditches:** There is a public ditch on the property. The public ditch is Tronson Creek according to the public drainage map. The existing elevations through this property are 865.6 ft MSL at the downstream end and 867.5 ft MSL at the upstream end. The ditch is a 2<sup>nd</sup> order stream. The ditch serves the primary role of storm water conveyance. The ditch serves approximately 0 acres of agricultural land. Land use in the area is toward residential. There are no flooding concerns upstream and/or downstream. The ditch has

been inspected. Existing elevations, slopes and condition of ditch are good. The ditch is not in need of repair. Alternatives to repair and additional drainage have been considered and reviewed.

**Ditch Hydraulics:** A crossing of the ditch is not proposed.

**Erosion and Sediment Control:** Soils affected by the proposal are Sartell and Rifle.

- Stabilizing vegetation is proposed for disturbed areas within seven (7) days of rough grading.
- Soil stockpiles have been proposed to be fitted with sediment-trapping measures to prevent soil loss and do have a note to stabilize within seven (7) days of inactivity.
- Adjacent properties and stormwater ponds are protected from sediment deposition.
- Construction schedules detailing when sediment trapping measures will occur; stabilization of earthen structures and the general timing of construction phases have been provided.
- Stormwater runoff does not pass through a sediment basin or other sediment trapping BMP with equal or greater storage capacity and is not required.
- Stabilization adequate to prevent erosion has been provided at the outlets of all storm sewer pipes.
- All storm sewer inlets are protected from sediment-laden water during construction.
- All work adjacent to water or related resource has taken precautions to contain sediment, and stabilize the work area during construction.
- Provisions have been made to minimize transport of sediment (mud) by runoff or vehicle tracking onto the paved surface.
- Provisions have been made for cleaning road surfaces where sediment is transported by the end of the day.
- Construction entrance points are clearly located on the erosion and sediment control plan.
- The erosion and sediment control plan does provide for the repair and maintenance of all temporary and permanent erosion and sediment control practices.
- Details have been provided for ESC (riprap, perimeter control, concrete washout, inlet protection, etc.)

Dewatering: Shallow ground water does exist on site. The project may require dewatering.

An assessment of risks to other water and related resources has not been conducted.

**Floodplain:** There is floodplain on the property according to the District model and FEMA. The District's floodplain elevation is at 870.8 feet on the north end of the project site and 870.5 on the south end of the project site. The project proposes to place fill within the floodplain. The total floodplain impact is 1550 CF. Compensatory storage is

provided for a net cut of 1700 CF. There are no flooding concerns upstream or downstream.

**High Water Flooding:** Information has been provided to substantiate low floor elevations. Low floor elevations do meet the criteria for the City of Coon Rapids; 3 ft above mottled, 2 ft above 100 yr.

**Groundwater:** Geotechnical information collected in February 2017 indicates long term (seasonally high) groundwater elevation is present at 4-14 feet below the surface. This corresponds to 871.4 to 863.9 feet at the respective boring locations.

The project site is not within the Emergency Response Area/10 Year Well Head Protection Area/Drinking Water Supply Management Area.

The proposal does not contain a land use discouraged or prohibited by the Safe Drinking Water Supply Act (SDSA).

**Historic Sites:** The proposed project does not include sites of historic or archeological significance.

**Local Planning & Zoning:** The applicant has applied to the City. The City has completed the review of the plans. The City has no water resource concerns at this time.

**Maintenance:** The owner of the Stormwater Management features and treatment practices is unknown. The Stormwater Treatment Practices (STPs) consisting of the following:

<b>Stormwater Treatment Practices</b>	<b>Number</b>	<b>Inspection &amp; Maintenance Responsibility</b>
Infiltration Basins	3	Unknown
Detention Basin	1	Unknown
Catch Basin Sump	4	Unknown
Outlet Control Structures	4	Unknown

Inspection and maintenance of stormwater facilities will be the responsibility of unknown. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.

**Easements:** The proposed project does include ditch maintenance easement. A ditch maintenance easement is required. A maintenance access to all storm water management features is provided.

**Stormwater & Hydrology:** Infiltration is allowed within the project area. The District's 1-inch infiltration requirement is not achieved. The stormwater management system utilizes the on-site stormwater management features and practices listed in the maintenance section. Project is within the City of Coon Rapids which has adopted the

MIDS performance standard. The 1.1-inch infiltration is not achieved. Calculations have not been provided that illustrate the 1-inch/1.1-inch infiltration volume is available below the outlet.

Drainage sensitive uses do not exist downstream from the proposed site. The rate of post-development runoff from the site does not exceed predevelopment rates, or rates which would interfere with sensitive downstream land uses. Properties and waterways downstream from the project are protected from erosion due to increases in the volume, velocity and peak water flow rates of stormwater runoff. Concentrated storm water leaving a site is discharged directly into a well-defined natural or man-made off-site receiving channel or pipe.

**Water Quality:** The proposed project does not cause an exceedance of State water quality standards. The project does not contribute to the adverse impact of wetlands through inundation or volume of flow. All discharges into wetlands/stormwater basins are pretreated by a sediment basin/water quality pond, and are designed correctly. All work adjacent to wetlands, waterbodies and water conveyance systems are protected from erosion. The proposal will not detrimentally affect the existing water quality of the receiving water. The proposal will not cause extreme fluctuations of water levels or temperature changes.

Impairments: This project is within one (1) mile of and drains to an Impaired Water. The Impaired Water is Coon Creek. Coon Creek is impaired for (Aquatic Life (Macro-invertebrates)/ Aquatic Recreation (E. coli). The major stressors are Total Suspended Solids (TSS)/ Total Phosphorus (TP)/E.coli. There is an EPA approved Total Maximum Daily Load (TMDL) or Waste Load Allocation (WLA) for this water.

There are new impervious or reconstructed surfaces proposed as part of this project.

**Wetlands:** Wetlands do exist on-site according to the 1987 Federal manual, NWI, PWI and Soil Survey. Wetlands have been delineated. The most recent delineation was completed on 11/03/2021. The wetland boundary has been checked and approved on 12/16/2021.

The wetland is not a DNR protected water.

The total proposed wetland impact is 3,667 square feet. The impact is through fill in 2 locations as shown below:



The de minimis is 2,500 sf (type 1 2, 6, 7, 8) or 400 sf (type 3, 4, 5). TEP members have been notified with a complete plan and have been requested to submit comments.

The project is not wetland dependent. The project is not exempt. The applicant does need to contact the DNR area hydrologist and the Corps of Engineers.

Three alternatives, plus the proposed project, have been submitted. On-site sequencing does apply. The avoidance alternatives are considered good faith efforts. None of the avoidance alternatives are considered feasible and prudent.

1. The applicant suggests that avoidance is not reasonable because there is no alternative. No alternative exists because:

- 1) The applicant has made a good faith attempt in pursuing alternatives;
- 2) The applicant has demonstrated that the activity will minimize wetland impacts through:
  - a. modifying the size, scope, configuration, and density of the project,

**Wetland Replacement Plan:** A wetland replacement plan has been submitted. A replacement plan application has been submitted. The wetland replacement plan has been sent to TEP members for comment. Replacement is proposed to be through purchasing wetland credits at a ratio of 2:1. The credits will be purchased through wetland bank #1698. The TEP has not approved the wetland mitigation plan.

**Wildlife:** The proposed project does include endangered or threatened species, rare natural communities, colonial waterbird nesting sites, migratory waterfowl concentration areas, deer wintering areas or wildlife travel corridors. The applicant does not need to contact the MDNR natural heritage or endangered species program.

**Performance Escrow:** \$3,700.00

**Wetland Escrow:** \$ N/A

There are not ditch liens on the property.

**ISSUES/CONCERNS:**

<b>ISSUE</b>	<b>NEED</b>
<b>Escrows:</b> \$2,000 + (3.4 ac * \$500/ac = \$3,700.00	1. Receipt of escrows.
<b>General:</b> Need to ensure drainage is towards the outlet for P4.	2. Provide note on construction plans that the bottom of P4 should be graded to drain towards outlet structure.
<b>Stormwater &amp; Hydraulics:</b> The District's 1-inch infiltration requirement is not achieved. However, the applicant is meeting District requirements to the maximum extent practicable.	No action needed.
<b>Maintenance:</b> It is unknown who will be responsible for the inspection and maintenance of stormwater facilities. A maintenance agreement has not been executed. The applicant has not submitted a Maintenance Plan for each Stormwater Treatment Practice.	3. Provide an O&M Agreement that meets District requirements.
<b>Wetlands:</b> Wetland credits are proposed to be purchased to replace the wetland impacts.	4. Provide proof of purchase of wetland credits after approval of the replacement plan.

**RECOMMENDATION:** Approve with 4 Conditions and 3 Stipulations

**Conditions:**

1. Receipt of escrows.
2. Provide note on construction plans that the bottom of P4 should be graded to drain towards outlet structure.
3. Provide an O&M Agreement that meets District requirements.
4. Provide proof of purchase of wetland credits after approval of the replacement plan.

**Stipulations:**

1. Submittal of as-builts for the following stormwater management practices, including volume and critical elevations:

<b>Stormwater Treatment Practices</b>	<b>Number</b>
Detention Basin	1
Infiltration Basins	3
Catch Basin Sump	3
Outlet Control Structure	4

2. Completion of post construction infiltration tests on Basins P1, P2, and P3 by filling the basin to a minimum depth of 6 inches with water and monitoring the time necessary to drain, or multiple double ring infiltration tests to ASTM standards. The Coon Creek Watershed District shall be notified prior to the test to witness the results.
3. If dewatering is required, provide DNR dewatering permit prior to construction. If a DNR permit is not required, provide well-field location, rates, discharge location, schedule and quantities prior to construction.



NORTH METRO

## DNR: Blaine operated wells without a permit, leaving some homeowners without water

The city says it thought it had permits for four wells, not just one.

By Greg Stanley (<https://www.startribune.com/greg-stanley/6370510/>) Star Tribune |

DECEMBER 31, 2022 — 6:51PM

The state has suspended Blaine's plans to upgrade its drinking water system, after three unpermitted city wells dried up the water supply for a still unknown number of households.

The city drew vast quantities of water without a permit for at least three months this summer during the height of a drought, before 141 complaints piled up from private well owners in Blaine, Ham Lake and Lino Lakes. The Department of Natural Resources is investigating exactly how many domestic wells went dry or lost water pressure because of the pumping — a process officials expect to wrap up by March.

"I don't know what happened there on the city of Blaine's end," said Ellen Considine, hydrologist supervisor for the DNR.

The number of households that lost water is unprecedented in Minnesota. The DNR typically receives five well interference complaints in a year. Although water has since returned to those homes, the situation raises questions about how or if the city will be able to keep up with water demand for its growing population without interrupting the supply to thousands of existing domestic wells in the area.

City officials said there was a misunderstanding — they believed the wells were permitted. Blaine recently dug four new wells as part of a nearly \$30 million upgrade to its water system, which included a new treatment plant just off Lexington Avenue.

The DNR gave the city a permit for one well.

"I think when we received the permit for the one, there was an impression they were all permitted under that one," said Dan Schluender, Blaine's city engineer. "As soon as the DNR notified us that we only had a permit for one, we shut the other three off."

The new treatment plant, and the four wells that serve it, were built in one of the city's fastest growing areas. The plant sits across the street from dozens of new townhouses. A row of banners wave in the clearing of an old field next to one well, where a developer is building about 100 new houses priced in the \$500,000 range. For-sale signs dot a few undeveloped corners of Lexington Avenue that are scattered with trees and wild shrubs.

Manywell complaints originated in older neighborhoods to the north, in Ham Lake. There, homes are almost hidden under tall trees and spread out among acre lots.

Blaine first started using the unpermitted wells in the summer of 2021, according to the DNR. They were used temporarily as demand surged in the summer — when the city's



GREG STANLEY

The city of Blaine's newest water treatment plant is served by four wells. The city used three of those wells without a permit in the

water use jumps from about 6.5 million gallons a day to a peak of 18.5 million gallons.

The problems didn't really begin until this summer — the second straight year of drought. The city started using the wells again in mid-June, Schluender said.

By July, home wells were starting to run dry. As complaints poured in, the DNR looked at the new treatment plant and learned in mid-August that the city was using the three wells without a permit. The city shut them off immediately, and the water table climbed back up.

"That area recovers pretty fast," Considine said.

Most of the homes lacked water for a couple of days, she said. Some had to wait as long as a week or two until a driller could get on site to deepen their wells.

The city's new wells and plant were designed to pump and treat up to 8.6 million gallons of water a day. Pumping that much water without a permit is a misdemeanor, but it is unlikely that the city will pay any fines.

By law, the DNR can fine a user up to \$20,000 for pumping water without a permit, depending on the severity. But any fine has to be returned to the user as soon as they stop pumping.

"It's forgivable," said Randall Doneen, a section manager for the DNR. "All you have to do is stop."

The DNR has ask lawmakers for about a decade to toughen up water appropriation rules to allow the agency to impose steeper fines and require monitoring equipment, such as tamper-proof flow meters on all heavy users. The Legislature has not acted.

In 2014, the agency told lawmakers that aerial surveys showed that up to 20% of agricultural irrigation systems in some areas likely were drawing water without a permit. In one case, the agency said, a single user was fined eight times for not having one.

"The party involved simply paid the citations and continued to appropriate water illegally because the total cost (\$3,100) was minimal relative to the financial benefit of using the water," the agency wrote to lawmakers.

Any costs the city will incur will instead come from fixing the private wells it damaged. If Blaine is found responsible, the city will have to reimburse those households for digging new wells, extending their pumps to go deeper underground, or — if the homeowner is willing — connecting to the city water supply.

The city already has agreed to pay for the well work done at 24 households at a total cost of about \$100,000, Schluender said.

The city still plans to try to get permits for the three wells. Before the DNR will allow that process to start, all outstanding complaints would need to be resolved.

In a word, that permitting process would be complicated, Considine said.

By law, the DNR cannot issue a permit for a well that could cause domestic wells to go dry. In Ham Lake alone, there are about 5,000 domestic wells. About half of those might be within the area of influence of the three wells, Considine said.

"I don't know how Blaine and the DNR will move forward with these three wells," she said. "There's just going to be some tough decisions."

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**Greg Stanley** is an environmental reporter for the Star Tribune. He has previously covered water issues, development and politics in Florida's Everglades and in northern Illinois.

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