



**BCWD Meeting with Member Communities  
July 24, 2019 10:00 – 11:00 a.m.  
Oak Park Heights City Hall  
14168 Oak Park Blvd. N. Oak Park Heights**

***DRAFT (attendees will provide comments by July 31<sup>st</sup> prior to Board meeting)***

1. Introductions & Meeting Goals – 5 minutes
  - a. Introduction of all parties attending the meeting
    - i. Karen Kill, BCWD Administrator
    - ii. Jenny Pinski, City of Oak Park Heights Clerk
    - iii. Matt Downing, MSCWMO Interim Administrator
    - iv. Tyler Johnson, Stantec (OPH Engineer)
    - v. Andy Kegley, City of Oak Park Heights Public Works
    - vi. Kevin Sandstrom, City of Oak Park Heights Attorney
    - vii. Lee Mann, City of Oak Park Heights Engineer
    - viii. Eric Johnson, City of Oak Park Heights Administrator
    - ix. Shawn Sanders, City of Stillwater Engineer/Public Works Director
    - x. Camilla Correll, BCWD Engineer (EOR)
    - xi. Mike Isensee, CMSCWD Administrator
    - xii. Emily Johnson, BCWD Permit Inspector (EOR)
  - b. Karen provided a background of the BCWD 2018 Rule revision process, and the resulting stakeholder feedback. From this feedback, a common suggestion was to consider applying MIDS to all or part of the watershed.
  - c. Meeting Goals: Talk about what the BCWD is thinking of revising, and come up with a big picture direction of whether the District should go the route of revising their rules, or working on agreements with the communities to implement the rules through the Cities' existing MIDS rules and other ordinances.
2. MIDS Evaluation – 10 minutes
  - a. Camilla provided a brief description of the MIDS analysis in the Long Lake drainage area and the diversion structure drainage area.
    - i. Looked at sites that will likely develop or redevelop in the next 10-20 years
    - ii. Considered constraints from DWSMAs, ERAs, and existing agreements (Kern Center agreement, TSMP agreement)

- b. From this review, it was determined that applying MIDS to the diversion structure and Long Lake drainage areas would provide an equivalent level of protection to the District's existing Rules, given the site constraints and existing agreements.
    - i. MIDS provides more volume control in both Long Lake and diversion drainage areas
    - ii. MIDS provides more water quality treatment in the diversion drainage area. BCWD rules more treatment in the Long Lake drainage area, but the difference is not significant given the site constraints and likely variances.
3. How would MIDS Apply? – 30 minutes
- a. Both the City of Stillwater and the City of Oak Park Heights have adopted MIDS (in 2019 and 2015 respectively), and both have agreements with MSCWMO for the permitting process –MSCMWO conducts the review, brings the permit before the MSCWMO Board for review, and provides the written results to the Cities.
  - b. BCWD is considering different options to eliminate duplicity in the permitting process:
    - i. Create agreement with Stillwater and OPH to implement MIDS as comparable to BCWD Rules in the Diversion drainage area
      - 1. Communities implement the rules on their own
      - 2. Agreement to have BCWD provide stormwater review (i.e. MSCWMO model)
    - ii. BCWD stand-alone permitting: re-write BCWD rules to allow MIDS in this portion of the watershed, consider taking on the Cities' stormwater permitting to eliminate duplicity
    - iii. Important note: Under State statute, BCWD must retain the permitting for Rule 5.0, Shoreline & Streambank Alterations, and Rule 6.0, Watercourse & Basin Crossings.
  - c. The Cities are looking to streamline the permitting process, and both the Cities and BCWD was interested in exploring options:
    - i. Addressing additional BCWD permit components in the review (beyond MIDS) and determining existing area(s) of consistency: rate control, wetland bounce & inundation, erosion control, buffers, and freeboard & floodplain alteration
    - ii. Goal of streamlining – to reduce the amount of unnecessary overlap, disagreements, and back-and forth between the BCWD and the Cities
    - iii. Ideally evaluate options to create consistency between the Cities and the all Watershed Districts and Management Organizations in these communities
  - d. Details to be decided upon while working on establishing the agreement were raised
    - i. Bringing Variances (not MIDS flexible treatment options)to the BCWD for review or approval
    - ii. The Cities retain the ability to change their ordinances, at which time the BCWD can choose whether to continue with the agreement. The Cities also retain the ability to relinquish sole permitting authority, and the BCWD retains the ability to reclaim the authority.

- e. Status of the TSMP Agreement
  - i. TSMP agreement only applies to volume control requirements. MIDS, even when applying flexible treatment options, also provides water quality protection.
  - ii. The stipulation of the BCWD in proceeding with a MIDS agreement is that MIDS needs to be applied in the TSMP agreement area.
  - iii. The City of Stillwater is in support of dissolving the TSMP agreement in favor of starting a new agreement based on collaborating on the MIDS/permitting review.
  - iv. The City of Oak Park Heights wants to further review the TSMP agreement, and to better understand the terms being used. Philosophically, they are open to dissolving the TSMP agreement in favor of a new agreement.
- f. At this time, both the City of Stillwater and the City of Oak Park Heights are interested in taking over the full permitting review on behalf of the BCWD.
- 4. Partnering on an engineering study to evaluate impacts – 10 minutes
  - a. Camilla highlighted that the City of Stillwater allows infiltration in the DWSMA, while the City of Oak Park Heights does not.
  - b. Would the City of Oak Park Heights be interested in working together to complete an engineering study to determine if infiltration can be allowed in the DWSMA? The City is open to talking about it more.
- 5. Next Steps – 5 minutes
  - a. Next meeting scheduled for August 14, 2019 at 10:00-11:00 am at the Oak Park Heights City Hall.
    - i. Eric Johnson requested that Karen draft a preliminary list of terms and ideas for an agreement.
    - ii. BCWD will also be pulling together information comparing BCWD and other WD/WMO Rules and City Ordinances beyond volume control and water quality.
    - iii. Discussion of engineering study to determine if infiltration can be allowed in the DWSMA