



**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF MANAGERS**  
**Rule Revision Workshop**  
**Thursday, April 6<sup>th</sup>, 2017 at 5:30 PM**

Washington Conservation Center, 455 Hayward Ave N, Oakdale, MN 55128

**ROLL CALL**

<b>Managers Present:</b>	<b>Others Present:</b>
Craig Leiser, President	Karen Kill, Administrator
Sharon Schwarze, Vice-President	Camilla Correll, EOR, BCWD engineer
Connie Taillon, Treasurer	Michael Welch, Smith Partners, legal counsel
Anne Maule Miller, Vice-President	
Absent: Gerald Johnson, Secretary	

**1. Call Special Meeting to Order**

President Leiser called the Special Meeting to order at 5:50 PM.

President Leiser noted that the special meeting was being held at the Washington Conservation Center because neither Family Means nor another suitable facility within the watershed was available.

**2. Approve Special Meeting Agenda**

**Manager Maule Miller, seconded by Manager Schwarze, moved to approve the special meeting agenda as presented. Motion Carried 4/0.**

**3. BCWD Rule Revision Workshop**

**a) Proposed Rule Revision Discussion**

The objective of this workshop with the BCWD Board of Managers was to revisit the list of potential rule revisions developed by staff, discuss feedback received by member communicates and members of the BCWD Technical Advisory Committee and finalize the list of rule revisions the Board plans to address in 2017.

**Managers:**

Craig Leiser, President • Sharon Schwarze, Vice-President • Anne Maule Miller, Vice-President  
• Gerald Johnson, Secretary • Connie Taillon, Treasurer

The following items were discussed at the workshop:

Volume Control Trading Program –

Camilla Correll mentioned the City of Stillwater's interest in exploring the possibility of developing a volume control trading program. Michael Welch noted that where watershed districts have adopted these types of programs, they have been under-used. It was noted that the Rice Creek WD does not require volume control and/or water quality treatment on linear projects. If the BCWD were to adopt a similar requirement, could road entities pay into a fund for volume control/water quality treatment elsewhere in the watershed?

Buffer Requirement –

There was some discussion about how to define the contributing drainage area to a groundwater dependent natural resource. Legal Counsel indicated that the flexibility of the current definition offered advantages, allowing BCWD to determine the scope of groundwater contributing area based on site-specific data. Karen Kill indicated that she would like a better definition so it's easier to communicate where the rules apply to developers and landowners. There was discussion about providing a diagram (either in the rules or the guidance documents) illustrating the streamside zone, middle zone and outer zone. There was also some discussion about the ability to develop a tool so anyone in the watershed could drop an arrow on a map and see whether or not it would be located in a buffer or in a groundwater dependent natural resource contributing area.

There was also discussion about missed opportunities to get buffers on wetlands (i.e. are the triggers set appropriately). The Managers asked what other watershed districts require for wetland buffer requirements. Staff was directed to put a table together illustrating what other watershed districts are doing (primarily in Washington County). It was further suggested that this table could be brought to the Washington County Water Consortium for discussion.

Redevelopment Activity –

The Board of Managers agreed that the redevelopment activity trigger needs to be modified since this will become the predominant development activity in some of the built out communities. What the trigger needs to be will be evaluated during the rule revision process.

Stormwater Reuse –

Since more people are embracing stormwater reuse as a Best Management Practice (BMP) do we need to clarify how it could be used to meet the District's stormwater management requirements? Anne Maule Miller mentioned that there are potential health effects from spraying stormwater runoff into the air (e.g. for

irrigation purposes). The group decided this was something to consider in crafting either rule language and/or guidance on this use of the stormwater BMP.

Maintenance of Stormwater BMPs –

Anne Maule Miller asked how the BCWD tracks the performance of stormwater BMPs designed to meeting the District's rules. Karen Kill noted that the MS4 permit holders are doing inspections of their facilities. BCWD current rules require an annual report of inspections/maintenance; however, there is not high compliance with this reporting method. The countywide inspection database is set up to log these inspections. This is an item the District needs to follow up on at a future date.

Developments with Individual Builders –

The group discussed how permit requirements could automatically transfer from the developer to the individual builder site working on an individual lot within a permitted subdivision. Karen Kill would like to further discuss with LGU's the potential for the member communities to take over erosion and sediment control permitting once this transfer happens in the construction process. Craig Leiser indicated that he would be willing to sit down and negotiate what this might look like. Connie Taillon expressed concern about the cities' capacity to perform inspections. She indicated that she would be comfortable with the city issuing erosion and sediment control permits if the BCWD maintained inspection of individual sites.

Application of 2-ft Freeboard Requirement –

It was decided that the BCWD should check with member communities to see if they apply this standard to all new residential housing. If there are any communities that do not apply this standard, the BCWD will consider adopting rule language to address this need.

Variance Standard –

The Managers discussed the variance requirements and felt that they were working well. They did not see the need to make any changes to Rule 10.0.

b) **Rule Revision Scope - Board Action**

**Manager Taillon, seconded by Manager Schwarze, moved to approve the scope of services for the 2017 rule revision for a total of tasks 1-4 in the amount of \$47,930 for engineering from account 909-0000 and \$12,027 from account 300-4410. Motion Carried 4/0.**

**4. Adjournment**

**Manager Maule Miller, seconded by Manager Taillon, moved to adjourn at 9:05 PM.**  
**Motion carried 4/0.**

Respectfully Submitted by  
Karen Kill, Administrator