

## **BOARD MEETING AGENDA**

**Board Room**  
**Coon Creek Watershed District Offices**  
**Monday, March 11, 2024**  
**5:30 p.m.**

### **Board of Managers:**

Jim Hafner, President; Erin Lind, Vice President; Jason Lund, Secretary; Mary Campbell, Treasurer; Dwight McCullough, Member at Large

**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. Open Mic/Public Comment**

*Members of the public at this time may address the Board, for up to three minutes, on a matter not on the Agenda. Individuals wishing to be heard must sign in with their name and address at the door. Additional comments may be accepted in writing. Board action or discussion should **not** be expected during the presentation of public comment/open mic. Board members may direct staff to research the matter further or take the matter under advisement for consideration at a future Board meeting.*

### **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 February 26, 2024**
- 6. Administrator's Report**
- 7. Advisory Committee Report**
- 8. Approve Bills for Payment**

### **POLICY ITEMS**

### **PERMIT ITEMS**

- 9. Coon Rapids Regional Dam Park Trail**
- 10. NSC Turf Field Grading**

### **DISCUSSION ITEMS**

- 11. Comprehensive Management Plan: Summary of Comments**
- 12. 2025 Budget Kickoff (At Board Meeting - ABM)**
- 13. Results of the Street Sweeping Study**
- 14. Watershed Partner of the Year**

### **INFORMATIONAL ITEMS**

- 15. 2024 Top Legislative Priorities Talking Points**
- 16. Council of Metro Area Leagues (CMAL) Watershed Study: Who Manages our Watersheds?**

### **ADJOURN**

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

The Board of Managers of the Coon Creek Watershed District held their regular meeting on Monday, February 26, 2024, at the Coon Creek Watershed District Office.

### **1. Call to Order**

The meeting was called to order at 5:30 PM

Board Members Present: James Hafner, Erin Lind, Dwight McCullough, & Mary Campbell

Board Members Not Present: Jason Lund

Staff Present: Tim Kelly, Bobbie Law, Jessica Lindemyer, Jason Hilst, and Michelle Ulrich

Staff Present via Zoom: Jon Janke, Erik Bye, Dawn Doering, and Erin Margl

### **2. Approval of the Agenda**

Board Member Campbell moved to add permit review agenda item 9 to the consent agenda. Seconded by Board Member Lind. The motion carried with 4 yeas (Board Members Lind, McCullough, Campbell, and Hafner) and no nays.

Board Member Campbell moved to approve the agenda as amended. Seconded by Board Member McCullough. The motion carried with 4 yeas (Board Members Lind, McCullough, Campbell, and Hafner) and no nays.

### **3. Announcements**

Administrator Kelly had multiple announcements including:

- Board members' requirements regarding reappointment through Anoka County.
- Anoka County Commissioner Matt Look's upcoming resignation and upcoming transition to the full-time city administrator for the city of East Bethel.
- Road restrictions affect ongoing District Projects. He noted potential delays.
  - The Coon Rapids dam project is one of the projects being affected by road restrictions.
- Comment period for the District's comprehensive watershed management plan closed on Friday February 23<sup>rd</sup>. He also noted that District staff will meet with the Board of Water and Soil Resources (BWSR) on the 27<sup>th</sup> to discuss what changes need to be made based on the comments provided.

### **4. Open Mic/Public Comment**

No one present for comment.

## **POLICY ITEMS**

### **7. Water Education Grant – Growing Student Leaders in the Community**

President Hafner called for questions regarding the grant. Managers discussed how many grants are awarded each year. Ms. Lindemyer confirmed that this is the only inquiry requesting grant dollars for 2024. She also noted that in the past the District averaged around 2-3 grant requests each year. Managers discussed previous projects completed with such grant dollars. Manager Lind confirmed that the Growing Student Leaders in the Community grant application would be used for elementary education.

Board Member moved to Approve Water Education grant application of \$2,200 for transportation and materials for Westwood Middle School and Elementary School students to learn, plan, grow, and plant a native prairie planting at Northtown Library. Second Board Member Campbell. The motion carried with 4 yeas (Board Members Lind, McCullough, Campbell, and Hafner) and no nays.

**CONSENT ITEMS**

**5. Approval of Minutes of February 12, 2024**

**6. Approval of Bills:**

Claims totaling \$86,952.08 on the following disbursement list will be issued and released upon Board approval.

<b>Vendor</b>	<b>Amount</b>
V0011--AFA ADVANCED FIRST AID INC	2,249.00
V0012--AMERICAN PUBLIC WORKS ASSN	288.50
V0050--LEAGUE OF MN CITIES INSURANCE TRUST	24,622.00
V0078--XCEL ENERGY	17.44
V0090--CENTERPOINT ENERGY-UTILITY	499.47
V0138--RMB ENVIRONMENTAL LABORATORIES INC	201.00
V0195--STANTEC CONSULTING SERVICES INC	2,436.00
V0195--STANTEC CONSULTING SERVICES INC	15,386.87
V0195--STANTEC CONSULTING SERVICES INC	13,273.00
V0195--STANTEC CONSULTING SERVICES INC	873.50
V0221--ABDO LLP	3,327.50
V0237--EMMONS AND OLIVIER RESOURCES INC	7,414.50
V0249--PLAUDIT DESIGN	450.00
V0276--ULINE	4,658.30
V0281--UNIVERSITY OF MINNESOTA FOUNDATION	10,000.00
V0282--ASSN OF MN COUNTIES	195.00
V0283--MERJENT INC.	1,060.00
<b>Grand total</b>	<b>86,952.08</b>

*The following Permit Item was moved to the Consent Agenda by motion:*

**9. County Road 132/Evergreen Blvd Roundabout**

The purpose of this project, located at County Road 132 and the intersection of Evergreen Blvd in Coon Rapids/Fridley, is to construct a roundabout and construction and reclamation of County Road 132.

Staff recommendation was to approve permit application number P-23-064 with 2 conditions and 2 stipulations as presented in the staff report:

**Conditions to be Met Before Permit Issuance:**

Rule 2.7 – Procedural Requirements

1. Submittal of a performance escrow in the amount of \$4,075.00.

Rule 4.0 – Soils and Erosion Control

2. Update the erosion and sediment control plan to include a note to stabilize soils and soil stockpiles within 24 hours of inactivity.

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

1. Submittal of grading as-builts for the project to confirm adequate floodplain compensatory storage has been provided.
2. The applicant must apply for coverage under the Minnesota Pollution Control Agency's (MPCA's) Construction Stormwater Permit (Permit No: MNR100001).

**PERMIT ITEMS**

**8. Suite Living Coon Rapids**

The purpose of this project, located at the NE corner of 96th Ave and Norway St, south of Coon Rapids Blvd, 600 Coon Rapids Blvd NW, Coon Rapids, is to construct a new assisted living facility with parking and associated stormwater treatment features.

Staff recommendation was to approve permit application number P-23-076 with 4 conditions and 4 stipulations as presented in the staff report:

**Conditions to be Met Before Permit Issuance:**

Rule 2.7 – Procedural Requirements

1. Submittal of a performance escrow in the amount of \$3,300.00.

Rule 3.0 – Stormwater Management

2. Provide proof of recording of a fully executed Operations and Maintenance Agreement for the perpetual inspection and maintenance of all proposed stormwater management practices after review and approval by the District.

Rule 4.0 – Soils and Erosion Control

3. Update the erosion and sediment control plan to include a note to stabilize soils and soil stockpiles within 24 hours of inactivity.

Rule 5.0 – Wetlands

4. Submittal of Wetland Bank Credit Withdrawal Verification.

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

1. The applicant must apply for coverage under the Minnesota Pollution Control Agency's

- (MPCA's) Construction Stormwater Permit (Permit No: MNR100001).
2. Submittal of as-builts for the stormwater management practices and associated structures listed in Tables 2 and 3, including volume, critical elevations and proof of installation for hydrodynamic separators.
  3. Notify the District when construction of Underground Filtration System is beginning. District staff or a District engineer must be on site to witness construction of the underground system.
  4. 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.

Maintenance and filtration rates were discussed.

Board Member McCullough moved to approve permit application number P-23-076 with 4 conditions and 4 stipulations. As stated in the Application Review Report. Seconded by Board Member Hafner. The motion carried with 4 yeas (Board Members Lind, Campbell, McCullough, and Hafner) and no nays.

Board Member Lind moved to Approve the Consent Agenda Items. Seconded by Board Member Campbell. The motion carried with 4 yeas (Board Members Lind, Campbell, McCullough, and Hafner) and no nays.

## **DISCUSSION ITEMS**

### **10. Ditch 58 Inspection Report**

Mr. Hilst presented his findings regarding inspection results for the Ditch 58 system.

Board Member Cambell moved to receive the Ditch 58 Inspection report. Seconded by Board Member McCullough. The motion carried with 4 yeas (Board Members Lind, Campbell, McCullough, and Hafner) and no nays.

## **INFORMATIONAL ITEMS**

### **11. ACD Taxing Authority Legislation**

This article outlines statutory funding authority. Anoka Conservation District is seeking its own taxing authority.

### **12. MAWD Legislative Briefing**

The Board packet included the agenda for the March 6<sup>th</sup>, 2024, Minnesota Watersheds legislative day at the Minnesota capital.

## **ADJOURN**

Board Member McCullough moved to adjourn at 6:09 p.m. Seconded by Board Member Campbell. Motion carried with 4 yeas (Board Members Lind, Campbell, McCullough, and Hafner) and no nays.

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## **ADJOURN**

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President

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

**MEETING DATE:** March 11, 2024  
**AGENDA NUMBER:** 6  
**ITEM:** Administrator’s Report

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**AGENDA:** Consent

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**REQUESTED ACTION:**

Receive report.

**ADMINISTRATOR’S EVALUATION**

**Upcoming Board Considerations**

- Public Hearing on Comprehensive Plan and Comments
- Permit Review Fee structure and amounts.

**District Capacity and Capability**

The District possesses the required resources and is mostly trained to undertake most of its legislative mission for which it is organized or designed.

The District can accomplish most required tasks to standard under most conditions.

**OPERATING ENVIRONMENT**

**Legislature:** convened February 12. Minnesota Watersheds Legislative Priorities are:

- Drainage Work Group, Outlet Adequacy, Public Notice, and Board of Water and Soil Resources (BWSR) Report to the Legislature
- Support Limited Liability Protections to Certified Commercial Salt Applicators
- Modernization of Watershed Law – M.S. Chapter 103D
- Support 2024 Bonding Requests and Stable Funding for Multipurpose Flood Mitigation and Water Storage Projects
- Streamline the Flood Hazard Mitigation Program
- Support Legislation regarding Minnesota Department of Natural Resources (DNR) Regulatory Authority over Public Drainage Maintenance and Repairs

**Rule Making:**

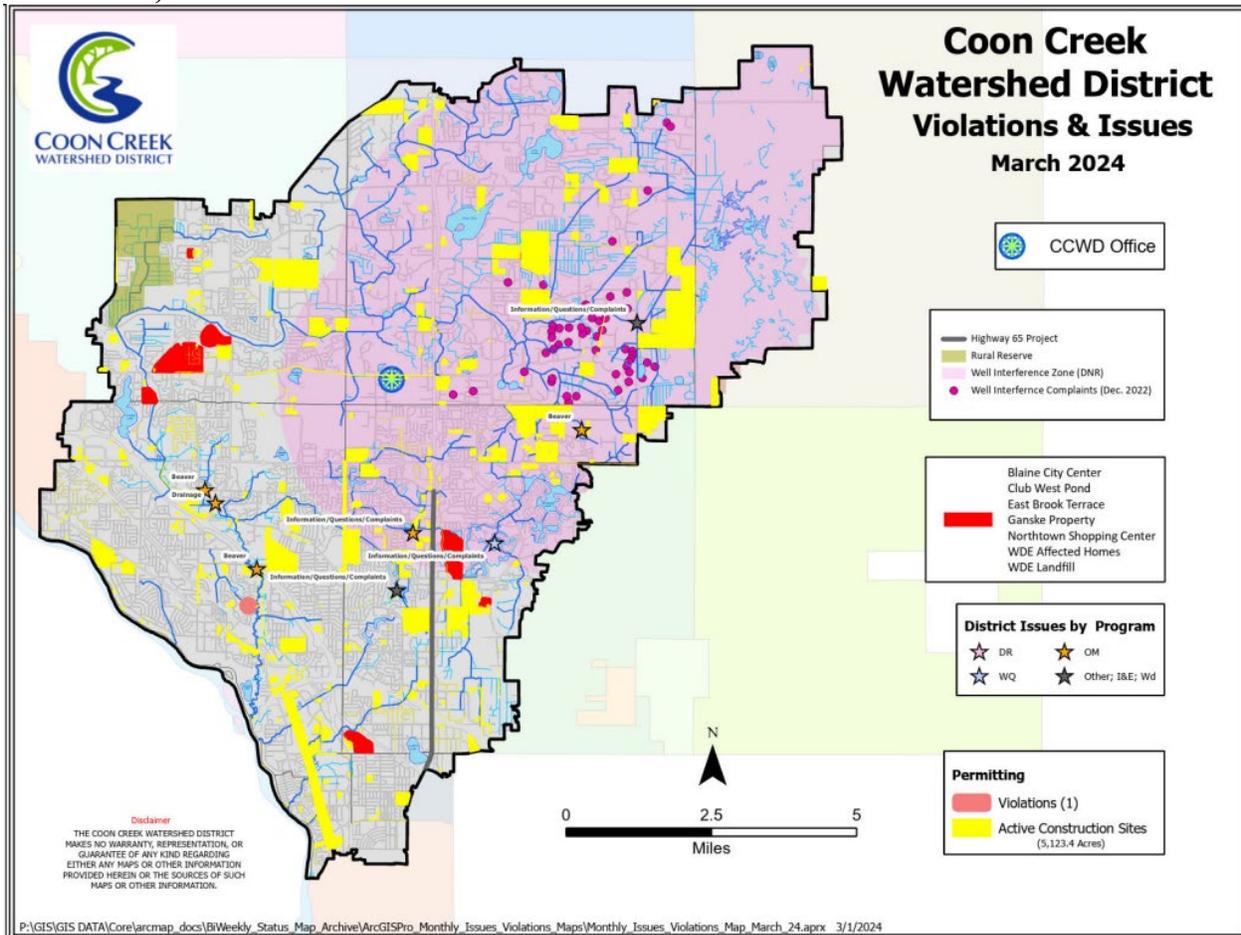
- Minnesota Pollution Control Agency (MPCA): Lake Water Quality standards – Considering the application of Tiered Aquatic Life Use (TALU) standards.
- PFAS Products Fee and Reporting
- MN Plumbing Board and Stormwater Surcharge

# CURRENT MANAGEMENT SITUATION

The District averaged 0.7 inches of precipitation in the month of February. That leaves the District 0.1 inches or 13% below for the month and 2.03 inches or 70% below for the year.

After 9 weeks of Abnormally Dry conditions, the District is now considered to be in Moderate drought. Streams and ditches are low or on the low end of normal and have plenty of storage. There is no snowpack, frost depths are minimal, and soil moisture is moderate to low. Due to these conditions, springtime flood risk is below average and mostly dependent on individual weather events.

## Problems, Issues and Concerns





## **Special Projects**

### **Anoka County Transition:**

**Accounting:** Transfer of accounting data from Anoka county complete. Final checking and debugging continue. Current issue is timing of reports and how that timing affects regular and orderly reporting to the Board of Managers

### **Comp Plan Review:**

- Review of Comp Plan Completed. Summary provide in meeting.

**TH 65:** No update.

## **MANAGEMENT DISPOSITION**

### **Financial Position:**

March started with an operational fund balance of \$1,388,542.

Balance of the escrow trust fund is \$1,928,468.

Two months into the 2024 fiscal year, the budget variance is \$904,228.75 less than planned.

### **Equipment and Facilities:**

All equipment is in good working condition.

### **Staffing:**

- **Health:** The overall health of staff is good.
- **Personnel Manual:** Rewrite of the personnel manual has started as prep for the major revisions coming in 2025 following complete separation from the County.
- **Staff Availability:**
  - Over the month of January, the District staffing we will be at 91%
- **Vacancies/New Hires**
  - No vacancies.
  - Have hired two student interns to focus on permitting and water quality.

### **Sustaining Effort:**

- **Recruitment:** Student worker position advertised. Have one hired; she will start in May of 2024. One additional intern/student worker position is currently vacant.
- **Succession Planning:** Development of the Succession Plan continues.

### **Training**

- **NPDES Review:** Select staff completed general training on the Federal and State National Pollutant Discharge Elimination System program.
- **Wetland Conservation Act (WCA) Administration:** Select staff attended WCA administration training.

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

**MEETING DATE:** March 11, 2024  
**AGENDA NUMBER:** 7  
**ITEM:** Advisory Committees Report

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**AGENDA:** Consent

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**ACTION REQUESTED**

Receive Report

**BACKGROUND**

The Citizen Advisory Committee (CAC) did not meet in February. The Technical Advisory Committee (TAC) met in a hybrid format on February 8<sup>th</sup>.

- The next CAC meeting scheduled: March 13th at 4:30pm hybrid with Zoom.
- The next TAC meeting scheduled: March 14th at 8:30am hybrid with Zoom.

**ISSUES/CONCERNS**

**Citizen Advisory Committee (CAC)**

The CAC did not meet in February.

**Technical Advisory Committee (TAC)**

The majority of the TAC members were present; absent were Columbus and Spring Lake Park.

1. Management Situation:

Jon Janke provided the TAC with a brief update on recent weather and hydrology. There was a general discussion about pavement temps, frost depth, and road restrictions.

2. Briefs:

CCWD Staff provided summaries of the January 30<sup>th</sup> MS4 Compliance Workshop and the review process of the Draft Comprehensive Plan.

Erik Bye expanded on the requirements outlined in the Comprehensive Plan related to Local Water Plans. Given that many of the existing Local Water Plans were recently updated, and are not due to be updated until 2028, CCWD is not looking to require updates in the interim. Instead, CCWD is looking to have municipalities adopt narratives that include 1) statement of intent to implement the CCWD Comp Plan and Subwatershed Plans and 2) explanation of how the “Joint Objectives” listed in section 5.1.4(3) will be addressed or achieved in the near term by the City.

There was discussion about the effort that would be required for municipalities to adopt the required narratives, how specific they would need to be, and the overall practicality of the goals in the Plan. Tim Kelly clarified that the District isn’t necessarily after a commitment to specific dollar amount, but rather a commitment to the goals and key issues.

3. Discussion:

Tim Kelly asked for thoughts on the value of interim goals and measures of effectiveness. There was discussion regarding the importance of data and how to articulate measures for the non-measurable activities such as planning and outreach.

4. Announcements:

Chris Lord shared that the Anoka Conservation District has been working with a lobbyist to bring forward a bill during the current legislative session that would provide the ACD with the ability to levy funding.

Kameron Kytonen shared that Andover held their annual SWPPP hearing which was attended by a couple members of the public thanks to pairing the hearing with a higher profile topic.

**RECOMMENDATION**

Receive Report

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

**MEETING DATE:** March 11, 2024  
**AGENDA NUMBER:** 8  
**ITEM:** Bills to Be Paid

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

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**REQUEST**  
Approve bills

**BACKGROUND**

Claims totaling \$46,109.13 on the following disbursement(s) list will be issued and released upon Board approval.

<b>Vendor</b>	<b>Amount</b>
V0008--US BANK	10,303.21
V0010--A1 FLOOR AND CARPET CARE INC	1,076.25
V0030--CONNEXUS ENERGY	239.17
V0054--MICHELLE J ULRICH PA	4,342.00
V0110--RESPEC COMPANY LLC	8,981.25
V0111--WELL GROOMED LAWNS INC	433.00
V0128--YTS COMPANIES LLC	11,812.50
V0128--YTS COMPANIES LLC	4,112.50
V0138--RMB ENVIRONMENTAL LABORATORIES INC	261.00
V0138--RMB ENVIRONMENTAL LABORATORIES INC	201.00
V0221--ABDO LLP	3,327.50
V0284--LASALLE INVESTEMENTS LLC	1,019.75
<b>Grand total</b>	<b>46,109.13</b>

Item 8: Bills to be Paid Page 2 of 2

Company name:	Coon Creek Watershed District											
Created on:	3/6/2024											
Vendor name	Bill number	Date	Fund name	Department name	Account	Capital Project ID	Grant ID	Transaction amount	Memo			
0324CCWD	A1 FLOORAND CARPET CAFE INC	0324CCWD	3/4/2024	General Fund	Administration	61105		1,076.25	Cleaning Mar 24			
<b>Sum for 0324CCWD</b>								<b>1,076.25</b>				
25203	WELL GROOMED LAWNS INC	25203	2/29/2024	General Fund	Administration	61250		433.00	Flowing Feb 24			
<b>Sum for 25203</b>								<b>433.00</b>				
33036	YTS COMPANIES LLC	33036	2/27/2024	General Fund	Operations & Maintenance	61549	PROJ24-421	2,537.50	24 NONROUTISS23-111 D54 FORESTRY			
	YTS COMPANIES LLC	33036	2/27/2024	General Fund	Operations & Maintenance	61549	PROJ24-421	3,325.00	24 NONROUTISS064			
	YTS COMPANIES LLC	33036	2/27/2024	General Fund	Operations & Maintenance	61549	PROJ24-421	5,950.00	24 NONROUTISS23-151 LOC FORESTRY			
<b>Sum for 33036</b>								<b>11,812.50</b>				
33049	YTS COMPANIES LLC	33049	2/28/2024	General Fund	Operations & Maintenance	61549	PROJ24-421	2,012.50	24 NONROUTISS D4 1 FORESTRY			
	YTS COMPANIES LLC	33049	2/28/2024	General Fund	Operations & Maintenance	61251	PROJ23-400	2,100.00	23 COD R&M SPB&KORK FORESTRY PAN 23-004			
<b>Sum for 33049</b>								<b>4,112.50</b>				
484610	ABDOLLP	484610	2/29/2024	General Fund	Administration	63052		3,327.50	Prof Services Feb 24			
<b>Sum for 484610</b>								<b>3,327.50</b>				
828846-253758 FEB24	CONNEXUS ENERGY	828846-253758 FEB24	2/26/2024	General Fund	Administration	62226		239.17	828846-253758 FEB24			
<b>Sum for 828846-253758 FEB24</b>								<b>239.17</b>				
B011992	RMB ENVIRONMENTAL LABORATORIES INC	B011992	2/27/2024	General Fund	Water Quality	61549	PROJ24-521	261.00	B011992 WINTER CHLORIDE MONITORING			
<b>Sum for B011992</b>								<b>261.00</b>				
B012048	RMB ENVIRONMENTAL LABORATORIES INC	B012048	3/4/2024	General Fund	Water Quality	61549	PROJ24-521	201.00	WO B012048 Winter Chloride Monitoring			
<b>Sum for B012048</b>								<b>201.00</b>				
<b>Charge payoffs - 231</b>												
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		1,107.20				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		81.04				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		166.38				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		276.66				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Watershed Development	20020		24.35				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		39.99				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		16.98				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		127.48				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		64.80				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		72.83				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		15.65				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		2,436.00				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		471.32				
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	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		1,006.76				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		149.99				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		29.09				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		184.77				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		-387.62				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Operations & Maintenance	20020		44.03				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Operations & Maintenance	20020		127.69				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Operations & Maintenance	20020		716.83				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Operations & Maintenance	20020		28.20				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Operations & Maintenance	20020		145.69				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Operations & Maintenance	20020		47.82				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Operations & Maintenance	20020		39.33				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Water Quality	20020		200.77				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Water Quality	20020		24.07				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Water Quality	20020		21.12				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Public & Governmental Affairs	20020		29.88				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Public & Governmental Affairs	20020		249.08				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Public & Governmental Affairs	20020		6.19				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		60.47				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		81.79				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		506.09				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		131.89				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		1,249.85				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		300.34				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		153.50				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		24.57				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		119.27				
	USBANK	Charge payoffs - 231	3/11/2024	General Fund	Administration	20020		44.82				
<b>Sum for Charge payoffs - 231</b>								<b>10,303.21</b>				
INV-0224-047	RESPEC COMPANY LLC	INV-0224-047	2/24/2024	General Fund	Administration	63010		8,981.25	GIS Services Feb 24			
<b>Sum for INV-0224-047</b>								<b>8,981.25</b>				
LEGAL FEB24	MICHELLE JULRICH PA	LEGAL FEB24	3/1/2024	General Fund	Administration	63453		4,342.00	LEGAL FEB24			
<b>Sum for LEGAL FEB24</b>								<b>4,342.00</b>				
PAN 18-186 OSBORNE GARAGE EXPANSION	LASALLE INVESTMENTS LLC	PAN 18-186 OSBORNE GARAGE EXPANSION	3/11/2024	Escrow Fund	Administration	24210		1,019.75	PAN 18-186 ESCROW REF OSBORNE GARAGE EXPANSION			
<b>Sum for PAN 18-186 OSBORNE GARAGE EXPANSION</b>								<b>1,019.75</b>				
<b>Sum Total</b>								<b>46,109.13</b>				

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

**MEETING DATE:** March 11, 2023  
**AGENDA NUMBER:** 09  
**ITEM:** Coon Rapids Dam Regional Park Trail Improvements

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**AGENDA:** Permit

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**BACKGROUND/DISCUSSION**

The purpose of this agenda item is for the Board to review, discuss, and consider approving Permit Application Number P-24-003 Coon Rapids Dam Regional Park Trail Improvements.

**RECOMMENDATION**

To approve Permit Application Number P-24-003 with 2 conditions and 4 stipulations, as stated in the Application Review Report dated 3/06/2024.

**ATTACHED**

Application Review Report for Permit Application Number P-24-003

**Permit Application Review Report**  
**Date: 3/6/2024**

Applicant/Landowner:

Anoka County Parks  
Attn: Danielle Sanborn  
550 Bunker Lake Blvd NW  
Andover, MN 55304

**Project Name:** Coon Rapids Dam Regional Park Trail Improvements

**Project PAN:** P-24-003

**Project Purpose:** bituminous trail resurfacing, removal, and replacement of a pedestrian bridge over Coon Creek near its confluence with the Mississippi River, bank stabilization and culvert replacement.

**Project Location:** The project is located at the southern end of the park along the Mississippi Regional Trail alignment with two crossings of Coon Creek, Coon Rapids Dam Regional Park, City of Coon Rapids

**Site Size:** size of parcel - 68.0 acres; size of disturbed area - 1.74 acres; size of regulated impervious surface - 0 acres

**Applicable District Rule(s):** Rule 2, Rule 4, Rule 5, Rule 6, Rule 7

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**Recommendation:** Approve with 2 Conditions and 4 Stipulations

**Conditions to be Met Before Permit Issuance:**

Rule 2.7 – Procedural Requirements

1. Submittal of a performance escrow in the amount of \$2,870.00.

Rule 5.0 – Wetlands

2. Submittal of Wetland Bank Credit Withdrawal Verification

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

1. Submittal of grading as-builts for the project to confirm adequate floodplain compensatory storage has been provided.
2. Submittal of as-builts for the culvert and bridge replacements within Lower Coon Creek.
3. The applicant must apply for coverage under the Minnesota Pollution Control Agency's (MPCA's) Construction Stormwater Permit (Permit No: MNR100001)
4. 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.

**Exhibits:**

Exhibit Type	Exhibit Author	Signature Date	Received Date
Impact Plans	TKDA		02/01/2024
Joint Application	Anoka County	01/25/2024	01/26/2024
Level 2 Wetland Delineation Report	WSB	09/26/2023	10/09/2023
Bridge Plans	TKDA	01/09/2024	02/01/2024
Culvert Replacement Plans	Stantec	01/30/2024	02/09/2024
Construction Plans	TKDA	01/25/2024	02/01/2024

**Findings**

**Description:** The project scope includes bituminous trail resurfacing, removal, and replacement of a pedestrian bridge over Coon Creek near its confluence with the Mississippi River, bank stabilization for a portion of Mississippi River upstream of the bridge, and riprap slope armoring around the proposed bridge abutments. The portion of the trail south of and adjacent to the south bank of Coon Creek that has experienced partial collapse will be reconstructed to the south of its existing location. The proposed project also includes removal of four 60” Reinforced Concrete Pipe culverts that carry the Coon Rapids Dam Regional Park trail over Coon Creek, and replacement with a precast bridge with a 29-foot span and 11’-2” rise. See attached Figure 1: Site Plan.

**Fees and Escrows (Rule 2.7):**

The applicant is a government agency and is therefore exempt from an application fee or a review and inspection fee deposit. The applicant will be required to submit a performance escrow in the amount of \$2,870.00. This corresponds to a base escrow of \$2,000, plus an additional \$500/acre of disturbance (1.74 acres of land disturbance proposed).

**Stormwater Management (Rule 3.0):**

The proposed project does not create a cumulative total of 10,000 sf or more of new or fully reconstructed impervious surface, or 5,000 sf or more of new or fully reconstructed impervious surface for non-residential or multifamily residential within one mile of and draining to an impaired water. The proposed project is not a public linear project where the sum of the new and fully reconstructed impervious surface is equal to one or more acres. Stormwater Management standards do not apply.

**Soils and Erosion Control (Rule 4.0)**

Rule 4.0 applies to the proposed project because it is a land disturbing activity that requires a permit under another District rule. The proposed project drains to Lower Coon Creek. The soils affected by the project include Alluvial and Becker and have a soil erodibility factor of 0.15 or greater. Disturbed areas are proposed to be stabilized within 24 hours, as required. The proposed erosion and sediment control plan includes sweeping, perimeter control, floating silt curtain, and riprap. The erosion control plan meets District Requirements. See attached Figure 2: Erosion & Sediment Control plan.

**Wetlands (Rule 5.0)**

Rule 5.0 applies to the proposed project because it includes activities which result in the filling, draining, excavating or other altering of the hydrology of a wetland. Wetlands were delineated under PAN W23-034. The boundary and type application was reviewed and approved. The Notice of Decision was issued on 11/13/2023.

The applicant submitted a joint application form requesting a Replacement Plan decision on 01/26/2024. The application was noticed to the TEP on 1/31/2024. Wetland impacts are proposed through fill in 1 location. The applicant has provided an alternatives analysis which discusses wetland impact avoidance, minimization, and mitigation. A wetland impact summary is outlined below.

Wetland ID	Impact Type (F/D/E)	Impacts (sf)	Impact Duration (T/P)	Replacement Ratio	Required Mitigation (sf)
Wetland 2A	Fill	3049.2	Permanent	2:1	6,098.4

**Table 6.**

Impact replacement will be mitigated through the purchase of wetland bank credits from bank 1722. Bank 1722 is within the required bank service area (BSA 7). The Notice of Decision is waiting on response from the DNR regarding Threatened and Endangered species and has not been issued as of the date of this report. See Attached Figure 3: Wetland Impacts.

**Floodplain (Rule 6.0)**

Rule 6.0 applies to the proposed project because it includes land disturbing activities the boundary of the 100-year flood elevation as mapped and modeled by the District.

The regulatory floodplain elevation ranges from 811.6 to 828.6 ft MSL. The application proposes the placement of 2,011 cubic yards of fill within the floodplain. Compensatory storage is required. The proposed project provides 2,014 cubic yards of compensatory storage, which exceeds the required 1:1 ratio and is within the relevant reach. See attached Figure 4: Floodplain Impacts.

**Drainage, Bridges, Culverts, and Utility Crossings (Rule 7.0)**

Rule 7.0 applies to the proposed project because it includes land disturbing activities which construct, improve, repair, or alter the hydraulic characteristics of a bridge profile control or culvert structure on a creek, public ditch, or major watercourse.

The regulated waterway is Coon Creek. The gradient of the waterway is proposed to be restored to a slope of 0.35% through the project area, which will not result in a velocity that will cause bank erosion. Modeling shows that the proposed bridge will result in lower flow velocities compared to existing conditions. The proposed culvert and bridge include vegetated Class III riprap on the shoulder and bank to minimize soil erosion.

The proposed ConSpan arch bridge provides greater hydraulic capacity than existing conditions to reduce high water level impacts upstream and to reduce the erosive velocities through the crossing. A modeling exercise and analysis was performed to verify that the proposed condition does not result in adverse impacts upstream or downstream. The proposed bridge enhances biota passage at the crossing. The existing culverts were perched, had high flow velocities, and no natural substrate within the culverts. The proposed bridge reduces flow velocities, matches the stream bankfull width, and provides a natural streambed through the crossing which allows for biota passage.

**Buffers (Rule 8.0)**

The proposed project does not include a land disturbing activity on land adjacent or directly contributing to a Public Water, Additional Waters, High or Outstanding Ecological Value Waters, a Public Ditch, or Impaired Waters/waters exceeding state water quality standards. Rule 8.0 does not apply.

**Variances (Rule 10.2)**

The proposed project is not requesting a variance from the District’s rules, regulations, and policies. Rule 10.2 does not apply.

P-24-003



2/26/2024

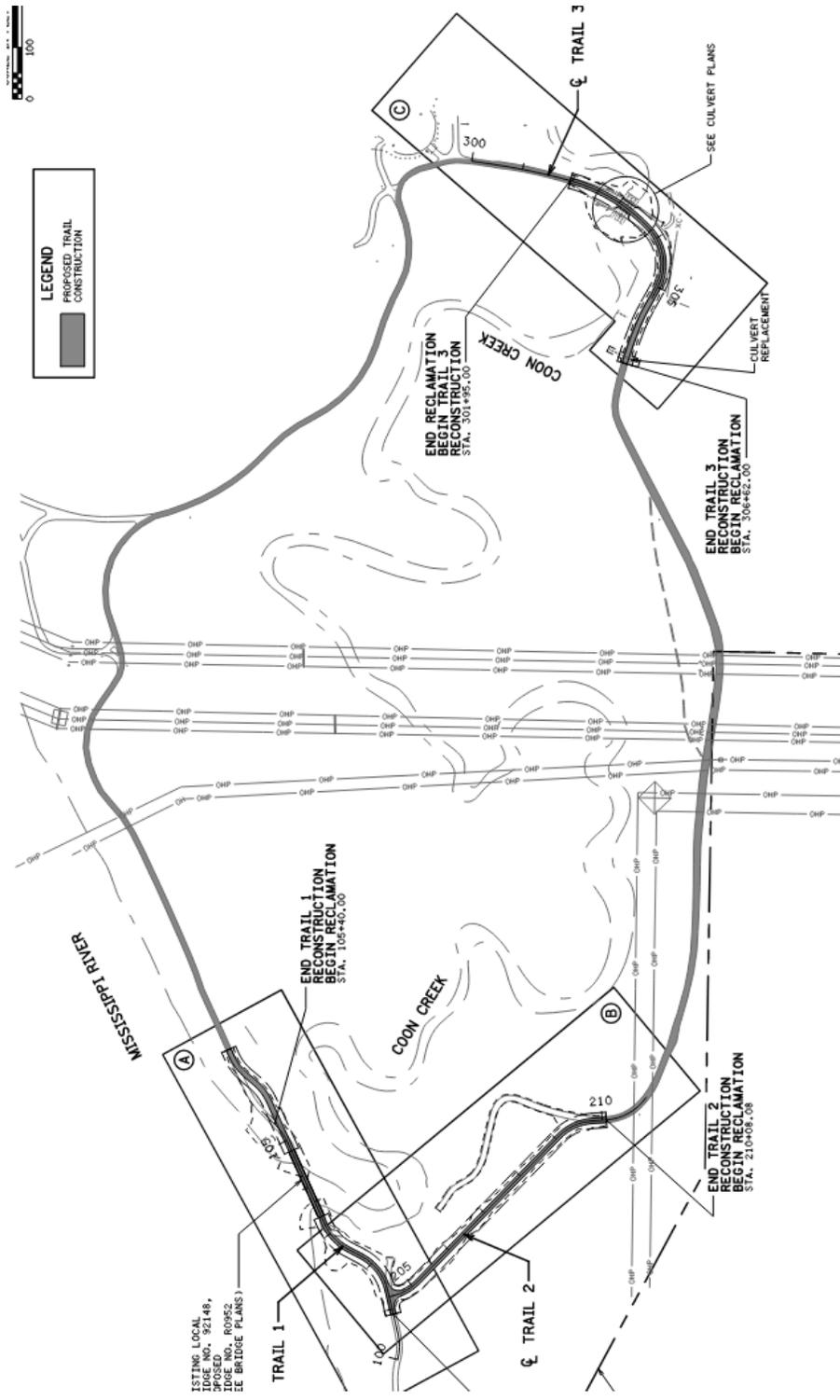


Figure 1: Site Plan

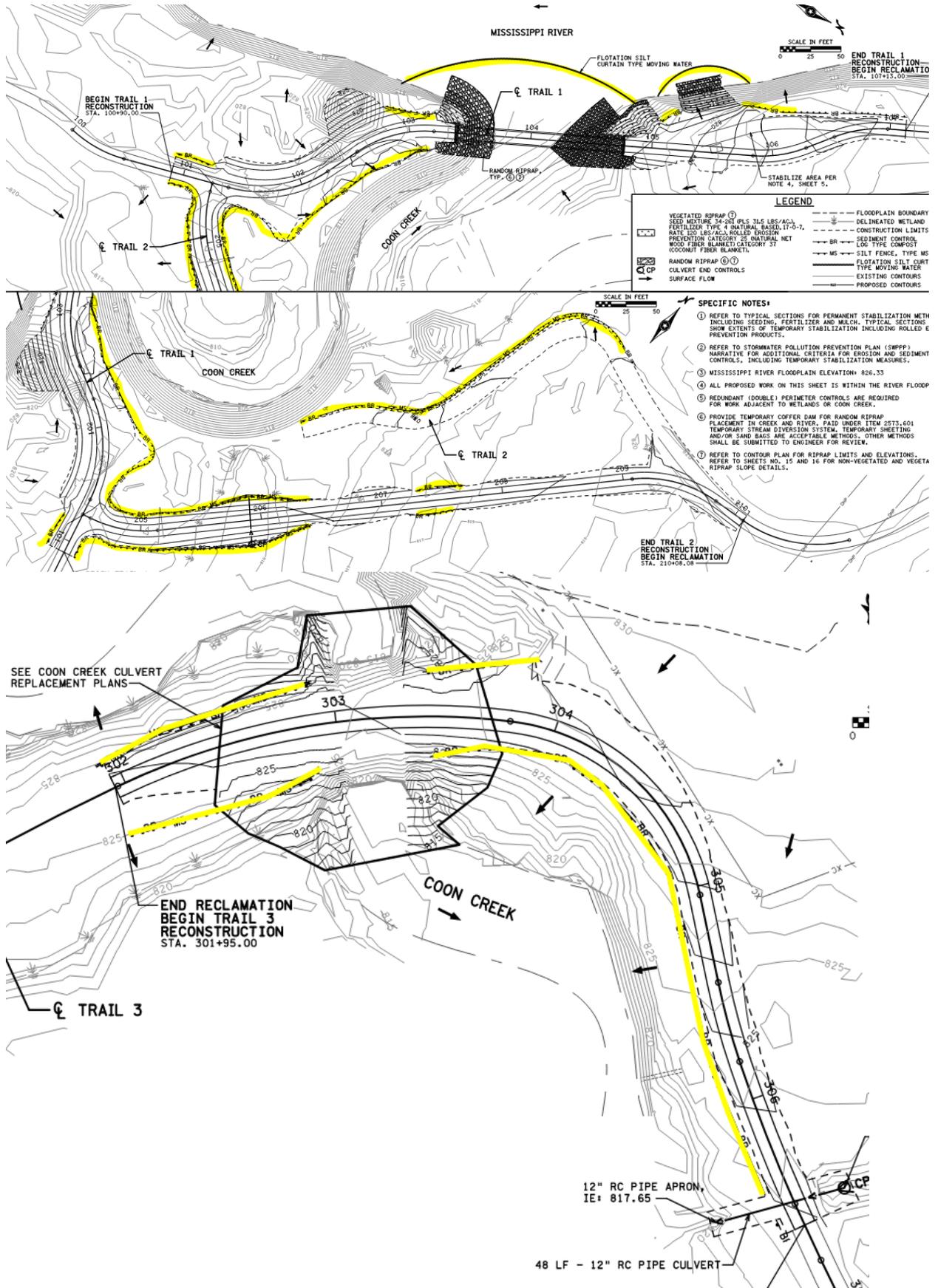


Figure 2: Erosion & Sediment Control Plan

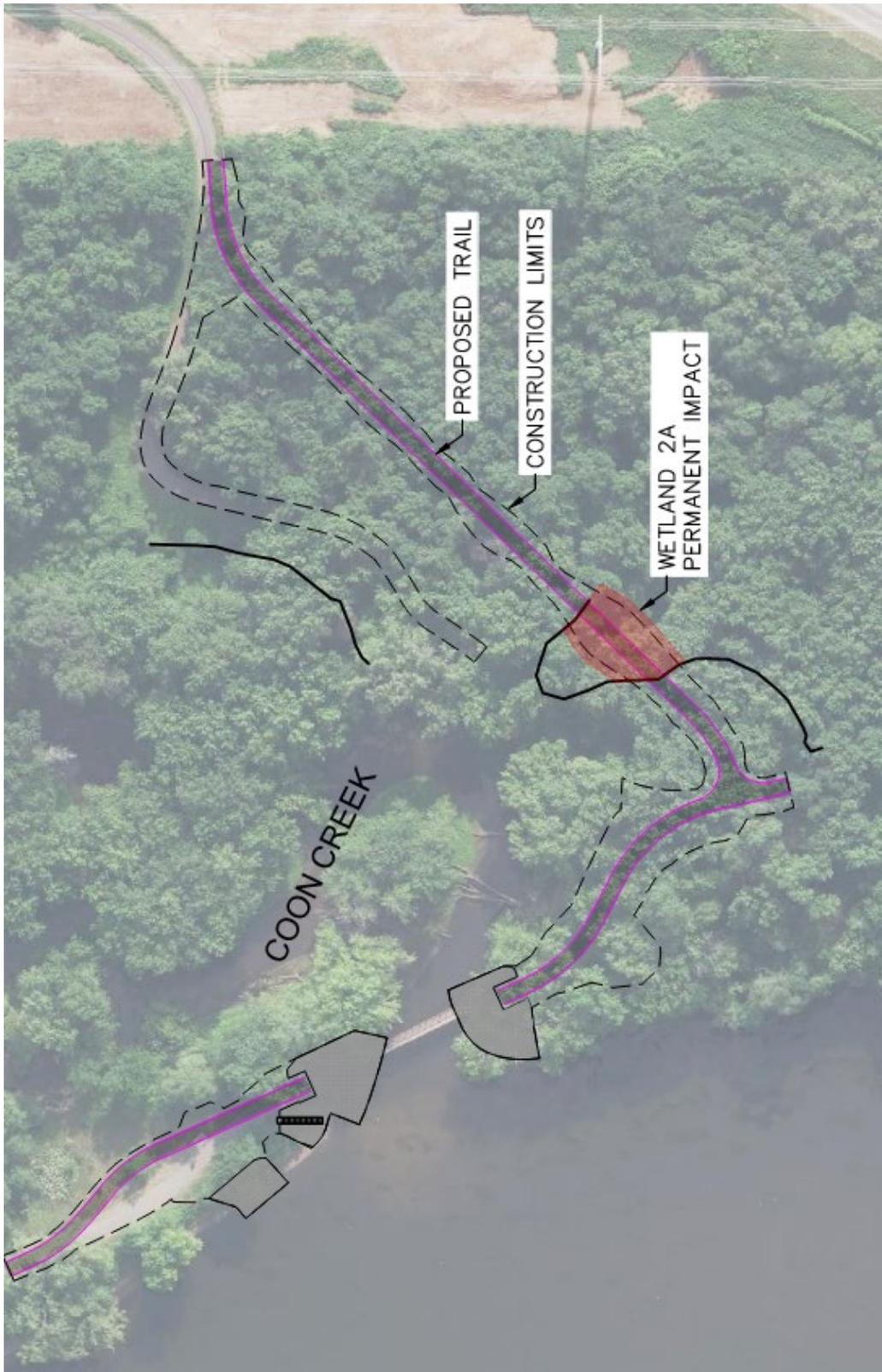


Figure 3: Wetland Impacts

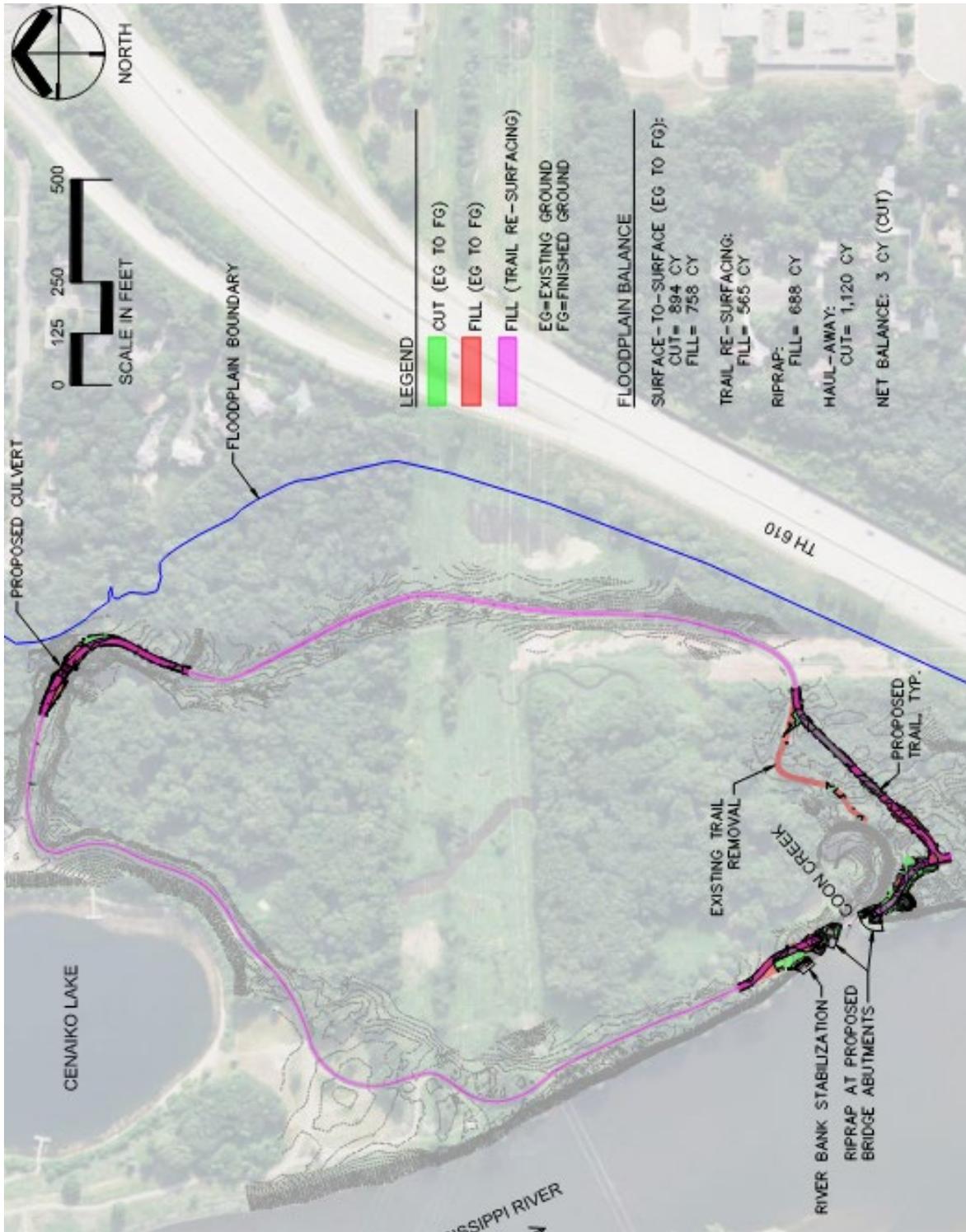


Figure 4: Floodplain Impact

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

**MEETING DATE:** March 11, 2023  
**AGENDA NUMBER:** 10  
**ITEM:** NSC Turf Field Grading - Interim

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**AGENDA:** Permit

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**BACKGROUND/DISCUSSION**

The purpose of this agenda item is for the Board to review, discuss, and consider approving Permit Application Number P-24-004 Turf Field and Campus Improvements.

**RECOMMENDATION**

To approve Permit Application Number P-24-004 with 2 conditions and 1 stipulation, as stated in the Application Review Report dated 03/07/2024.

**ATTACHED**

Application Review Report for Permit Application Number P-24-004

**Permit Application Review Report**  
**Date: 3/7/2024**

**Applicant/Landowner:**  
National Sports Center  
Attn: Neil Ladd  
1700 105th Ave NE  
Blaine, MN 55449

**Contact:**  
Bolton & Menk, Inc  
Attn: Tim Olson  
111 S Washington Ave #650  
Minneapolis, MN 22401

**Project Name:** NSC Turf Field Grading – Interim

**Project PAN:** P-24-004

**Project Purpose:** Grading of 10 athletic fields to prepare for installation of artificial turf. This interim application does NOT include the construction of impervious surface or grading of stormwater treatment practices.

**Project Location:** Numerous locations across National Sports Center Campus, 1700 105th Ave NE, Blaine

**Site Size:** size of parcel - 300 acres; size of disturbed area – 25.32 acres; size of regulated impervious surface - 0 acres

**Applicable District Rule(s):** Rule 2, Rule 4, Rule 6

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

**Conditions to be Met Before Permit Issuance:**

Rule 2.7 – Procedural Requirements

1. Submittal of performance escrow in the amount of \$14,660.00

Rule 4.0 – Soils and Erosion Control

2. Update the erosion and sediment control plan to include a note to stabilize soils and soil stockpiles within 24 hours of inactivity.

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

1. The applicant must apply for coverage under the Minnesota Pollution Control Agency's (MPCA's) Construction Stormwater Permit (Permit No: MNR100001)

**Exhibits:**

Exhibit Type	Exhibit Author	Signature Date	Received Date
Project Narrative	Bolton & Menk	1/31/2024	2/15/2024
Construction Plan Set	Bolton & Menk	2/1/2024	2/15/2024

**Findings**

**Description:** The project proposed the grading of 10 athletic fields to prepare for installation of

artificial turf. This interim application does NOT include the construction of impervious surface or grading of stormwater treatment practices. The project will disturb 25.32 acres and drains to County Ditch 41. See attached Figure 1: Project Location and Figure 2: Site Plan.

**Fees and Escrows (Rule 2.7):** The applicant has submitted a \$4,810.00 application fee and deposit which corresponds with the nonrefundable application fee (\$10), base fee for a Commercial/Industrial Development project of 300 acres (\$4,500.00), and addition to base fee (\$300.00). The applicant will be required to submit a performance escrow in the amount of \$14,660.00. This corresponds to a base escrow of \$2,000, plus an additional \$500/acre of disturbance (25.32 acres of land disturbance proposed).

**Stormwater Management (Rule 3.0):** The interim grading portion of the proposed project does not create a cumulative total of 10,000 sf or more of new or fully reconstructed impervious surface, or 5,000 sf or more of new or fully reconstructed impervious surface for non-residential or multifamily residential within one mile of and draining to an impaired water. The proposed project is not a public linear project where the sum of the new and fully reconstructed impervious surface is equal to one or more acres. Stormwater Management standards do not apply.

**Soils and Erosion Control (Rule 4.0)**

Rule 4.0 applies to the proposed project because it includes land disturbing activities of 1 acre or more.

The proposed project drains to Ditch 41. The soils affected by the project include Rifle and Lino. Lino has a soil erodibility factor of 0.15 or greater. Disturbed areas are not proposed to be stabilized within 24 hours, as required. The proposed erosion and sediment control plan includes perimeter control, inlet protection, and vehicle washing. The erosion control plan does not meet District Requirements because soils and soil stockpiles are not proposed to be stabilized within 24 hours of inactivity. See attached Figure 3: Erosion & Sediment Control Plan.

**Wetlands (Rule 5.0)**

The proposed project does not include activities which result in the filling, draining, excavating, or otherwise altering the hydrology of a wetland. Rule 5.0 does not apply.

**Floodplain (Rule 6.0)**

Rule 6.0 applies to the proposed project because it includes land disturbing activities within the floodplain as mapped and modeled by the District.

The interim grading portion of the proposed project does not propose any net fill within the floodplain.

**Drainage, Bridges, Culverts, and Utility Crossings (Rule 7.0)**

The proposed project does not include land disturbing activities which construct, improve, repair, or alter the hydraulic characteristics of a bridge profile control or culvert structure on a creek, public ditch, or major watercourse. The proposed project does not include land disturbing activities which involve a pipeline or utility crossing of a creek, public ditch, or major watercourse.

The proposed project does not include land disturbing activities which construct, improve, repair or alter the hydraulic characteristics of a conveyance system that extends across two or more parcels of record not under common ownership and has a drainage area of 200 acres or greater. Rule 7.0 does not apply.

**Buffers (Rule 8.0)**

The proposed project does not include a land disturbing activity on land adjacent or directly contributing to a Public Water, Additional Waters, High or Outstanding Ecological Value Waters, a Public Ditch, or Impaired Waters/waters exceeding state water quality standards. Rule 8.0 does not apply.

**Variances (Rule 10.2)**

The proposed project does not request a variance from the District's rules, regulations, and policies.

Rule 10.2 does not apply.

P24-004



Figure 1: Project Location

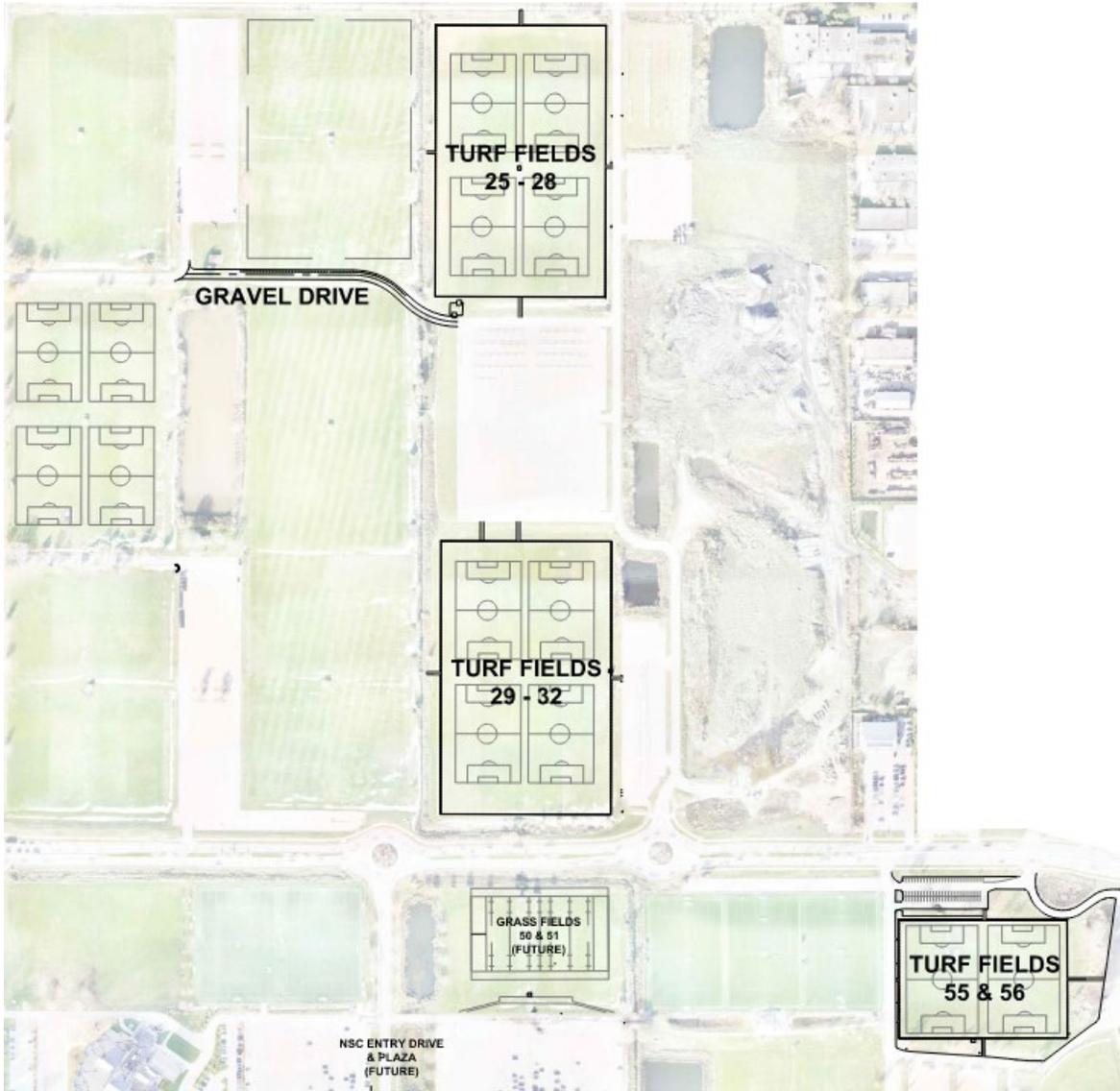


Figure 2: Site Plan



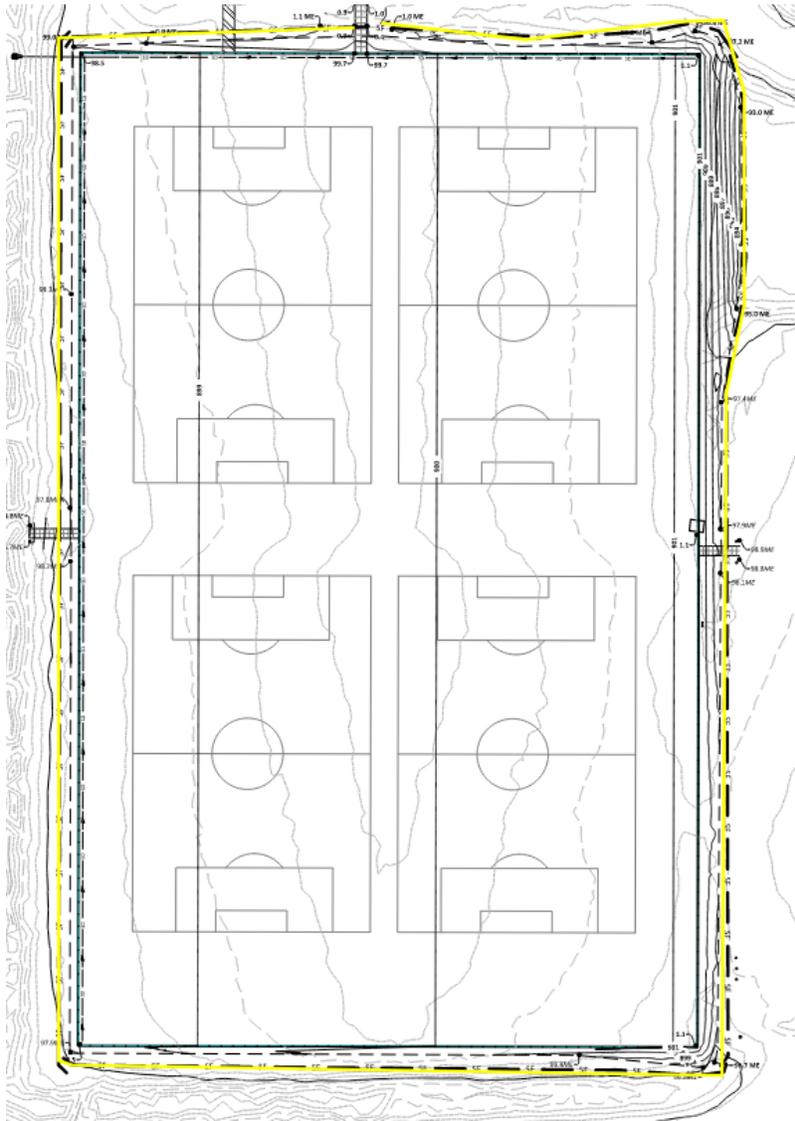


Figure 3: Erosion & Sediment Control Plans (3)

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

**MEETING DATE:** March 11, 2023  
**AGENDA NUMBER:** 11  
**ITEM:** Draft 2024 Comprehensive Mgmt. Plan Public Comment Summary

**AGENDA:** Discussion

**ACTION REQUESTED**

Receive presentation of the Draft Comprehensive Plan Public Comment Summary.

**PURPOSE & SCOPE OF ITEM**

To summarize the public comments received on the District’s Draft 2024 Comprehensive Plan (Plan). The summary also discusses implications for the District and the tasks and next steps for staff to get the Plan approved and adopted.

**BACKGROUND**

The Draft Plan was released for public comment on December 21, 2023. The public comment period ended on February 23, 2024. The District received 298 public comments from nine state and local agencies. The District also received informal comments from staff and one Citizens Advisory Committee (CAC) member. The District must now respond to the public comments and update the Draft Plan, as necessary, before holding a public hearing on the comment responses and submitting the Plan to Board of Water and Soil Resources (BWSR) for final approval.

**ISSUES/CONCERNS**

Responding to comments and updating the Draft Plan will take a significant amount of staff time over the next few months.

The District intends to have the Plan approved and adopted by November 2024 to be eligible for certain Board of Water and Soil Resources (BWSR) grants that are upcoming.

**IMPLICATIONS FOR RESOURCE/ORGANIZATION**

Staff are in the process of reviewing the public comments and evaluating what updates to the Draft Plan will be necessary, so the implications for the resource are not well understood yet. Significant staff time will be required to respond to comments and update the Draft Plan. The required tasks for staff to prepare the Plan for final BWSR review are as follows along with the approximate timeline.

<b>Required Staff Tasks</b>	<b>Estimated Timeline</b>
Respond to public comments	March 2024 – July 2024
Make updates to draft Plan	March 2024 – July 2024
Hold public hearing	July 2024
Submit final Plan to BWSR for review	August 2024

## **CONCLUSIONS**

The District received 298 public comments from nine state and local agencies on the Draft Plan. Staff are working to address comments and make necessary updates to the Draft Plan to prepare for the final submittal to BWSR for review. The timeline to prepare the Draft Plan for final review is being driven primarily by BWSR grant eligibility requirements.

## **QUESTIONS**

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

**MEETING DATE:** March 11, 2023  
**AGENDA NUMBER:** 13  
**ITEM:** Results of Street Sweeping Study

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**AGENDA:** Discussion

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**ACTION REQUESTED**

Receive presentation summarizing the results of street sweeping study

**PURPOSE & SCOPE OF ITEM**

To summarize the results of the Districtwide street sweeping study and implications for the District and partners.

**BACKGROUND**

In 2006, four District streams were listed as impaired for not meeting Clean Water Act standards supportive of Aquatic Life due to a variety of pollutants and stressors including excess total suspended sediment (TSS) and total phosphorus (TP).

In 2016, the [Coon Creek Watershed District TMDL study](#) established required pollutant loading targets (aka Wasteload Allocations or WLAs) for each impaired District stream; joint responsibility for achieving reductions is shared among all MS4s draining to each receiving water.

In November 2020, a new 5-year [NPDES MS4 general permit](#) was issued requiring all MS4s to complete annual compliance tracking for all TSS and TP WLAs. The District agreed to lead compliance tracking efforts for the shared categorical WLAs. All water quality improvement practices implemented since the TMDL baseline year (2009-2012 depending on receiving water) are eligible for compliance credits, including any quantifiable changes to street sweeping programs.

In 2021, MPCA launched a [Street Sweeping Phosphorus Credit Calculator](#). Water quality credits for phosphorus are available, but the range of eligible credits is highly variable depending on sweeping methods and record-keeping practices. A need was identified to compile historical sweeping records, determine eligible credits for each receiving water, and explore opportunities for enhanced sweeping activities.

At the September 13, 2021 Board meeting, the Board approved the 2022 budget including \$60,000 for the implementation of a Districtwide street sweeping crediting study.

In May 2022, the District established a street sweeping workgroup consisting of Staff and at least 1 representative from each city (Andover, Blaine, Coon Rapids, Ham Lake, Fridley, and Spring Lake Park), Anoka County Highway Department, MN Department of

Transportation, and the Anoka Conservation District. The workgroup developed an RFP for a Districtwide study that was released in June 2022. The leading proposal came back significantly over budget, but also included an expanded project scope with additional desirable deliverables. The Coon Creek Watershed Planning Area members voted to cover the difference (\$67,300) using Clean Water Fund Watershed Based Implementation Grant Funds.

On August 22, 2022 the Board awarded a contract to Emmons & Olivier Resources, Inc. (EOR) to conduct a two-part street sweeping crediting and cost-benefit analysis study.

The study commenced in late 2022 with the first phase completed in June 2023 and the second phase completed in March 2024. A summary of findings will be presented via PowerPoint and is available upon request.

### **ISSUES/CONCERNS**

Street sweeping activities implemented by MS4s within the District remove an estimated 4,000–4,900 pounds of phosphorus annually from roadways within the District. Increased sweeping efforts since the TMDL baseline years (2009-2012) accounts for roughly 5.6% of needed TP reductions for all impaired streams combined. If the current level of sweeping is not maintained, alternative stormwater best management practices would be needed to make up this difference. For reference, a typical rain garden removes approximately 1 lb of TP per year. Increasing or optimizing street sweeping efforts has the potential to achieve a significant portion of required pollutant reductions.

There are two options for inputting data into the MPCA’s Street Sweeping Phosphorus Credit Calculator (miles swept or mass) which yield highly variable results (>100x). Improving data collection and record-keeping methods are important to earn eligible pollutant reduction credits, but sweeping efforts need to be increased or optimized for water quality benefits to be realized.

There are a variety of constraints to increasing or optimizing sweeping efforts including operation and disposal costs, equipment and staffing capacity, and timing variability and conflicts.

### **IMPLICATIONS FOR RESOURCE/ORGANIZATION**

Street sweeping is an impactful and cost-effective best management practice for reducing stormwater pollution, but there are challenges and constraints associated with maintaining and increasing sweeping effort within the District. The District can play an important role in providing recommendations to optimize sweeping for water quality benefits and incentivizing enhanced sweeping activities.

### **CONCLUSIONS**

Implementing enhanced street sweeping within the District is worth pursuing, but difficult to coordinate given mismatch of watershed boundaries with municipal boundaries and unique challenges faced by each MS4. The District can support cities by

providing technical assistance, fostering buy-in from decision makers, and supplementing funding with District or external cost share grants.

**QUESTIONS**

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

**MEETING DATE:** March 11, 2024  
**AGENDA NUMBER:** 14  
**ITEM:** Watershed Partner of the Year Award

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**AGENDA:** Discussion

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**ACTION REQUESTED** Receive CCWD 2023 Partner of the Year Award nomination.

**BACKGROUND**

The CCWD initiated a pilot Partner of the Year Award program in 2021 to increase awareness of and recognize outstanding leadership amongst our partner organizations/individuals, to promote public relations in our community, and to promote public service through positive role modeling.

Award nominees are generated from senior staff members and voted upon.

The 2021 Award was presented to Mark Hansen, City Engineer of Coon Rapids, at a city council meeting for his outstanding level of public service to his community and as a CCWD partner.

The 2022 Award went to local developer, Jeff Stalberger, for his excellence in communications and compliance with CCWD Rules and Erosion and Sediment Control thereby reducing staff time on inspections and follow up, as well as protecting our water resources.

**ISSUES/CONCERNS**

Selection criteria include:

- Initiative undertaken by the individual
- Evidence of high degree of customer service
- Feedback and responses received from the individual
- Advancing the work of CCWD along with their own organization
- Projects developed and implemented in partnership with CCWD.

The 2023 Partner of the Year Award nominee is Rachel Workin, City of Fridley Environmental Planner, for consistently going above and beyond in multiple program areas of the CCWD.

Examples:

- Rachel incorporates water quality improvement elements into municipal projects including road reconstruction, park rehabilitation, and BMP maintenance work. Given its fully developed nature, Rachel keeps the City of Fridley at the forefront of recognizing the importance to deliberately pursue water quality improvements that exceed required redevelopment standards.
- In the first 5 years of the CCWD Water Quality Cost Share Program, Rachel has submitted 4 applications resulting in a 100% success rate totaling \$209,794 in awarded cost share funds for the City of Fridley.

- Rachel consistently includes CCWD in outreach events, education opportunities, and volunteer engagement opportunities.
- She served on our interview panel for our 2022 Engagement Specialist.
- She excels in keeping communication channels open with relevant staff members regarding a variety of topics from providing insightful comments for CCWD Rules, to updates on the Mississippi River Critical Corridor Area in Fridley, to partnering on informational materials that address issues between neighbors that impact water quality.

Rachel's work shows impeccable attention to detail, thoroughness, and creativity. She is the type of person who when faced with a problem always takes the next step to identify various solutions to keep momentum moving. She does this in a professional, collaborative manner, always willing to help.

**CONCLUSION** Rachel Workin, City of Fridley Environmental Planner satisfies all criteria for the CCWD Partner of the Year award.



# MINNESOTA WATERSHEDS

*Connecting People. Protecting Water.*

## 2024 Top Legislative Priorities Talking Points

### DRAINAGE WORK GROUP, OUTLET ADEQUACY, PUBLIC NOTICE, AND BWSR REPORT TO THE LEGISLATURE

- **Drainage Work Group (DWG)**. Minnesota Watersheds supports the DWG process to work cooperatively with drainage stakeholders and state agencies to address state policy issues related to drainage. The DWG works on a consensus basis.
- **DWG Accomplishments**. Much was accomplished at the DWG in response to the legislative mandate from the 2023 legislative session and the DWG intends to continue that work in 2024. There was consensus or near consensus on several items, but they were not moved forward due to some members wishing to wait until all issues are resolved.
- **Outlet Adequacy**. A DWG technical work group met to evaluate and provide recommendations to the full DWG on outlet adequacy. The work groups' report was finalized in early December 2023. The legislative directive for a report to the legislature on February 1 did not allow ample time for the DWG to consider this complicated issue. More work is needed to develop legislative recommendations.
- **Public Notice**. A DWG subcommittee was formed to review public notice for drainage projects, including a portal. Through three meetings there was agreement on a notice proposal that provided for a broader, earlier, easier to access public notice on drainage projects than is currently available. Those were the core issues the registry portal proponents wanted to see addressed. The remaining issue on the table was to establish a timeframe for DNR review of preliminary engineering reports. The subcommittee was not able to resolve that issue because some subcommittee members refused to meet and walked away from deliberations.
- **Board of Water and Soil Resources (BWSR) Report to the Legislature (Report)**. A BWSR board member of the DWG questioned the practicality of restricting the work product to only items with full consensus in the BWSR Report.
  - The Department of Natural Resources (DNR) voted no on the Report, saying they valued the work of the DWG, but the report lacked recommendations.
    - The DNR participated in the DWG and never formally offered changes or additions.
    - The DWG clearly stated next steps and continued work plans for numerous items, some of which is among the general text of the report, and some were not included or adequately explained.
  - Those who walked away from notice discussion stated that the proposal no longer met their needs, although all their critical components were addressed in the proposal being discussed.
    - They believed positions were adopted by Minnesota Watersheds and the Minnesota Corn Growers Association that prevented agreements from being reached, which was proven false.
    - However, they are currently advocating for the proposal to be implemented without finalizing the details or providing legislative direction.

### SUPPORT LIMITED LIABILITY PROTECTIONS TO CERTIFIED COMMERCIAL SALT APPLICATORS

- There is no easy way to remove chloride from our lakes, rivers, and wetlands once it gets there. It is a permanent pollutant. Prevention is our best and really our only option for limiting the negative impacts of excess chlorides in our waters.
- This pollutant comes from several sources, but one easily reduced source is applicators' overapplication of salt,

which they do hoping to reduce their risk of slip and fall lawsuits.

- With proper training and limited liability protections for those who are certified by the Minnesota Pollution Control Agency in effective practices that utilize less salt, we believe a difference can be made.

### **MODERNIZATION OF WATERSHED LAW – M.S. CHAPTER 103D**

- Minn. Stat. § 103D has had very few revisions since it was enacted in 1955.
- The proposed housekeeping revisions intend to clarify ambiguities, resolve conflicts, modernize language, and improve procedures.

### **SUPPORT 2024 BONDING REQUESTS AND STABLE FUNDING FOR MULTIPURPOSE FLOOD MITIGATION AND WATER STORAGE PROJECTS**

- According to DNR data, as of January 2024, current statewide Flood Hazard Mitigation Program (FHMP) funding needs are over \$130 million. Every \$1 invested in flood hazard mitigation saves \$6 according to the National Institute of Building Sciences (Source – FEMA: <https://www.nibs.org/reports/natural-hazard-mitigation-saves-2019-report>)
- Inconsistent and inadequate FHMP funding affects timing and coordination of local, state, and federal funds to construct multipurpose flood mitigation and water storage projects, as well as placing increased pressure on local government to fund projects through local taxes.
- Flooding and climate-related impacts are not going away. Magnitude, frequency, and intensity of rainfall events are increasing. Continued deferred FHMP funding reduces local government’s ability to meet climate resiliency goals and reduce downstream impacts.
- Frequent flooding greatly diminishes and severely erodes equity, financial resources, and capital acquired over decades by farmers and landowners in rural areas. Consistent and adequate FHMP funding is needed for the future of Minnesota to remain strong.

### **STREAMLINE THE FLOOD HAZARD MITIGATION PROGRAM**

- The FHMP is a primary funding source for multipurpose flood mitigation and water storage projects statewide.
- The FHMP needs to be modernized and applications should be scored, ranked, and prioritized adequately by the DNR. Applicants do not have knowledge of the scoring, ranking, and prioritization process.
- Minnesota Watersheds supports action requiring the DNR to establish transparent scoring, ranking, and funding criteria for the FHMP and asking the Minnesota Legislature to fully fund the state’s share of eligible projects that are on the DNR’s project list within each two-year bonding cycling.

### **SUPPORT LEGISLATION REGARDING DNR REGULATORY AUTHORITY OVER PUBLIC DRAINAGE MAINTENANCE AND REPAIRS**

- The public waters inventory was never intended to restrict the right to maintain existing drainage systems. The legislature specifically exempted repairs from DNR permitting, gave the DNR a mechanism to ensure proposed work was repair; and directed the DNR to provide for the lawful function of public drainage systems that affected public waters.
- The DNR adopted a rule exempting repairs from permitting and announced a policy in 1980 that stated repair of public drainage systems should be allowed without permits.
- More recent DNR practices have departed from the 1980 policy and clear language in both statute and rule.
- The DNR issued a new guidance document in February of 2018 that was intended to provide clarity for both DNR staff and drainage authorities on the role of the DNR regarding public drainage activities. The guidance has had the opposite effect.
- There is lack of clarity and consistency in DNR’s role on public drainage system repairs across the state.
- Clarifying legislation is needed to reinforce existing law regarding the DNR and the drainage authorities’ roles and responsibilities when maintaining public drainage systems and reduce the unnecessary expenditure of dollars by the drainage authority and DNR.

*Thank you for sharing these issues with your legislators! We’d appreciate hearing about your interactions.*

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

**MEETING DATE:** March 11, 2024  
**AGENDA NUMBER:** 16  
**ITEM:** LWV Watershed Governance Study

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**AGENDA:** Informational

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**ACTION REQUESTED** None

**BACKGROUND** The CCWD Board was informed at their 9-11-2023 meeting with Item #14 of an impending watershed district governance study by the League of Women Voters (LWV) Council of Metro Area Leagues (CMAL).

The local LWV ABC chapter has been actively involved in water issues such as a regional interstate study and outreach effort about surface water pollution in the Upper Mississippi River, specifically nitrate pollution. With many agencies involved in water governance, the Metro LWV chapters focused initially on watershed districts.

**ISSUES/CONCERNS** The ABC LWV chapter is having a presentation on the CMAL Watershed informational study at their monthly meeting on Monday, March 11, by Zoom, 7pm:

Title: "Who is Managing Our Watersheds?"

**Wes Volkenant**, LWV ABC CMAL Representative, will update us on the CMAL ongoing study of watersheds. The Council of Metropolitan Area Leagues (CMAL) study is an informational study on how our watersheds are managed.

**CONCLUSION** Staff will attend the meeting and provide an update to the District Administrator.