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2 FINAL Minutes of the regular meeting of the Brown's Creek Watershed District Board of  
3 Managers, Wednesday May 8, 2024  
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5 ROLL CALL

Managers Present:	Others Present:
Klay Eckles, President	Karen Kill, BCWD administrator
Celia Wirth, Vice President	Camilla Correll, EOR, BCWD engineer
Gerald Johnson, Treasurer	Michael Welch, Smith Partners, BCWD counsel
Chuck LeRoux	Cameron Blake, BCWD
Debra Sahulka, Secretary	Tyler See, Abdo
	Ryan Fleming, EOR, BCWD engineer
	Stu Grubb, EOR, BCWD engineer
	Aaron DeRusha, Washington Conservation District

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7 1) **Call to Order**  
8 President Klay Eckles called the regular meeting to order at 6:30 p.m.  
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10 2) **Approve Agenda**  
11 **Manager LeRoux moved, seconded by Manager Johnson, to approve the agenda as**  
12 **presented. Motion carried, 5/0**  
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14 3) **Public Comments**  
15 There were no public comments  
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17 4) **Consent Agenda**  
18 **Manager LeRoux moved, seconded by Manager Johnson, to approve the consent**  
19 **agenda:**  
20 **a) Approve minutes of the April 10, 2024, regular meeting**  
21 **b) Accept permit fee statement**  
22 **c) Authorize president to execute amended agreement with city of Stillwater**  
23 **for the Brown's Creek Restoration Project**  
24 **d) Authorize expenditure with Stillwater Printing for public notice for**  
25 **Brown's Creek Restoration Project not to exceed \$1,500 from account 947-**  
26 **0022**  
27 **e) Authorize Washington Conservation District scope for shoreline**  
28 **assessments on Woodpile, Masterman, Long Lakes not to exceed \$518 from**

1 account 300-4710-1 and transfer \$518 from contingency reserve to account  
2 300-4710-1

3 f) Approve Lower St Croix One Watershed One Plan workplan amendment  
4 as presented

5 g) Approve EOR groundwater monitoring scope for 2024 not to exceed  
6 \$3,960 from account number 942-0004 and \$10,724 from account number  
7 942-0011. Motion carried 5/0.

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9 5) **Treasurer's Report**

10 a) **Review Authorized Funds Spreadsheet**

11 Manager Johnson moved, seconded by Manager LeRoux, to accept the  
12 authorized funds spreadsheet as presented. Motion carried, 5/0.

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14 b) **Current Items Payable**

15 Manager Johnson moved, seconded by Manager LeRoux, to authorize payment  
16 of bills as presented in the amount of \$93,887.41. Motion carried on a roll call  
17 vote, 5/0.

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19 c) **2023 Audit Presentation**

20 Tyler See presented the 2023 audit of BCWD financial performance. The auditors  
21 returned an unmodified opinion. There was one internal control finding noting the  
22 district does not have an independent auditor prepare the financial statement and the  
23 footnotes in the audit report. This is a recurring finding and common for  
24 organizations the size of the district. The managers agreed on the draft management  
25 response, which states that due to the size of the district the board accepts the degree  
26 of risk of not opting to audit the auditor.

27 Manager Wirth moved, seconded by Manager Sahulka, to accept the 2023 audit  
28 and to authorize the administrator to finalize and distribute the audit as  
29 required by statute. Motion carried, 5/0.

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31 6) **Permits**

32 a) **BCWD Permit 24-06 Rutherford Elementary – Engineer Review**

33 Camilla Correll presented an overview of the recreational facilities improvements and  
34 the plan for stormwater treatment on the school site. The applicant is requesting a  
35 variance from the BCWD volume requirement because management of parking-lot  
36 runoff is provided in lieu of treating runoff from the proposed trail. The managers  
37 noted the difficulty in capturing trail runoff with a stormwater practice. They  
38 acknowledged that some treatment will occur as the trail runoff will flow across a  
39 field, and the infiltration basin for the parking lot will serve an overall greater site  
40 level pollutant capture.

41 Manager Wirth moved, seconded by Manager Johnson, to approve the permit  
42 and variance with all the outlined conditions and stipulations in the engineer's  
43 report. Motion carried, 5/0.

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**7) Projects**

**a) Monitoring Result Presentations**

**(1) Macroinvertebrate monitoring in Brown’s Creek**

Mike Majeski explained that monitoring macroinvertebrates provides the district with an indicator of water quality of Brown’s Creek, which allows for adaptive management and measurement of district goals related to the current impairment listing for biota. He noted long-term data are important to see trends, and that future goals for the creek could include reintroducing native brook trout. Data collected between 2015 and 2023 indicate an overall improving trend in stream health and macroinvertebrate community quality.

**(2) Lakes and Stream monitoring**

Aaron DeRusha explained that despite warmer temperatures and lower precipitation rates the last two years the water monitoring results are still showing improving trends for pollutant levels and creek temperatures.

Lake and wetland water levels have continued to fall after record high levels in 2020.

Chlorides were sampled in all district lakes and large ponds for the first time in 2023. Only Sinnets Pond, the former Jackson Wildlife Manage Area, was close to state impairment standards.

The water quality from the diversion drainage area toward McKusick Lake is improving. In addition to recent restoration projects in this drainage area, he noted the presence of beaver dams in the diversion drainage system that are further helping reconnect the floodplain in this tributary.

**(3) Groundwater trends**

Stu Grubb reviewed groundwater trend data from the district’s residential wells network as well as larger capacity wells, and Department of Natural Resources observational wells. Groundwater levels increased up to 2020 and have been decreasing since then.

**(4) Performance Monitoring**

**(a) Iron Enhanced Sand Filter Project & Scope**

Ryan Fleming explained there was on overall lower range of total phosphorus removed from the filter in 2022 and 2023. This could be due to drought and how much water could be pumped into the system. There is also a higher rate of phosphorus discharging from the filter. It is still removing dissolved phosphorus, but is losing capacity. Based on media testing the filter may have three years of capacity remaining.

Lifetime performance was calculated. The system is estimated to have removed about 240 pounds of phosphorus over 10 years; 60 pounds dissolved phosphorous and 180 pounds of particulate phosphorous. An additional 2,800 pounds of total phosphorous was removed through two dredgings of the harvest pond. The cost to remove a pound of phosphorus equates to \$200 with harvest dredging and \$2,500 by the filter only per pound of phosphorus removal.

**Manager Wirth moved, seconded by Manager Johnson, to approve the 2024 iron enhanced sand filter operation and maintenance scope of services for an estimated cost of \$21,570 from account 948-0000. Motion carried, 5/0.**

**(b) Brown’s Creek Park Rock Crib**

Ms. Correll explained that the goal of the rock crib the district constructed in Brown’s Creek Park was to reduce water temperatures and phosphorus from the surface run off from the park parking lot and a portion of Neal Ave. Overall the practice is reducing the temperature of the runoff between 2 and 2.5 degrees before it enters Brown’s Creek. The impact to the creek is less clear at this point, but more practices like this would have a cumulative positive impact on the resource. There are opportunities downstream of the restoration project to add a similar project as well as retrofit opportunities with existing best-management practices that the district can consider in future planning.

**(5) Drone Flight Results**

Mr. Majeski explained that the survey found one beaver dam, which is not of concern. There was some cutting of alder by a landowner and one previously known beaver dam disappeared. There were a few downed trees that can be observed to make sure they do not become an obstruction in the future. Ms. Kill explained she could put a link to the drone flight video on the district’s website.

**b) 62nd Street Trail Flood Risk Reduction Project– Public Hearing & Resolution 24-02**

President Eckles called the public hearing on ordering a cost-share project to support the City of Stillwater’s work on the 62<sup>nd</sup> Street Trail to mitigate flood risk to adjacent homes. No public were present for the hearing. Mr. Welch explained that support for this project in the management plan is minimal. The board acknowledged these concerns, but agreed that this flood reduction collaboration fits the overall mission of reducing flood risk.

**Manager Johnson moved, seconded by Manager Eckles, to adopt Resolution 24-02 – Ordering the 62nd Street Trail Flood-Resilience Improvement Project and authorizing work in support of the project by the administrator:**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Johnson</u>	<u>X</u>			

1 **Manager LeRoux X**

2 **Manager Sahulka X**

3 **Manager Wirth X**

4 **Motion carried 5/0.**

5 **8) Discussion Agenda**

6 **a) Updates**

7 **(1) Administrator**

8 (a) Management Plan Update – kick-off meeting

9 There will not be a quorum as required by statute on June 6, 2026. Ms. Kill  
10 will resend a poll to find an alternative meeting time. Other participants  
11 will include regulatory staff, and participation from stakeholders that were  
12 contacted during the enhanced engagement efforts.

13 (b) HELP grant application

14 There is an opportunity to apply for funds for continuing restoration at the  
15 Brown’s Creek Conservation Area, as well as potentially enhancing  
16 buffers in the watershed in collaboration with homeowner associations.

17 (c) Coordination with city of Stillwater Northland Ave/Brewers Pond  
18 drainage

19 The city is interested in exploring whether needed stormwater pipe repairs  
20 could be turned into a retrofit opportunity for Brewer’s Pond water quality  
21 improvements.

22 (d) Brown’s Creek Restoration Project - The Brown’s Creek restoration  
23 project notice to proceed is being distributed tomorrow with contractor  
24 mobilization proposed the week of May 20. The contractor proposes to  
25 work west of Neal Ave in June and west of Neal Ave in July. A postcard  
26 notice will be mailed to neighboring residents within about a half mile  
27 radius and project information is available on the district website.

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29 **(2) Legal**

30 Mr. Welch explained that there was something of a compromise reached on the  
31 state plumbing board’s decision to interpret and apply the plumbing code to  
32 inhibit effective design of stormwater-management facilities, with an uncertain  
33 commitment from the plumbing board reconsider the issue in rulemaking.

34 **12) Adjournment**

35 **Manager Johnson moved, seconded by Manager Sahulka, to adjourn the meeting at**  
36 **9:26p.m. Motion carried 5/0.**

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38 Respectfully Submitted by

39 Karen Kill, BCWD Administrator and Debra Sahulka, Secretary

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