



**REGULAR & ANNUAL MEETING OF THE BOARD OF MANAGERS
Wednesday, January 8, 2025
Regular meeting at 6:30 PM**

NOTE MEETING LOCATION
Regular Board Meeting will be held at
Family Means
1875 Northwestern Ave, Stillwater, MN 55082

- 1) Call Annual Business Meeting to order @ 6:30PM
 - a) Approve Annual Meeting Agenda - **Board Action**
 - b) Election of Officers - **Board Action**
 - c) Board Subcommittee Appointments - **Board Action**
 - d) Annual Selection of permit security depository for bonds and letters of credit - - **Board Action**
 - e) Annual Selection of Official Newspaper(s) - **Board Action**
 - f) Schedule of Regular and Special 2025 meetings - - **Board Action**
 - g) Citizen Advisory Committee Membership - - **Board Action**
 - h) Board Training Plan - - **Board Action**
 - i) Bylaws and Policies Review - **Board Action**
 - j) Adjourn Annual Meeting

- 2) Call Regular Meeting to order

- 3) Approve Regular Meeting Agenda and Discussion Agenda -**Board Action**

- 4) Public Comments

- 5) Consent Agenda – **Board Action** (*all items listed under the consent agenda are considered to be routine by the Board of Managers and will be enacted by one motion. There will be no separate discussion on these items unless a Manager removes an item from the consent agenda for discussion or there is a request to remove the item from the consent agenda, in which event the board will consider whether to remove the item from the consent agenda and consider it separately.*)
 - a) Approve Board Meeting Minutes of the November 13, 2024 Regular Meeting
 - b) Approve Board Meeting Minutes of the December 11, 2024 Regular Meeting
 - c) Accept Permit Fee Statement

- 6) Treasurer’s Report
 - a) Review Authorized Funds Spreadsheet
 - b) Current Items Payable-**Board Action (Roll Call Vote)**

Managers:

Klayton Eckles, President • Celia Wirth, Vice-President & Treasurer • Chuck LeRoux, 2nd Vice-President
• Debra Sahulka, Secretary • Larry Odebrecht

- 7) Permits
 - a) BCWD Permit 23-18 Washington County Road 15B Grading – Engineer Review – **Board Action**
- 8) Projects
 - a) City of Stillwater Cost-Share Request
 - (1) Public Hearing
 - (2) Resolution 25-01 Order Project - **Board Action**
 - b) Brown’s Creek Stream Restoration
 - (1) Stillwater Cooperative Agreement Amendment - Buckthorn Removal expansion– **Board Action**
 - c) CIP Operations and Maintenance – **Board Action**
- 9) Management Plan Update
 - a) Regulatory Partner meeting feedback summary
- 10) New Business
 - a) Selection of Services: Engineering, Legal, Auditing, Accounting – **Board Action**
- 11) Discussion Agenda - No Action Required
 - a) Updates
 - (1) Administrator
 - (a) White Pine Ridge swale
 - (b) Nottingham financial assurance reduction
 - (2) Legal
 - (3) Engineer
 - (a) Permit Inspections
 - (4) Managers
 - b) February 2025 Regular Meeting BCWD Board Agenda
- 12) Adjournment



MEMORANDUM

TO: BCWD Board of Managers
 FROM: Karen Kill
 RE: 2025 Annual Business Meeting
 DATE: January 8, 2025

Annual Meeting. The regular meeting of the Board in January each year will be the annual business meeting. In addition to any other business which may come before this meeting, the Board will designate the depository or depositories for District funds and financial assurance instruments submitted to the District, adopt a schedule of regular meetings for the year, and select officers. The schedule of regular meetings will be filed in the records of the District.

b) Election of Officers

The Board will, at the District's annual meeting, elect from among its members the following officers: President, Vice President, Treasurer and Secretary. An officer will serve until replaced by the election of a successor. No board member may hold more than one office at a time, but the Board may, at its discretion, name a Second Vice President.

Existing slate of Officers:

- Klay Eckles – President
- Celia Wirth – Vice President & Acting Treasurer
- Chuck LeRoux – 2nd Vice-President
- Debra Sahulka – Secretary
- Larry Odebrecht – Manager

c) Board Subcommittee Appointments (Per Diems Approved for Attendance)

- Citizen Advisory Committee Liaisons – Celia Wirth (Charles LeRoux as alternate)
- Technical Advisory Committee Liaison – Klayton Eckles
- East Metro Water Resources Education Program Liaison – Administrator primary, Board Manager VACANT
- Best Management Practices Program Subcommittee – VACANT
- Bylaws and Policies – Celia Wirth
- Minnesota Watersheds Board Liaison – Celia Wirth
- Metro Minnesota Watersheds Liaison – Debra Sahulka; alternate Charles LeRoux
- Lower St Croix One Watershed One Plan – Klayton Eckles; alternate VACANT

Managers:

Klay Eckles, President • Celia Wirth, Vice-President & Treasurer • Debra Sahulka, Secretary • Chuck LeRoux, 2nd Vice-President • Larry Odebrecht

d) **Annual Selection of Bank and Location of Financial Assurance Instruments**

Current bank is US Bank for checking and selected as official bank in 2024. Have held investment funds in 4M fund in 2024. Recommend designating US Bank and 4M Fund as depositories in 2025. Permit Deposit Fees and Cash Escrows were held in a separate account in 4M Fund. Other financial assurance instruments (such as letters of credit or performance bonds) were held at the BCWD office in a fireproof safe.

e) **Annual Selection of Official Newspaper**

In 2024, White Bear Lake Press and the Stillwater Gazette were selected as the official newspapers.

f) **Regular & Special Meeting Dates**

Second Wednesday of the Month at 6:30 PM

Meetings will take place, unless noticed otherwise, at Family Means, 1875 Northwest Ave S, Stillwater in the large conference room:

Dates:

January 8, 2025

February 12, 2025 – Management Plan Update Workshop 5-6:30pm and Regular Meeting

March 6, 2025 – Art & Water Opening Reception 4-7pm, House Unbuilt 321 South Main St, Suite 204, Stillwater, MN

March 12, 2025 – Management Plan Update Workshop 5-6:30pm and Regular Meeting

April 9, 2025 – Management Plan Update Workshop 5-6:30pm and Regular Meeting

May 14, 2025 – Management Plan Update Workshop 5-6:30pm and Regular Meeting

June 17, 2025 – **NOTE – Third Tuesday of Month**

July 9, 2025 - 2026 Budget Workshop 5-6:30pm and Regular Meeting

August 13, 2025 - 2026 Budget Workshop 5-6:30pm and Regular Meeting

September 10, 2025

September 13, 2025 –2025 Community Event at Brown’s Creek Park in Stillwater 10am-1pm

October 8, 2025

November 12, 2025

December 10, 2025

g) **Citizens Advisory Committee**

- *Citizens Advisory Committee. There is established, in accordance with Minnesota Statutes section 103D.331, a citizens advisory committee to the Board of Managers. The committee will be known as the Citizens Advisory Committee (CAC). The CAC will advise the Board of Managers on water-related community concerns and issues, and assist with the development and implementation of the education and outreach activities of the District. The CAC will meet according to a schedule set annually by the members of the CAC, and at such other times as may be determined by a majority of the members. All meetings of the CAC are open to the public.*

Residents seeking re-appointment in 2025:

Anne Maule-Miller – Co-Chair

George Vania – Co-Chair

Jyneen Thatcher

Yihong Gao

Hallie Chasensky

Dory Herman

Sandy Noreen-Ruben

Managers:

Klay Eckles, President • Celia Wirth, Vice-President & Treasurer • Debra Sahulka, Secretary • Chuck LeRoux, 2nd Vice-President • Larry Odebrecht

Commented [KK1]: Either two 5-6:30pm workshops or one extra date workshop meeting to be scheduled

Commented [KK2]: Administrator unavailable June 11. Request to consider alternative date if possible.

Tentative 2025 CAC meeting dates (2nd Monday of even months 6:30-8PM)

Feb 10, 2025
Apr 14, 2025
June 9, 2025
Aug 11, 2025
Oct 13, 2025
Dec 8, 2025

- h) **BCWD Board Training – discuss possible training topics & and whether eligible for per diem/expenses**
- Washington County Water Consortium monthly meetings – first Wednesdays 2-3:30 virtual
 - MN Watersheds Events
 - Day at the Capitol Feb 19, 2025 at 3-7pm– Capitol Ridge Hotel in St. Paul, MN
 - Summer Tour June 24-26, 2025 in Roseau River Watershed District
 - Annual Meeting (Dec TBD)
 - Metro Minnesota Watersheds quarterly meetings – 7-9pm Third Tuesdays January, April, July, October alternating in person at Capitol Region Watershed District or virtually
 - Water Resources Conference (Oct)
 - Internal Trainings
 - Diversity, Equity, Inclusion, Accessibility in watershed management
 - Smart Salting Certification program & Chloride Legislation
 - Others?
- i) **Annual Review of BCWD Bylaws and Policies** – Will discuss with board at meeting

Managers:

Klay Eckles, President • Celia Wirth, Vice-President & Treasurer • Debra Sahulka, Secretary • Chuck LeRoux, 2nd Vice-President • Larry Odebrecht

Project Name	BCWD Watershed Management Plan Update	Date	12-20-2024
To / Contact info	BCWD Board of Managers		
Cc / Contact info	Karen Kill <kkill@mnwcd.org> Camilla Correll <ccorrell@eorinc.com>		
From / Contact info	Alexander Furneaux <afurneaux@eorinc.com>		
Regarding	WMP Update 2025 Schedule		

Background

During the BCWD’s December 11th, 2024 meeting, the Board requested that Emmons and Olivier Resources Inc. (EOR) prepare an updated timeline for the development and review of the Watershed Management Plan (WMP) Update. The Board requested an updated timeline that provides a less intense schedule for Board review with the desired intent to keep Board meeting timing manageable (i.e., updates that are between 60-90 minutes in length). The Board also expressed the desire to understand the implications of adjusting the schedule, and the requirements outlined by State statute for the review process.

This memorandum presents a revised plan development schedule and concludes with options for when the meetings should take place (i.e., before existing Board meetings or as additional Board Workshops). District staff is seeking the Board’s approval of the proposed meeting schedule.

Watershed Management Plan Update 2025-2026 Schedule

The 2025-2026 schedule is being presented in two phases: the schedule for finalizing the draft watershed management plan and the schedule for the formal plan review process.

Plan Development

Month	Meeting Type	Meeting Date	WMP Purpose
January	Board Meeting	January 8 th , 2025	To review the feedback received at the November Regulatory Program Workshop.
February	Board Meeting	February 12 th , 2025 <i>Proposing to start early for a WMP Update item from 5-6:30pm</i>	To review the revised Issue sections for: <ul style="list-style-type: none"> Ecological Health Erosion and Sediment Control (being reviewed by the Board before the TAC)
	CAC Meeting	February 10 th , 2025	<i>No Update.</i>
	TAC Meeting	February 25 th , 2025	To provide input on the Issue sections for: <ul style="list-style-type: none"> Groundwater Management Floodplain Management (including results from the update H/H model) Erosion and Sediment Control

Month	Meeting Type	Meeting Date	WMP Purpose
March	Board Meeting	March 12 th , 2025 <i>Proposing to start early for a WMP Update item from 5-6:30pm</i>	To review the revised Issue sections for: <ul style="list-style-type: none"> • Groundwater Management • Floodplain Management
April	Board Meeting	April 9 th , 2025 <i>Consider Option 1 or Option 2</i>	Part 1 of the Implementation Plan conversation will focus on reviewing historical expenditures and current activities within the plan. Discussion will focus on understanding the Board’s direction on what types of implementation actions to fund and at what scale. New implementation actions will then be prepared for review in Part 2 in May 2025.
	CAC Meeting	April 7 th , 2025	Workshop to identify potential new implementation actions for the Plan.
	TAC Meeting	April 22 nd , 2025	
May	Board Meeting	May 14 th , 2025 <i>Consider Option 1 or Option 2</i>	Part 2 of the Implementation Plan conversation will review the proposed new actions and present an overview of the financial implication of these changes based on the priorities identified in Part 1.
June	Board Meeting	June 11 th , 2025	<i>Board meeting dedicated to the review of the 2026 budget. No WMP Update.</i>
	CAC Meeting	June 9 th , 2025	The draft Plan will be presented to the CAC and TAC for their review.
	TAC Meeting	June 17 th , 2025	
July	Board Meeting	July 9 th , 2025	Approval of the draft Plan by the Board is required to initiate the statutory requirements of the Plan review process.

Plan Review

Once the Board has approved the draft Plan, the Plan review process outlined in Minnesota Statute 103D.401 provides the opportunity to receive comments on the Plan. The following schedule assumes that the 60-day review period begins July 23rd, 2025.

Review Step	Who	Start Date	End Date
60-day Review	All counties, the Metropolitan Council, the state review agencies, the BWSR, soil and water conservation districts, towns, and statutory and home rule charter cities having territory within the watershed.	July 23 rd , 2025 <i>Assuming Board approval of the draft Plan on July 9th, with time for EOR to incorporate any conditions of approval.</i>	September 21, 2025
Response to 60-Day Review Comments	BCWD Staff and District Engineer	September 21, 2025	October 4 th , 2025 <i>Assuming an October 14th public hearing at the Board meeting, all comments must receive a response from staff by this date.</i>
Public Hearing (Board Meeting)	BCWD Board	October 14 th , 2025 <i>No sooner than 14 days after the 60-day review period.</i>	October 14 th , 2025
Incorporation of Public Hearing Comments	BCWD Staff and District Engineer	October 15 th , 2025	November 12 th , 2025 <i>May be able to compress this timeline depending on the quantity of comments.</i>
Submission for Final Review	Metropolitan Council, the state review agencies, and the BWSR	November 13 th , 2025 <i>Following Board approval at the November 12^h meeting of any changes in response to comments from the Public Hearing.</i>	Assume 3-week review, December 3, 2025 As late as, February 11, 2026 <i>BWSR Review within 90 days of submission</i>
Adoption of the Plan	BCWD Board	Contingent on BWSR review response.	Assume adopt at the next earliest possible Board meeting, January 2026 As late as, June 11, 2026 (or the June 2026 Board meeting) <i>Within 120 days of BWSR review</i>

Board Action - Options

Option 1 – start February, March, April and May meetings at 5pm and review content from 5:00 – 6:30 p.m. The regular Board meeting would begin at 6:30 p.m.

Option 2 – start February and March meetings at 5pm and review content from 5:00 – 6:30 p.m. The regular Board meeting would begin at 6:30 p.m. Instead of the two discussions in April and May on the implementation plan, schedule one 4-hour special meeting for the development of the implementation plan in late April/early May after the CAC and TAC have provided input.

Board Action

1. Select the option (1 or 2) that the Board would like to implement and approve the proposed revisions to the watershed management plan update schedule.



1
2 DRAFT Minutes of the regular meeting of the Brown’s Creek Watershed District Board of
3 Managers, Wednesday November 13, 2024
4

5 ROLL CALL

Managers Present:	Others Present:
Klayton Eckles, President	Karen Kill, BCWD administrator
Celia Wirth, Treasurer	Camilla Correll, EOR, BCWD engineer
Charles LeRoux, 2 nd Vice President	Michael Welch, Smith Partners, BCWD counsel
Debra Sahulka, Secretary	Cameron Blake, BCWD staff
Larry Odebrecht, Manager	Alexander Furneaux, EOR, BCWD engineer
	Paul Nation, EOR, BCWD engineer
	Mark Guenther, Elliot Crossing
	Justin Olson, Carlson McCain
	Mike Reagan, Elliot Crossing
	Matthew Eddy, resident

- 6
7 **1) Call to Order**
8 President Klayton Eckles called the meeting to order at 6:30 p.m.
9
- 10 **2) Agenda**
11 **Manager Wirth moved, seconded by Manager LeRoux, to approve the agenda as**
12 **presented. Motion carried, vote 5/0.**
13
- 14 **3) Oath of Office for Celia Wirth & Larry Odebrecht**
15 Larry Odebrecht and Celia Wirth each took the manager’s oath of office.
16
- 17 **4) Election of officers**
18 **Manager LeRoux moved, seconded by Manager Sahulka, to appoint Manager**
19 **Wirth as the treasurer and alternate for the Lower St. Croix Policy Committee.**
20 **Motion carried, vote 5/0.**
21
- 22 **5) Public Comments**
23 There were no public comments.
24
- 25 **6) Consent Agenda**
26 **Manager LeRoux, seconded by Manager Sahulka, to approve the consent agenda:**
27 **a) Approve Minutes of the October 9, 2024, Meeting**

- b) Accept Permit Fee Statement**
- c) Authorize administrator to execute Oak Glen Golf Course agreement amendment #2**
- d) Approve Lower St. Croix Partnership watershed-based implementation funding workplan for 2025-2026 as recommended by the partnership policy committee.**
- Motion carried 4/0/1 Manager Odebrecht abstained.**

7) **Treasurer’s Report**

- a) **Authorized Funds Spreadsheet and Current Items Payable**
Manager Wirth moved, seconded by Manager Odebrecht, to accept the authorized funds spreadsheet as presented and to authorize payment of the bills as presented totaling \$158,407.82.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Odebrecht</u>	<u>X</u>			
<u>Manager LeRoux</u>	<u>X</u>			
<u>Manager Wirth</u>	<u>X</u>			
<u>Manager Sahulka</u>	<u>X</u>			

Motion carried 5/0.

8) **Permitting**

- a) **Permit 24-07 Elliot Crossing**

Paul Nation presented the engineer’s report for the proposed subdivision of 189 acres into 17 single-family residential lots with two new cul-de-sacs. The proposed stormwater-management plan provides treatment of runoff with two reuse ponds and two infiltration basins. Since the October 2024 presentation of the project, the reuse system is now being proposed to irrigate only common area, not individual lots, with the native buffer also being irrigated. Responsibility for operation of the reuse system will fall on the homeowners’ association. Mr. Nation explained that stormwater management on the site is challenging because the site is landlocked and historic flooding concerns.

Matthew Eddy from 7060 Lake Elmo North expressed concern about the lowering levels of the pond on his property and questioned whether this project would impact the drainage leading to the pond considering he is directly adjacent to the site. Mr. Nation explained that Mr. Eddy’s pond is actually upgradient from the site.

In response to an inquiry from Michael Welch, Mark Guenther indicated that he has reviewed the conditions and stipulations on approval in the engineer’s report and has no concern about fulfilling them.

Manager Wirth moved, seconded by Manager Odebrecht, to approve permit 24-07 Elliot Crossing with the conditions and stipulations outlined in the engineer’s report. Motion carried 5/0.

1 Manager Eckles stated that there was a missed opportunity here to reuse stormwater
2 for irrigation rather than simply disposing of it on buffer. He would like the district
3 revisit the topic of reuse versus disposal of stormwater as a policy matter at a future
4 meeting.
5

6 **9) New Business**

7 **a) Washington Conservation District Service Agreement 2025-2026**
8 **Manager Wirth moved, seconded by Manager Sahulka, to authorize the**
9 **president on advice of counsel to execute the 2025-2026 Washington**
10 **Conservation District service agreement at cost not to exceed \$1,036,325.**
11 **Motion carried 5/0**
12

13 **b) Biennial request for services**

14 Karen Kill explained that there are two items of the board's consideration with
15 regard to the retention of consulting services from engineering, legal, accounting
16 and auditing professionals. One being if the board would like to include language
17 reflecting the new equity policy the board adopted in August. She also wonders
18 whether the managers would like, beyond the consulting engineer, to solicit
19 proposals from engineering firms for various services to form a pool the board
20 could draw on for various projects. Manager Eckles explained that county
21 commissioners have expressed concern about the district solely using EOR. There
22 are benefits, including efficiency, but drawbacks including not getting exposed to
23 different ideas. He wants to propose a middle ground of continuing to retain a
24 primary engineering firm, but opening the door to other firms by creating a
25 project pool that could be considered for individual projects. Managers discussed
26 whether there could be a threshold for either big projects or smaller projects,
27 considering smaller projects may be where other firms would have a chance of
28 offering services. The board discussed what selection criteria could be considered
29 for the engineering pool. The board asked the administrator and attorney to
30 develop language to propose for the considerations for the engineering pool, while
31 continuing with the other request for letters of interest for other district services.
32 Staff was directed to bring the engineering pool back to the board for discussion
33 after selection of the primary engineer.
34

35 **10) Management Plan Update**

36 **a) Lake Management**

37 With regard to lake management goals and strategies in the updated plan, Alex
38 Furneaux asked the managers to focus on what success in this arena looks like.
39 The managers expressed support for the draft lake-management content in the
40 updated plan. The managers discussed adaptive management as a strategy for
41 unknown long-term implications of climate change. The managers discussed
42 pollutants of emerging concern and the relationship to diversity, equity, inclusion
43 and accessibility when considering groundwater treatment for drinking water. The
44 managers discussed chloride and how to target largest sources and concerns in the
45 watershed.
46

1 **b) Land Conservation**

2 The plan was updated to include the district’s acquisition of the conservation area.
3 The board discussed the idea proposed by the citizen advisory committee in
4 working with neighboring property owners to implement restoration activities as
5 an alternate strategy to land acquisition. Other existing strategies include estate
6 planning and encouraging voluntary land conservation.
7

8 **11) Discussion Agenda**

9 **a) Updates**

10 **(1) Administrator**

11 Ms. Kill reminded the managers about the upcoming BCWD regulatory review
12 workshop on November 21 at the Lakes of Stillwater. She asked the board to
13 extend invitations to parties who may be interested and explained the district
14 would like to receive feedback even if folks are unable to make it to the meeting.
15

16 **(2) Legal**

17 Mr. Welch reminded the board that Manager Celia Wirth will attend the
18 Minnesota Watersheds conference and will vote on behalf of the district. Items of
19 interest for the district include a proposal for watershed districts to have
20 representation on Wetland Conservation Act Technical Evaluation Panels, and a
21 proposed regulatory approach to reducing chloride use.
22

23 **12) Adjournment**

24 **Manager Eckles moved, seconded by Manager Wirth, to adjourn the regular meeting at**
25 **9:46 p.m. Motion carried 5/0.**

26 Respectfully submitted by

27 Cameron Blake, BCWD Staff and Debra Sahulka, Recording Secretary
28
29



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2 DRAFT Minutes of the regular meeting of the Brown’s Creek Watershed District Board of
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4

5 ROLL CALL

Managers Present:	Others Present:
Klayton Eckles, President	Karen Kill, BCWD administrator
Celia Wirth, Treasurer	Camilla Correll, EOR, BCWD engineer
Debra Sahulka, Secretary	Michael Welch, Smith Partners, BCWD counsel
Larry Odebrecht, Manager	Cameron Blake, BCWD staff
	Alexander Furneaux, EOR, BCWD engineer
Managers Absent:	Anne Wilkinson, EOR, BCWD engineer
Chuck LeRoux, 2 nd Vice President	Pat Conrad, EOR, BCWD engineer
	Jimmy Marty, EOR, BCWD engineer
	Hannah Peterson, BCWD staff
	Reabar Abdullah, City of Stillwater

- 6
7 **1) Call to Order**
8 President Klayton Eckles called the regular meeting to order at 6:35 p.m.
9
- 10 **2) Agenda**
11 **Manager Wirth moved, seconded by Manager Sahulka, to approve the agenda as**
12 **presented. Motion carried, vote /0.**
13
- 14 **3) Public Comments**
15 There were no public comments.
16
17 *Manager Larry Odebrecht arrived, 6:40 p.m.*
18
- 19 **4) Consent Agenda**
20 **Manager Wirth, seconded by Manager Sahulka, to approve the consent agenda:**
21 **a) Approve minutes of the November 13, 2024, regular meeting**
22 **b) Accept Permit Fee Statement**
23 **c) Decline to waive liability monetary limits in Minnesota Statutes section 466.04**
24 Administrator Karen Kill requested item 4a be removed from the consent agenda.
25 Manager Sahulka inquired as to item 4c, and Ms. Kill explained the insurance
26 covered the district as an entity.
27 **Motion carried 4/0.**

1 5) **Treasurer’s Report**

2 a) **Authorized Funds Spreadsheet & Current Items Payable**

3 **Manager Wirth moved, seconded by Manager Odebrecht, to accept the**
4 **authorized funds spreadsheet as presented and to authorize payment of the bills**
5 **as presented totaling \$187,656.46.**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Odebrecht</u>	<u>X</u>			
<u>Manager LeRoux</u>				<u>X</u>
<u>Manager Wirth</u>	<u>X</u>			
<u>Manager Sahulka</u>	<u>X</u>			
<u>Motion carried 4/0.</u>				

14 6) **Budget**

15 a) **Public Meeting regarding 2025 Budget and Levy**

16 Manager Eckles opened the public meeting for the 2025 budget and levy. No members of
17 the public were present to comment on the budget or levy. Karen Kill explained that there
18 were no proposed changes since the September’s budget meeting. Manager Eckles
19 explained that the budget and levy have been presented to the county commissioners,
20 who were supportive.

22 b) **Resolution 24-05 Final 2025 Budget and Levy**

23 **Manager Odebrecht moved, seconded by Manager Wirth, to approve Resolution 24-**
24 **05 2025 Final Budget & Certified 2024 Tax Levy Resolution: All Funds.**

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
<u>Manager Eckles</u>	<u>X</u>			
<u>Manager Odebrecht</u>	<u>X</u>			
<u>Manager LeRoux</u>				<u>X</u>
<u>Manager Sahulka</u>	<u>X</u>			
<u>Manager Wirth</u>	<u>X</u>			
<u>Motion carried 4/0.</u>				

33 7) **Projects**

34 a) **City of Stillwater Cost-Share Request**

35 Ms. Kill explained that the declining water quality of Brewers Pond has been a concern
36 of residents. As a result district staff approached City of Stillwater staff to look into
37 retrofit opportunities for the stormwater systems leading to the pond. The city identified
38 erosion issues and pipe corrosion resulting in increased sediment loading. There is
39 limited space for many project opportunities, but replacing the pipe and adding a device
40 called a hydroseparator will provide a water quality benefit. The retrofit will provide a
41 reduction of 480 pounds of suspended solids a year. The city will monitor and maintain
42 the system and is asking for a cost share contribution of \$25,000 from the district for the
43 hydroseparator. Ms. Kill explained that if the board agrees to pursue this project the
44 managers will need to hold a public hearing at the January board meeting to consider
45 ordering the project. This would not impact the planned spring timeline of the project.

1 Manager Eckles inquired as to why this project was considered a capital improvement
2 project, and asked if there was a way to streamline the process for projects like these.
3 Michael Welch explained that having another entity contract for the construction does not
4 alter the fact that this is a district capital project. He said he will work with staff to
5 develop draft language for the capital improvements program in the plan that facilitated
6 taking advantage of opportunity projects like this one.
7 Manager Odebrecht noted that he is on the Stillwater City Council, but had no conflict of
8 interest with this project. Mr. Welch confirmed that he had no concerns regarding a
9 conflict of interest.

10 **Manager Wirth moved, seconded by Manager Odebrecht, to direct the**
11 **administrator to notice the public hearing for the January board meeting to**
12 **consider ordering the project. Motion carried, vote 4/0.**
13

14 **b) Applewood Hills Reuse Operations and Maintenance Plan scope**

15 Ms. Kill explained the board had already approved funding for the operations and
16 maintenance plan for the Applewood Hills reuse project in 2023, but construction of the
17 project was delayed by utility connection, and the engineer's hourly rates have changed
18 in the interim. The new scope also includes a year of enhanced operation and
19 maintenance assistance. This is being proposed in light of lessons learned from the Oak
20 Glen Golf Course reuse system. Manager Eckles agreed that the party responsible for
21 operation of the system must fully understand, and training is more cost effective than
22 errors that could damage the system or lead to it not being used. Manager Eckles said he
23 did think it seemed like a lot of money and hoped it would cost less over time as the
24 district becomes more familiar with reuse projects.

25 **Manager Wirth moved, seconded by Manager Odebrecht, to approve the amended**
26 **scope of services not to exceed \$22,350 from account 929-0010. Motion carried, vote**
27 **4/0.**
28

29 **c) Brown's Creek Stream Restoration**

30 **(1) Spur trail from Brown's Creek State Trail and fishing access in**
31 **coordination with Department of Natural Resources Fisheries**

32 Ms. Kill explained that the original project design included an Americans With
33 Disabilities Act accessible spur trail from Brown's Creek State Trail near the Brown's
34 Creek crossing where trail users have been causing erosion due to foot traffic. BCWD has
35 entered into a cooperative agreement with the state to construct and maintain an asphalt
36 spur trail. During final survey before construction, an error was discovered in the
37 elevation data used in the design, making the original design unable to be built to ADA
38 specifications or without interference with the existing drainage swale while staying in
39 the narrow corridor. Options are being explored by district staff and the
40 recommendation is to proceed with stabilizing steps, to coordinate with Department of
41 Natural Resources Trails to determine if amendment of the cooperative agreement is
42 necessary, and bring back final design and costs to the board for approval.
43

44 Managers and staff discussed possible partners and funding options for the constructing
45 the revised trail and steps, and Ms. Kill indicated she would explore funding from the
46 state for the work and possible partnership with the city.

1 **Manager Wirth moved, seconded by Manager Sahulka, to direct the administrator**
2 **to work with staff and the engineer to proceed with construction of stabilizing steps**
3 **and coordinate administration and contracting with the state for presentation of**
4 **final design and costs to the board approval, and to authorize the first three steps of**
5 **the EOR scope of services not to exceed \$8,878 from account 947-0022. Motion**
6 **carried, vote 4/0.**
7

8 **(2) Buckthorn removal expansion in cooperation with Stillwater**

9 Ms. Kill explained the Brown's Creek stream restoration project came in under budget by
10 approximately \$20,000 and the remaining grant funds need to be used by July 30, 2025.
11 Stillwater staff have identified an opportunity for 5 acres of buckthorn removal adjacent
12 to the project area. The city is interested in doing vegetative restoration in this area and
13 the grant funds would be used to reimburse the city for the work. Manager Eckles
14 requested educational signage be placed around the work area so the public understands
15 why tree removal is occurring. The work needs to be done while the ground is frozen.
16 The board directed staff to present an amended cooperative agreement to proceed with
17 this work in 2025.
18

19 **8) New Business**

20 **a) Education- Artist Proposal**

21 Ms. Kill stated that she has identified an artist in the enhanced stakeholder engagement
22 process who has developed a proposal for a project with the district and A House Unbuilt
23 titled "The Water Where We Live," in which unique art pieces will be created by local
24 artists and exhibited for 23 weeks in a space in downtown Stillwater. The art pieces could
25 be incorporated into the new watershed management plan and used for outreach and
26 engagement.
27

28 **Manager Wirth moved, seconded by Manager Odebrecht, to authorize the**
29 **administrator to enter, on advice of counsel, a contract with A House Unbuilt not to**
30 **exceed \$3,850 from account 910-0000. Motion carried, vote 4/0.**
31

32 **9) Management Plan Update**

33 **a) Ecological Health**

34 Alexander Furneaux shared the input received from the Citizen Advisory
35 Committee on ecological health for the plan and the additions proposed for the
36 draft plan. Manager Eckles requested more information on what other watershed
37 districts are doing to approach incentivizing local wetland banking before
38 formalizing anything in the management plan. He recalled a constructed
39 expansion of a wetland in Stillwater that was used as banking credits. The board
40 discussed a rolling process of updating the district's wetland inventory.
41

42 **b) Wetland Health**

43 Jimmy Marty presented the wetland inventory results developed using a new
44 system call the Wetland Assessment Tool, which is replacing the Routine
45 Wetland Assessment Method. He said the WAT was used to evaluate 12 district
46 wetlands, the assessment of which was extrapolated via a desktop analysis across
the watershed. Manager Eckles inquired as to whether there is concern about a

1 disagreement of wetland classification for permitting projects and Mr. Welch
2 explained as long as the decision making is based on sound science, this is what
3 the district is intended to do, and the framework for this is created in the
4 management plan. The board noted that smaller wetlands are still protected under
5 WCA, as well as through district rules regarding bounce and inundation and
6 buffers for groundwater dependent wetlands. The board clarified that there are
7 approximately 700 wetlands in the district based on the national wetland
8 inventory which does not include marginal wetlands, and so far the district has
9 only evaluated wetlands larger than an acre.
10 Part of the new assessment includes a rating for restoration-opportunity value,
11 which the district could consider in its rules.
12

13 **c) Pollutants of Emerging Concern**

14 Anne Wilkinson reviewed pollutants of emerging concern such as *E. coli*,
15 microplastics, and per- and polyfluoroalkyl substances, known as PFAs,
16 suggesting that the managers consider the district's role in addressing such
17 contaminants. Manager Eckles explained he felt these were big issues and the
18 district is not going to be the one responsible for solving them. Manager Wirth
19 stated the district could consider taking an educational and outreach role in the
20 same way the board chose in the issue of flooding. She noted if the district
21 includes these pollutants in the plan there could be more information in the next
22 ten years of the plan that the board could respond to. The board discussed
23 monitoring of PFAS in district lakes and adding this to the current monitoring
24 regimen. The board discussed the *E. coli* impairment in Brown's Creek and what
25 if anything should be done about it, including monitoring for soil borne sources in
26 the upstream wetlands, or posting signage at the stream access sites the district is
27 creating as part of the restoration project. Manager Eckles feels the district has
28 done its due diligence in confirming the *E. coli* is not of human source.
29 The board discussed how the management plan-update process could be made
30 more efficient. Manager Eckles noted the management plan is a lot of work but
31 this update only happens every ten years and wants to make sure the board is
32 doing sufficiently good work on this to avoid the need for plan amendments in the
33 future. The board suggested pushing the ecological health topic out a couple of
34 months and only reviewing two topics at each meeting. Ms. Kill noted the
35 regulatory meetings feedback will be discussed at the next board meeting so there
36 will be no management plan activity scheduled. Staff will bring a revised
37 planning schedule for board feedback at the January meeting.
38

39 **11) Discussion Agenda**

40 **a) Updates**

41 **(1) Administrator**

42 Ms. Kill stated there was a new University of Minnesota homeowners' association
43 stormwater leaders course pilot program with Washington County residents as
44 priority for signing up. Managers are encouraged to share this information with
45 interested parties.

46 (a) Minnesota Watersheds conference

1 The district had two presentations at the conference this year; one
2 about the enhanced stakeholder engagement process and one about the
3 HOA stormwater resources the district produced. Angie Hong of the
4 East Metro Water Resources Education Program (EMWREP), of
5 which the district is a partner, was the keynote speaker during lunch at
6 the conference.
7

8 (b) Diversion Drainage – beaver damming improving wet meadow habitat
9 Ms. Kill explained there are some beaver damming activities the district is
10 aware of that are currently improving conditions along some of portions of
11 the Brown’s Creek tributaries. One dam has just caused an exceedance at
12 the district’s iron-enhanced sand filter harvest pond and so will be lowered
13 to an acceptable elevation but otherwise left.
14

15 (b) County State Aid Highway 15 extension
16 This permit will come forward at the January board meeting.
17

18 (d) Lakeview Hospital site
19 The board has budgeted \$100,000 that can be used as an incentive for
20 above and beyond stormwater treatment projects on the hospital site. It
21 could be sued for heated sidewalks that would reduce chloride usage as
22 this area flows to Long Lake which is already impaired for chloride. The
23 project is a few months out from coordinated submittals, and
24 municipalities are selecting contractors for utility work.
25

26 **(2) Legal**

27 Mr. Welch updated the board that the chloride regulatory resolution was adopted
28 by delegates at the Minnesota Watersheds conference. He also explained that the
29 Minnesota Pollution Control Agency is initiating its triannual water standards
30 review and is accepting comments through February 7.
31

32 **(3) Engineers**

33 Ms. Correll explained that there were hydraulic and hydrology model update talks
34 at the Minnesota Watersheds conference that were relevant to district concerns
35 such as using future rainfall conditions. Minnehaha Creek Watershed District has
36 coupled their surface model with their groundwater model to help determine how
37 groundwater levels impact flooding, and use 2d modeling to help communities
38 figure out their risks and vulnerabilities. Manager Eckles asked what the role of
39 watershed districts are for communities who are unable to retrofit their systems to
40 meet the new 100-year storm standard. Ms. Kill said she feels the watershed
41 district’s role is to inform communities about problems and help figure out what
42 to do. Some communities are using weather predictions and smart systems to
43 achieve adaptive level control.
44

45 **12) Adjournment**

1 **Manager Wirth moved, seconded by Manager Odebrecht, to adjourn the regular meeting**
2 **at 9:58 p.m. Motion carried 4/0.**

3

4 Respectfully submitted by

5 Cameron Blake, BCWD Staff and Debra Sahulka, Recording Secretary

APPLICANT/PERMIT NO.	PERMIT DATE	Status/Notes	RULES							Decompaction	TYPE				FEES OWED	
			2	3	4	5	6	7	GOV		SF RES	RES DEV	COM	EXEMPT	AMT DUE	
Bergmann Development/Sanctuary Permit No. 05-12	10/14/2005		X	X	X			X				X			\$	-
Stillwater Medical Center Parking Permit 13-26		need to verify infiltration with monitoring data	X	X				X					X			\$3,039.10
Brown's Creek Cove Permit 15-07		received as-builts and not built as approved -needs correction	X	X	X			X				X				\$8,238.52
Heifort Hills Permit 16-03		need as-builts	X	X	X	X		X				X				\$1,327.34
Farms of Grant/White Oaks Savannah Permit 17-01			X	X	X			X				X				\$19,272.64
The Lakes of Stillwater Permit 17-04	Extended to 12/31/2025	received as-builts and not built as approved -needs correction	X	X	X			X					X			\$4,473.18
West Ridge Permit 17-17			X	X	X			X	X			X				\$1,082.93
Heifort Hills Estates Permit 18-02			X	X	X			X	X			X				\$41,206.46
Boutwell Farms Permit 18-04A			X	X	X			X	X			X				\$785.69
Hazel Place/Heritage Ridge Permit 18-05 (Was 17-09)		lots to go	X	X	X			X	X			X				(\$2,408.42)
Nottingham Village Permit 18-06		approved (overflow too	X	X	X			X				X				\$1,328.90
Ridgecrest Permit 18-11		waiting on proposal to be done - one raingardian follow up spring 2024	X	X				X	X				X			\$1,082.53
St Croix Valley Recreation Center Expansion Permit 18-14		contact Reabar - last follow up 2021		X				X	X			X			\$6,970.28	
Central Commons Permit 19-05	11/11/2025	Declaration still	X	X	X			X	X				X			(\$4,265.00)
Neal Ave Road Reconstruction Permit 20-05	6/1/2020	contact Reabar	X	X								X			\$19,088.31	
CSAH 15-36 Interchange Permit 20-08	3/24/2021 3 year approval	waiting for as-builts		X				X	X			X			\$19,716.35	
White Pine Ridge Permit 20-12	6/7/2021 surety redution request 1/12/23			X								X				(\$631.32)
Maryland Gateway Addition Permit 21-13	9/29/2021	four lots left to build	x	x				x				x				(\$611.00)
Schwartz Residence Permit 21-15	5/6/2021 erosion control only	amendment requested for 2.0	x	x								x				(\$319.38)
Millbrook Park- City of Stillwater Permit 21-21	8/25/2021	Retrofit complete/planting spring 2024	x	x	x							x			\$6,970.18	
Fahey Permit 21-34	11/4/2021			x								x				(\$743.78)
Norell Ave N Improvements	(Fall 2022 BMP still needs to be finalized fall 2023)	waiting on maintenance agreement	x	x				x				x			\$10,458.63	

APPLICANT/PERMIT NO.	PERMIT DATE	Status/Notes	RULES							Dec omp actio n	TYPE				FEES OWED	
			2	3	4	5	6	7	GOV		SF RES	RES DEV	COM	EXEMPT	AMT DUE	
Permit 21-45																
Gonyea (8 lots)- White Pine Ridge Permit 22-02				x								x				(\$150.60)
Wetridge (12 lots) - Sharkey/GreenHalo Permit 22-03 (Transferred 21-30 and 21-31)	3/25/2022			x								x				(\$442.71)
13290 Boutwell Road N - Sharkey/GreenHalo Permit 22-05	3/25/2022			x								x				(\$590.51)
7125 Lone Oak Trail (WOS L106)-weichman Permit 22-11	9/25/2022 need to amend declaration			x							x					\$7,650.88
Stillwater Oaks Permit 22-18	conditional approval		x	x								x				\$1,778.50
Popeyes OPH Permit 22-20	11/9/2022			x									x			(\$189.62)
Wash Co. CSAH 57 culverts Permit 22-31	2/2/2023			x						x						\$0.00
Cty Rd 61 Re-alignment Permit 23-01	4/12/2023 not yet closable		x	x						x						\$8,147.40
WOS L114 - Cates (7211 Lone Oak Trail Tweden) Permit 23-02	9/26/2023 submittal			x	x			x		x						\$8,627.43
Boutwell Farm Lot 1 (2545 Boutwell Farm Rd) Permit 23-03	5/3/2023 NOPV Board Order Items			x							x					\$3,569.86
Westridge B1L4 (986 Creekside) Permit 23-04	5/3/2023			x							x					(\$656.02)
Rocket Carwash Permit 23-05	conditional approval 4/12/2023		x	x									x			\$4,824.00
7239 Lone Oak Trail (WOS L118) Permit 23-07	5/3/2023			x							x					\$689.54
72nd St Road and Trail Improvements Permit 23-08	5/26/2023									x						\$3,438.36
7273 Lone Oak Trail- WOS Lot 122 - Freiroys Residence Permit 23-11	Conditions not met but started construction 7/27/2023	Need LOC-submitted but not acceptable		x							x					\$1,058.25
The Lakes - Phase III/Sandhill Shores Permit 23-13	6/8/2023			x								x				\$582.82
Wiskow Berm Permit 23-14	6/28/2023			x							x					(\$576.28)
7085 Lone Oak Trail- WOS L102- Mensah Res/Cates Permit 23-15	App recieved 7/10 John reviewing/conditions 7/27/2023			x							x					\$1,305.23
Sundance Townhomes Permit 23-17	conditional approval		x	x	x			x					x			\$7,019.50
7285 Lone Oak Trl- WOS L124 Permit 23-18	erosion control revisions needed			x							x					\$283.00
Liberty Classical Academy Expansion Permit 23-19	Plans submitted 6-12-2024 Fee received 12-21-2023		x	x	x			x					x			\$2,466.75
Take 5 Oil Change Permit 24-01	8/23/2024		x	x				x					x			(\$2,750.81)
Schuster Residence- 122nd St N Permit 24-02	3/12/2024			x							x					\$913.96

APPLICANT/PERMIT NO.	PERMIT DATE	Status/Notes	RULES							TYPE				FEES OWED	
			2	3	4	5	6	7	Dec omp actio n	GOV	SF RES	RES DEV	COM	EXEMPT	AMT DUE
WOS L120- 7255 Lone Oak- Hilgert Permit 24-03	3/18/2024			x							x				\$2,006.30
Swager Residence Permit 24-05	3/7/2024			x							x				\$ (645.40)
Rutherford Elementary Permit 24-06	8/29/2024		x	x				x			x		\$	8,379.06	
Elliot Crossing Permit 24-07	8/2/2024 submittal complete		x	x	x			x			x		\$	34,205.97	
Altendorfer Residence - 13075 Lynch Rd Permit 24-08	5/8/2024			x							x		\$	(853.75)	
Washington County CSAH 5 - Trails and Bridge Permit 24-09	8/6/2024 submittal complete 60 day extension administrative		x	x				x	x		x		\$	19,677.75	
Boutwell Farms lot 1 -Conlin - 2545 Boutwell Farm Rd Permit 24-10	application incomplete 8/29/2024			x							x		\$	(787.14)	
7300 Lone Oak Trail - WOS Lot 127 Karr Residence (Cates) Permit 24-11	8/29/2024			x							x		\$	602.19	
7338 Lone Oak Trail- WOS Lot 130-Carlson Residence Permit 24-12	pre-application - lowest floor alteration request App recived 9/24/2024			x							x		\$	(187.12)	
8413 Marylane Permit 24-13	10/24/2024			x							x		\$	(926.50)	
Pratt Homes - 105th and Jamaca - Wick Residence Permit 24-14	application recieved 8/15 ready to issue			x							x		\$	(730.69)	
Lornston Permit 24-15	financial assurance received 11/7/24			x	x						x		\$	(1,096.75)	
Goodsell Permit 24-16	App received 11/6/2024			x	x						x		\$	(10,670.24)	
WOS Lot 129 - Weatherby Permit 24-17	incomplete 11/12/2024			x							x		\$	(10,670.24)	
Washington County CSAH 15B/South Frontage Rd Permit 24-18	submittal 11/13/2024		x	x		x	x	x			x		\$	(145.99)	
TOTAL NON-EXEMPT DUE BCWD:			117	457	44	17	31	177	25	71	153	13	119		\$179,099.22
Total due back to applicants if closed:															(\$236,723.07)

Brown's Creek Watershed District
2025 Budget
Approved 12-11-2024

		Estimated 2024 Carry Forward	2025 Grants	2025 Levy	2025 Total Budget	Allocated	Available
100-2910	Designated Funds - Management Plan Projects	\$ 841,580			\$ 841,580		\$ 841,580
					\$ -		\$ -
Revenue					\$ -		\$ -
100-3700	Interest Income				\$ -		\$ -
100-3601	Metropolitan Council Outlet Monitoring Grant		\$ 5,000		\$ 5,000		\$ 5,000
100-3630	Washington County Cost-share Applewood Reuse				\$ -		\$ -
100-3631	MPCA Small Watershed Grant 2023-2025				\$ -		\$ -
100-3632	MPCA Small Watershed Grant 2025-2029		\$ 34,800		\$ 34,800		\$ 34,800
100-3100	Tax Levy			\$ 1,207,531	\$ 1,207,531		\$ 1,207,531
TOTAL, ESTIMATED Sources of Funding		\$ 841,580	\$ 39,800	\$ 1,207,531	\$ 2,088,911	\$ -	\$ 2,088,911

ACCT. #	General Expenses	Estimated 2024 Carry Forward	2025 Grants	2025 Levy	2025 Total Budget	Allocated	Available
200-4000	Manager Per Diem and Expense			\$ 10,000	\$ 10,000		\$ 10,000
200-4001	Manager Communications/Tablets				\$ -		\$ -
200-4220	Secretarial Services				\$ -		\$ -
200-4250	Dues & Subscriptions (MN Watersheds 7200 and LMCIT 2800)			\$ 10,000	\$ 10,000	\$ 10,000	\$ -
200-4270	Bonding & Insurance			\$ 6,500	\$ 6,500	\$ 6,500	\$ -
200-4280	Postage & Delivery			\$ 1,000	\$ 1,000		\$ 1,000
200-4290	Printing & Notices			\$ 1,000	\$ 1,000		\$ 1,000
200-4330	Accounting			\$ 5,000	\$ 5,000		\$ 5,000
200-4331	Audit			\$ 12,000	\$ 12,000		\$ 12,000
200-4949	Misc., Other Expense			\$ 2,000	\$ 2,000		\$ 2,000
200-4320	Wash. Conservation District--Admin			\$ 65,000	\$ 65,000	\$ 65,000	\$ -
200-4265	Admin Conference Registrations			\$ 3,000	\$ 3,000		\$ 3,000
200-4410	Legal Fees - General			\$ 27,100	\$ 27,100		\$ 27,100
200-4500	Staff Engineer			\$ 31,289	\$ 31,289		\$ 31,289
	Diversity, Equity and Inclusion Training			\$ 5,000	\$ 5,000		\$ 5,000
	Contingency Reserve			\$ 50,000	\$ 50,000		\$ 50,000
TOTAL GENERAL FUND EXPENSES:		\$ -	\$ -	\$ 228,889	\$ 228,889	\$ 81,500	\$ 147,389

ACCT. #	MANAGEMENT PLAN EXPENSES	Estimated 2024 Carry Forward	2025 Grants	2025 Levy	2025 Total Budget	Allocated	Available
300-4320	Wash. Conservation District--Administrator			\$ 250,000	\$ 250,000	\$ 250,000	\$ -
300-4410	Legal Fees - Mgmt Plan			\$ 60,000	\$ 60,000		\$ 60,000
300-4501	Staff Engineer			\$ 99,522	\$ 99,522		\$ 99,522
300-4702	Permitting, Legal Review			\$ 15,750	\$ 15,750		\$ 15,750
300-4703	Permitting, Engineering Review			\$ 75,000	\$ 75,000		\$ 75,000
300-4704	Permitting, Inspection Database			\$ 10,500	\$ 10,500		\$ 10,500
300-4710-1	Baseline Monitoring		\$ 5,000	\$ 145,000	\$ 150,000	\$ 150,000	\$ -
300-4640	Equip. Maint. and Upgrades	\$ 15,000		\$ 10,000	\$ 25,000		\$ 25,000
300-4810	Shared Educator Position			\$ 31,000	\$ 31,000		\$ 31,000
300-4950	Management Plan Implementation -future projects				\$ -		\$ -
903-0001	Trout Habitat Preservation Project: Monitoring,	\$ 6,500			\$ 6,500		\$ 6,500
909-0000	Rules Review/Evaluation	\$ 20,000		\$ 10,000	\$ 30,000		\$ 30,000
909-0001	Groundwater Dep Nat Resource Inventory update				\$ -		\$ -
909-0002	Permitting Program Internal Procedure updates	\$ 25,000			\$ 25,000		\$ 25,000
910-0000	Education & Outreach			\$ 103,500	\$ 103,500		\$ 103,500
911-0000	Volunteer Stream Monitoring			\$ 4,500	\$ 4,500		\$ 4,500
912-0000	Grant Preparation				\$ -		\$ -
914-0000	Homeowner BMP Program			\$ 50,000	\$ 50,000		\$ 50,000
922-0000	Plan Reviews - LGU/LWMP				\$ -		\$ -
923-0000	H & H Model Maintenance	\$ 42,500			\$ 42,500		\$ 42,500
923-0002	Flood Risk Assessment				\$ -		\$ -
923-0003	Long Lake - Flood Risk - Weir Modification Assessment			\$ 30,000	\$ 30,000		\$ 30,000
927-0000	Management Plan Update	\$ 10,000		\$ 15,000	\$ 25,000		\$ 25,000
929-0000	Long Lake Plan Implementation			\$ 103,700	\$ 103,700		\$ 103,700
929-0012	Long Lake - Marketplace Reuse Feasibility	\$ 225,120		\$ (225,120)	\$ -		\$ -
929-0013	Long Lake - Chloride Impairment Assessment			\$ 15,000	\$ 15,000		\$ 15,000
929-0014	Long Lake - Brewer's Pond BMP/LGU cost-share			\$ 15,750	\$ 15,750		\$ 15,750
935-0000	Land Conservation Program	\$ 150,000		\$ 50,000	\$ 200,000		\$ 200,000
935-0002	110th Street Property Implementation	\$ 50,000			\$ 50,000		\$ 50,000
935-0003	Develop Land Conservation Priorities	\$ 20,000			\$ 20,000		\$ 20,000
940-0000	BMP Program - LGU/Community Demonstration Projects				\$ -		\$ -
942-0004	Measuring Trends in GW Elevations & Flow			\$ 4,700	\$ 4,700		\$ 4,700
942-0007	Groundwater - Browns Creek piezometers	\$ 8,960		\$ (8,960)	\$ -		\$ -
942-0011	Groundwater - Coordination with users	\$ 8,500			\$ 8,500		\$ 8,500
947-0017	Brown's Creek Implementation - Ecoli	\$ 10,000		\$ 5,800	\$ 15,800		\$ 15,800
947-0018	Brown's Creek - Biological Survey (Macroinvert)			\$ 4,100	\$ 4,100		\$ 4,100
947-0022	Brown's Creek - Buffer and Stream Restoration	\$ 40,800			\$ 40,800		\$ 40,800
947-0023	Brown's Creek - Golf Course Reuse - Oak Glen				\$ -		\$ -
947-0026	Brown's Creek - Brown's Creek Cove Reach	\$ 23,200	\$ 34,800		\$ 58,000		\$ 58,000
947-0027	Brown's Creek - McKusick Road rock crib feasibility	\$ 26,000			\$ 26,000		\$ 26,000
948-0000	CIP Maintenance	\$ 115,000		\$ 85,000	\$ 200,000		\$ 200,000
950-0001	South School Curly Leaf Treatment				\$ -		\$ -
951-0001	Woodpile Lake Management Plan Implementation				\$ -		\$ -
953-0000	Fen Management Plan Implementation				\$ -		\$ -
957-0000	Weather Station			\$ 3,900	\$ 3,900		\$ 3,900
959-0001	Resource Assessment - upstream 110th/Drone flight				\$ -		\$ -
959-0002	Resource Assessment - Diversion Tribs - Head cut Repairs				\$ -		\$ -
959-0004	Resource Assessment - AIS			\$ 15,000	\$ 15,000		\$ 15,000
960-0000	St Croix Phosphorus Reduction	\$ 10,000			\$ 10,000		\$ 10,000
961-0000	Mendel Wetland Restoration Feasibility	\$ 35,000			\$ 35,000		\$ 35,000
962-0000	District-Wide Pond Management Planning/Implementation				\$ -		\$ -
963-0000	District-Wide Vegetation Surveys				\$ -		\$ -
964-0000	District-Wide Chloride Source Assessment				\$ -		\$ -
TOTAL MANAGEMENT PLAN PROJECT EXPENSES:		\$ 841,580	\$ 39,800	\$ 978,642	\$ 1,860,022	\$ 400,000	\$ 1,460,022
TOTAL, OPERATING EXP. & MGMT. PLAN PROJECTS:		\$ 841,580	\$ 39,800	\$ 1,207,531	\$ 2,088,911	\$ 481,500	\$ 1,607,411

BROWN'S CREEK WATERSHED DISTRICT

1/8/2025

CURRENT ITEMS PAYABLE-PAGE 1 of 2

	YES	NO	ABSTAIN	ABSENT
ECKLES	_____	_____	_____	_____
ODEBRECHT	_____	_____	_____	_____
LEROUX	_____	_____	_____	_____
WIRTH	_____	_____	_____	_____
SAHULKA	_____	_____	_____	_____

VENDOR

Emmons & Olivier Resources, Inc.

Invoices December 2024

	ACCOUNT #	ITEMS	TOTAL	CK NO
Inv. 41-0000-229 Retainer	300-4500	\$ 7,078.50		
Inv. 41-0000-229 Retainer	200-4500	\$ 2,359.50		
Inv. 41-0001-232 General Permitting	300-4703	\$ 12,820.25		
Inv. 41-0307-93 Permits 2017				
Permitting #17-04 Stillwater Senior Living	300-4703	\$ 75.01		
Inv. 41-0330-76 Permits 2018				
Permitting #18-05 Hazel Place	300-4703	\$ 36.75		
Permitting #18-11 Ridgecrest Oak Park Heights	300-4703	\$ 352.19		
Inv. 41-0350-42 Permits 2019				
Permitting #19-05 Central Commons	300-4703	\$ 735.00		
Inv. 41-0384-36 Permits 2021				
Permitting #21-13 Marylane Gateway	300-4703	\$ 165.26		
Inv. 41-0402-34 Permits 2022				
Permitting #22-18 Stillwater Oaks	300-4703	\$ 73.50		
Inv. 41-0438-12 Permits 2024				
Permitting #24-01 Take 5 Oil Change	300-4703	\$ 86.33		
Permitting #24-02 Schuster Residence	300-4703	\$ 95.01		
Permitting #24-07 Elliot Crossing	300-4703	\$ 841.00		
Permitting #24-09 CSAH 5 Phase 3	300-4703	\$ 49.50		
Permitting #24-10 Boutwell Farm Lot 1	300-4703	\$ 79.77		
Permitting #24-11 WOS Lot 127 Karr Residence	300-4703	\$ 75.01		
Permitting #24-12 WOS Lot 130 Carlson	300-4703	\$ 75.01		
Permitting #24-14 Wick Residence	300-4703	\$ 75.01		
Permitting #24-16 Goodsell Residence	300-4703	\$ 1,471.51		
Permitting #24-17 WOS Lot 129 Weatherby	300-4703	\$ 75.01		
Permitting #24-18 CSAH 15 Frontage	300-4703	\$ 9,866.25		
Inv. 41-0205-86 CIP Operation and Maintenance	948-4500	\$ 11,983.28		
Inv. 41-0284-33 BCWD Education & Outreach	910-0000	\$ 1,297.50		
Inv. 41-0380-6 2024 Vegetation Management	948-0000	\$ 367.50		
Inv. 41-0401-7 Bluff Restoration/Highway Sponsorship	959-0003	\$ 99.00		
Inv. 41-0418-25 Brown's Ck Pk Restoration	947-0022	\$ 6,685.63		
Inv. 41-0447-9 BCWD 2024 WMP Update	927-0000	\$ 10,408.86		
Inv. 41-0433-11 2024 H&H Model Update	923-0000	\$ 5,955.00		
Inv. 41-0437-10 2024 OGGC Reuse Maintenance and Monitoring	948-0000	\$ 878.58		
Inv. 41-0450-7 Coordinating WQ Improvements with Membe	962-0000	\$ 1,170.00		
Inv. 41-0453-7 IESF O&M 2024	948-4500	\$ 2,846.86		
Inv. 41-0458-3 Rule Revisions Facilitation	909-0000	\$ 680.25		
Inv. 41-0446-7 Masterman Long Woodpile Lake Plans	962-0000	\$ 7,976.25		
Inv. 41-0456-2 Groundwater Dependent NRI Update	948-4500	\$ 5,587.50		

EOR Cont.	Inv. 41-0457-1 Diversion Water Quality Assessment	927-0000	\$ 3,614.50	\$ 96,036.08
Xcel Energy	Inv. 907610603- Iron Enhanced Sand Filter pump operation	948-4500	\$ 25.95	\$ 25.95
Washington Conservation District	Inv. 6789 November 2024- Water Monitoring Baseline Water Monitoring- labor	300-4710	\$ 10,441.25	
	Baseline Water Monitoring- equipment	300-4640	\$ 14.58	
	Metropolitan Council- Lab	300-4710	\$ 4,963.50	
	Inv. 6796 November 2024- BMP Program	914-0000	\$ 2,024.00	\$ 17,443.33
Smith Partners	December 2024 Invoices			
	Inv. 45439 Retainer - Meetings, Preparation	200-4410	\$ 2,150.18	
	Inv. 45440 General Legal Services	300-4410	\$ 931.00	
	Inv. 45441 Planning	300-4410	\$ 558.18	
	Inv. 45442 Contracts	300-4410	\$ 976.88	
	Inv. 45443 Permits	300-4702	\$ 1,647.00	
	Inv. 45444 Policy Issues	300-4410	\$ 27.90	
	Inv. 45445 Capital Project Development	300-4410	\$ 904.89	
	Inv. 45446 Highway 36/Manning Reuse	300-4410	\$ 55.80	
Inv. 45447 Brown's Creek Restoration	300-4410	\$ 949.32	\$ 8,201.15	
ECM Publishers Inc	Inv. 1023364 Notice for Public Hearing	200-4290	\$ 119.00	\$ 119.00
Press Publications	Inv. 823797 Notice for Public Hearing	200-4290	\$ 183.92	\$ 183.92
Metro Watershed Partners	2025 Membership: Clean Water MN and Adopt-a-Drain	910-0000	\$ 1,000.00	\$ 1,000.00
Rock Leaf Water Environmental LLC	Inv. 3299 CIP Maintenance Contract	948-0000	\$ 28,087.00	\$ 28,087.00
Xylem Water Solutions U.S.A. Inc	Inv. 3556D53811 Oak Glen Golf Course Reuse System Pump Subscription	948-0000	\$ 664.00	\$ 664.00
Manager Sahulka	Quarter IV 2024 Per Diem	200-4000	\$ 300.00	\$ 300.00
Manager Wirth	Quarter IV 2024 Per Diem	200-4000	\$ 700.00	
	Reimbursement: MN Watersheds Lodging	200-4000	\$ 483.57	
	Reimbursement: MN Watersheds Registratior	200-4000	\$ 328.67	\$ 1,512.24
Manager Odebrecht	Quarter IV 2024 Per Diem	200-4000	\$ 200.00	\$ 200.00
Manager LeRoux	Quarter IV 2024 Per Diem	200-4000	\$ 200.00	\$ 200.00
Manager Eckles	Quarter IV 2024 Per Diem	200-4000	\$ 500.00	\$ 500.00
Manager Johnson	Quarter IV 2024 Per Diem	200-4000	\$ 100.00	\$ 100.00
Total Amount Disbursed				\$ 154,572.67

BROWN'S CREEK WATERSHED DISTRICT

1/8/2024

MONTHLY ITEMS DEPOSITED - Page 1 of 1

VENDOR	INVOICE/DESCRIPTION	ACCOUNT #	CK NO	DEPOSIT DATE	TOTAL
Robert Goodsell	#24-16 Permit Deposit	300-4703	7087	12/13/2024	\$ 14,000.00
League of MN Cities	2024 Dividend	200-4250	192404	12/27/2024	\$ 247.00
4M Fund	Dividend	100-3700	Direct Deposit	12/31/2024	\$ 4,599.30
TOTAL AMOUNT DEPOSITED:					\$ 18,846.30

Brown's Creek Watershed District
Treasurer's Report
1/8/25

Total Bank Balance		
4M Fund	\$	1,169,495.56
USBank		-
Less Accounts Payable		(154,572.67)
Plus Unrecorded Deposits since	12/31/2024	-
Total Balance	\$	<u>1,014,922.89</u>

Project Name	BCWD Permit 24-18 County Road 15B Grading	Date	1/3/2025
To / Contact info	BCWD Board of Managers		
Cc / Contact info	Jeremy Nielsen, PE / SRF Consulting Group		
Cc / Contact info	Ryan Hoefs / Washington County		
Cc / Contact info	Karen Kill, Administrator / BCWD		
From / Contact info	Paul Nation, PE; Julia Lau / EOR		
Regarding	Permit Application No. 24-18 Engineer's Report		

The BCWD engineer conducted the following review of the above-captioned project located within the legal jurisdiction of the Brown's Creek Watershed District (BCWD) to determine compliance with the BCWD rules for purposes of the engineer's recommendation to the Board of Managers for its determination of the permit application.

Applicant: Washington County Highway Department

Permit Submittal Date: 12/11/2024

Completeness Determination: 12/13/2024

Board Action Required By: 2/9/2025

Review based on BCWD Rules effective April 1, 2020

Recommendation: Approve with Conditions

GENERAL COMMENTS

Washington County has applied to BCWD for a permit for grading across several properties needed to establish grades suitable for the future construction of County Road 15B from Manning Avenue east to a point 800 feet west of Memorial Avenue, and along and south of Trunk Highway 36. (See Figure 1.) The application, if approved, will authorize grading only; no road or other construction would be authorized.

Existing Conditions: The entire existing 16.7-acre project area drains to a ravine, crosses under Highway 36, and drains north toward Long Lake. 3.1 acres drain north to a ditch along the south side of TH 36 and 13.6 acres drain south through existing wetlands, then to the ravine. There is no existing impervious area within the project limit of disturbance. The applicant proposes to disturb 16.7 acres across six parcels:

- *PIDs 0602920220012, 0602920220013 – owned by Central Commons LLC*
- *PID 0602920210001 – owned by Anderson Holdings Inc*
- *PIDs 0602920120005, 0602920120006 – owned by Roger and Bruce Tuckner (Century Power)*
- *PID 0602920210002 – owned by Washington County*

There are 13 wetlands on these parcels, 6 of which are not impacted by the proposed work as will be discussed below.

Proposed Conditions: The county is proposing grading the roadway corridor from Manning Avenue to the existing ravine splitting the Tuckner and Anderson Holdings properties. The county proposes

to rough grade for the future roadway and place stockpiles on the adjacent Central Commons and Anderson parcels.

The Central Commons parcels are the area that is subject to BCWD Permit 19-05, which was conditionally approved in November of 2020. The county's proposed grading is consistent with the development conditionally approved by Permit 19-05. (The grading proposed under the present application will not affect the stormwater management plan approved for 19-05. Future work in the right of way, if any, that is not consistent with the stormwater management plan or other compliance measures that constituted the premise underlying BCWD's conditional approval of permit 19-05 may require amendment of permit 19-05.)

Washington County has submitted documentation of its ongoing coordination with the owners of the parcels that are the location of its proposed grading but has not yet secured the necessary land-use rights. The recommended conditions of permit approval (see end of report) include submission of final easement documents for the proposed right-of-way, demonstrating Washington County's authorization to undertake the proposed grading (and roadway construction under a future application).

In addition to the grading work, the county proposes to install a culvert and fill in the ravine in preparation for the future road construction, and a wet pond will be constructed for floodplain mitigation (Figure 1). The county has requested a variance from compliance with Rule 7.0 because the storage provided by the wet pond is not located within the ravine floodplain. The final Wetland Conservation Act approval of fill in two ravine wetlands within the proposed project area must be provided as a condition of permit approval. Wetland impacts for filling of wetlands on the Central Commons site were approved through WCA using state-approved mitigation credits. Central Commons LLC has authorized Washington County to rely on these approvals for the wetland fill related to the county's work on their property.

Recommendation: The BCWD engineer recommends that the board approve the application and determines that there is sufficient technical support for the managers' approval of the requested variance, with the conditions and stipulations stated below.

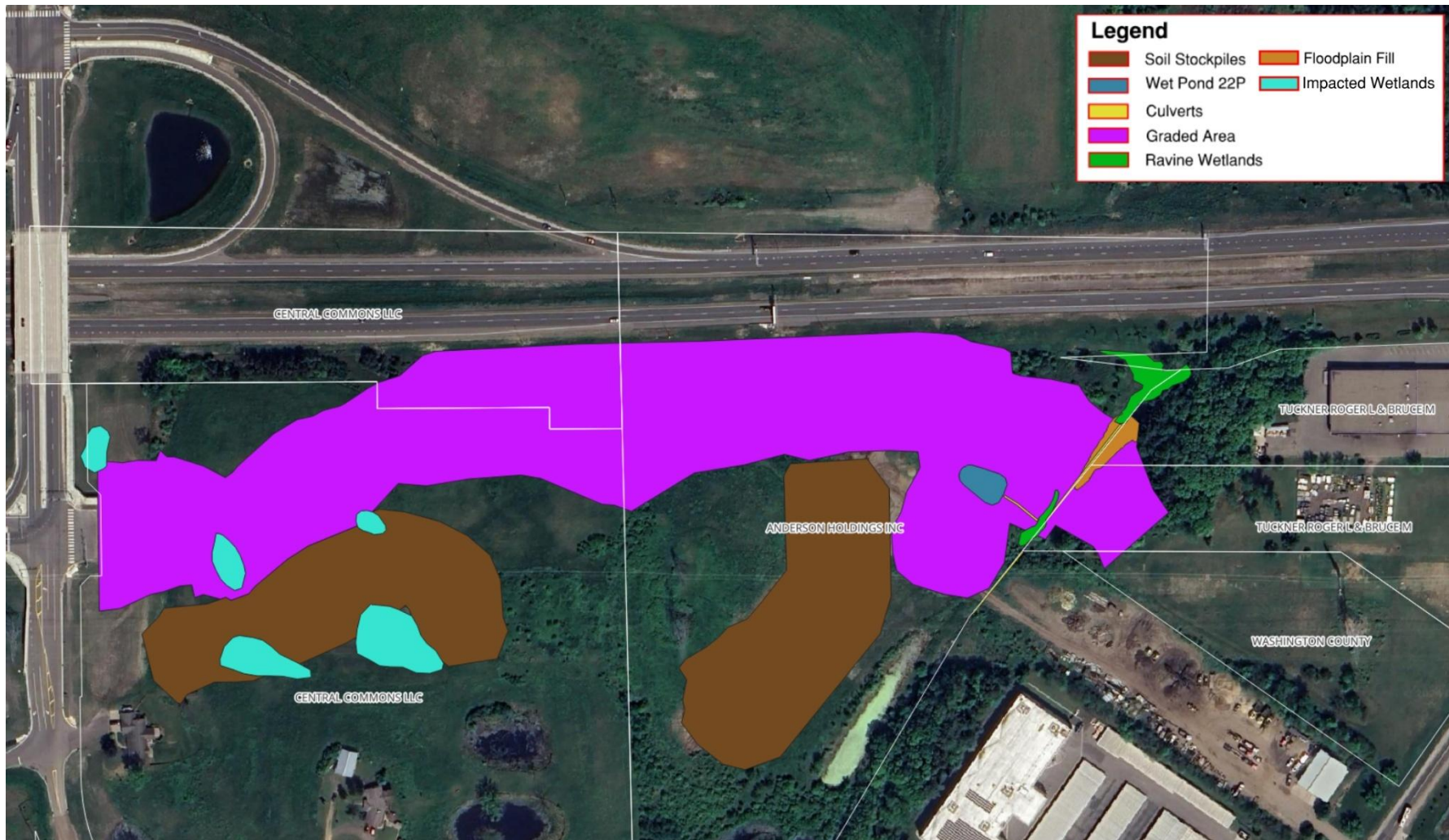


Figure 1: Site Plan

Rule 2.0—STORMWATER MANAGEMENT

According to BCWD Rule 2.2(c), linear projects that create one or more acres of new and/or reconstructed impervious surfaces are subject to the requirements of Rule 2.0.

- Rule Not Applicable to Permit. *The proposed project does not create any impervious surfaces. A stormwater permit will be required for the subsequent road paving permit.*

Rule 3.0—EROSION CONTROL

According to BCWD Rule 3.2, all persons undertaking any grading, filling, or other land-altering activities which involve the movement of more than 50 cubic yards of earth or removal of vegetative cover on 5,000 square feet or more of land must submit an erosion control plan to the District, and secure a permit from the District approving the erosion control plan. The proposed project triggers the application of Rule 3.0 Erosion Control because it includes 16.7 acres of disturbance on the project site.

- Rule Requirements Met with Conditions

The erosion and sediment control plan includes:

- *Erosion control blanket*
- *Silt fence*
- *Double row of silt fence in ravine*
- *Stabilized construction exit*
- *Permanent stabilization with native vegetation*
- *De-compaction to restore soil infiltration capacity to match existing conditions*
- *Hydraulic reinforced fiber matrix on 2:1 slopes*

The following conditions must be addressed in the erosion and sediment control plan to comply with the District's requirements:

Rule 3.0 Conditions:

- 3-1. Provide the contact information for the erosion and sediment control responsible party during construction once a contractor is selected. Provide the District with contact information for the Erosion Control Supervisor and the construction schedule when available (BCWD 3.3.2).

Rule 4.0—LAKE, STREAM, AND WETLAND BUFFER REQUIREMENTS

According to BCWD Rule 4.2.1, Rule 4.0 applies to land that is (a) adjacent to Brown's Creek; a tributary of Brown's Creek designated as a public water (Minnesota Statutes section 103G.005, subdivision 15); a lake, as defined in the rules; a wetland one acre or larger; or a groundwater-dependent natural resource; and (b) that has been either (i) subdivided or (ii) subject to a new primary use for which a necessary rezoning, conditional use permit, special-use permit or variance has been approved on or after April 9, 2007, (for wetlands and groundwater-dependent natural resources other than public waters) or January 1, 2000 (for other waters).

- Rule Requirements Not Met.

Rule 4.0 applies to the project because it is adjacent to two wetlands greater than one acre and the creation of right-of-way counts as subdivision of the property.

There are two wetlands larger than one acre located on the impacted properties, an 8.90-acre Manage 2 wetland (DNR Public Water 316W) on the Central Commons property and a 4.66-acre Manage 1 wetland located on both the Central Commons and Anderson Holdings properties (see Figure 2). The county asserts that it made a good faith effort to obtain rights to establish buffers for these wetlands. However, the buffers for these wetlands would be entirely outside of the right-of-way and therefore, not within the county's control. The required buffers must be established in the course of implementation of the work approved for Central Commons LLC permit 19-05. Anderson Holdings has indicated that it will complete a wetland delineation prior to any future development of its property and has verbally acknowledged the wetland buffer requirement.

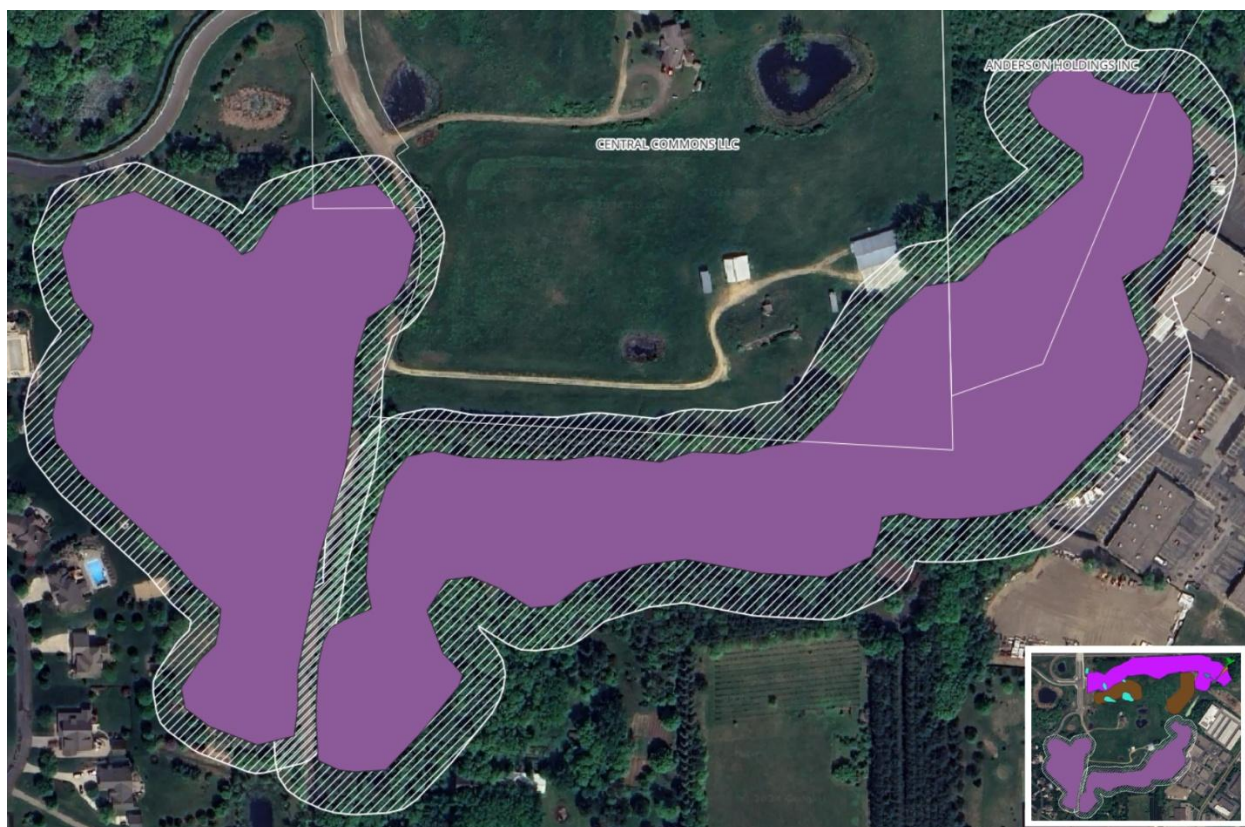


Figure 2: Large Wetlands with buffers South of Grading Site

The two wetlands within the ravine are each less than an acre (0.13 acres and 0.758 acres) and are not shown in the BCWD Watershed Management Plan as groundwater dependent, nor were any indicators of groundwater dependency observed during the TEP site visit. Therefore Rule 4.0 is not applicable to these wetlands.

Rule 5.0—SHORELINE AND STREAMBANK ALTERATIONS

According to BCWD Rule 5.2, no person may disturb the natural shoreline or streambank partially or wholly below the ordinary high water mark of a waterbody, without first securing a permit from the District.

Rule Requirements Met with Conditions

According to Rule 5.3, Bioengineering techniques must be used to the extent possible under the following criteria.

5.3.1 The resultant project must be structurally stable. Special emphasis will be given to the stability of the toe of slope where traditional engineering techniques may be more appropriate.

5.3.2 Native vegetation must be used in all cases. Preferable species include those that form dense root systems or can be planted from cuttings.

5.3.3 Bioengineering projects must include a long-term maintenance plan that will ensure that small erosion spots are corrected and native plant materials are successful.

Rule 5.0 applies to the project because the ravine wetlands will be partially filled which will disturb their natural shorelines below the ordinary high water mark of the waterbodies.

The applicant has provided construction plans meeting the requirements of 5.3.1 and 5.3.2. MnDOT native seed mix Southern Tallgrass Roadside will be established along the disturbed wetland edge up to the proposed road grade.

Washington County has provided documentation of their plans for inspection and maintenance of this area until native vegetation is established, satisfying the requirements of 5.3.3.

Rule 6.0—WATERCOURSE AND BASIN CROSSINGS

According to Rule 6.2, no person may use the beds of any waterbody within the District for the placement of roads, highways and utilities without first securing a permit from the District.

Rule Requirements Met

Rule 6.0 applies to the project because the project uses the beds of the ravine wetlands for the placement of a road.

According to Rule 6.3, use of the bed must:

6.3.1 Meet a demonstrated public benefit;

Washington County has determined that the proposed road is needed to support future development of this area and to aid in vehicle mobility by closing the gap in CSAH 15 between Stillwater and Oak Park Heights. CSAH 15 serves as a primary connection to the regional transportation system (e.g., Interstate, TH 36), and facilitates access to businesses, schools, churches, and residential properties/neighborhoods. In present conditions, traffic cannot go from CSAH 15 on the north end (Manning Ave) and CSAH 15 on the south end (Stillwater Blvd) without using TH 36. A secondary purpose of the project is to improve the bikeability/walkability at TH 36 and Manning Avenue.

6.3.2 Retain adequate hydraulic capacity;

HydroCAD modeling has demonstrated the retention of adequate hydraulic capacity. The proposed 30" culvert under the road is the same size as the existing culvert under TH 36. HydroCAD modeling demonstrates that the HWL downstream of the proposed culvert matches or is reduced from existing conditions due to the added storage in the adjacent wet pond. The HWL upstream of the proposed ravine culvert is in a deep depression (remaining portion of the ravine) with significant freeboard to the surrounding area and does not adversely affect the HWL of the existing channel or wetlands upstream.

6.3.3 Retain adequate navigational capacity;

N/A

6.3.4 Not adversely affect water quality; and

There is no proposed impervious cover, and all disturbed areas will be stabilized with vegetation. Outside of the road bed (which will eventually be impervious surface), the seed mixes in the plans are native seed mixes. Additionally, the proposed wet pond, which provides treatment of stormwater, offsets the impacts of fill in the wetlands. Therefore, the project will not increase pollutants in the runoff.

6.3.5 Represent the “minimal impact” solution to a specific need with respect to all other reasonable alternatives.

The future road is proposed to be constructed between rather than through the 2 ravine wetlands, which reduces wetland impacts significantly. Project alternatives were considered as part of the TH 36/Manning Ave interchange project, and include the following options that were ultimately dismissed: No Build, Standard Diamond with Auxiliary Lanes, Northwest and Southwest Quadrant Loops, Southeast Quadrant Loop, and Double Roundabouts. Additionally, existing watersheds were maintained as much as possible to support wetland hydrology and the proposed wet pond was sited in upland area to further minimize wetland impacts. The BCWD engineer has reviewed the proposed road layout and determined that it represents the minimal impact solution as it minimizes wetland impacts relative to all other reasonable road layouts.

Rule 7.0—FLOODPLAIN AND DRAINAGE ALTERATIONS

According to Rule 7.2, no person may alter or fill land below the 100-year flood elevation of any waterbody, wetland, or stormwater management basin, or place fill in a landlocked basin, without first obtaining a permit from the District. No person may alter stormwater flows at a property boundary by changing land contours, diverting or obstructing surface or channel flow, or creating a basin outlet, without first obtaining a permit from the District.

Rule Requirements Met with Conditions

BCWD Rule 7.3.1 states, “Floodplain filling must be accompanied by a replacement of flood volume between the ordinary water level and the 100-year flood elevation. The floodplain mitigation area must be calculated by a professional engineer registered in the State of Minnesota or by a qualified hydrologist”.

The proposed project places fill below the 100-year water level of the ravine, and within several existing wetlands on the Central Commons property.

The applicant asserts, and the BCWD engineer concurs, that it is infeasible to provide replacement floodplain storage adjacent to the impacts on the Central Commons property, as additional impacts are anticipated once Permit 19-05 is issued and the work approved thereunder proceeds. Any replacement flood volume on this property would be lost once development occurs.¹ Instead, replacement flood volume is provided in the proposed wet pond. HydroCAD modeling demonstrates that 100-year HWLs on the large southern wetlands (the two requiring buffers as noted previously) will be reduced or maintained at existing conditions. These wetlands are downstream of the Central Commons wetlands to be filled (8P, 14P, 20P, 21P, and 23P), but upstream of the proposed wet pond (22P). The proposed wet pond will have a storage volume of 1.330 ac-ft. Redirection of water to the wet pond, instead of to the two large southern wetlands will help to offset the wetland fill, as shown in Table 1.

The applicant asserts, and the BCWD engineer concurs, that it is infeasible to provide replacement floodplain storage within the ravine due to the existing steep slopes and impacts additional grading would have on the adjacent landowners. As noted above, redirection of water to the wet pond, prior to discharging to the ravine, provides replacement floodplain storage. The location of the wet pond, relative to the floodplain fill in the ravine, is shown in Figure 3 below.

¹ Note that floodplain impacts from the Central Commons development were approved and replacement floodplain storage would be provided in the infiltration basin proposed for Permit 19-05. Inclusion of floodplain fill for these wetlands is due to the possibility that this permit is issued prior to Permit 19-05 and replacement floodplain storage is needed until the 19-05 infiltration basin is constructed.

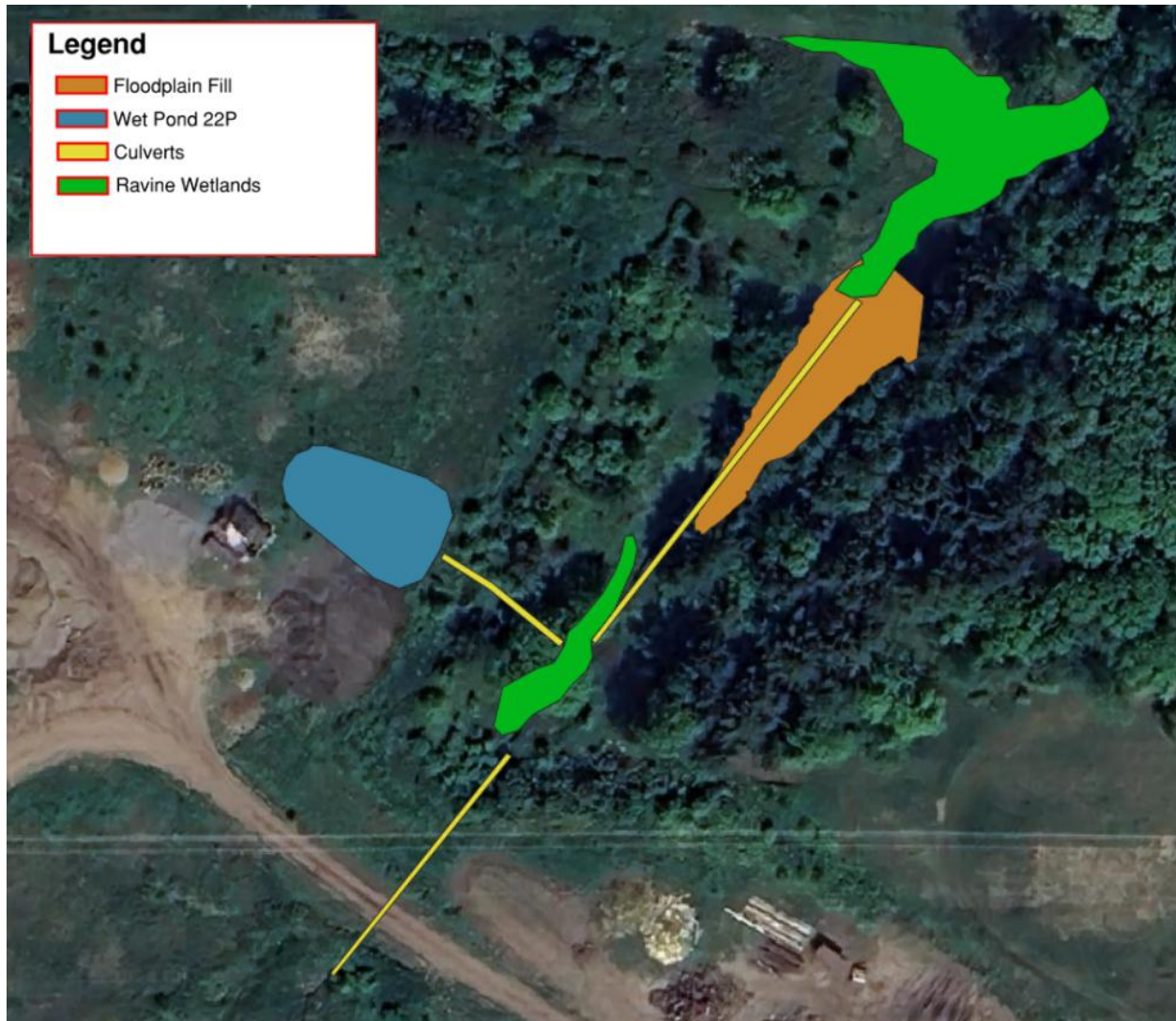


Figure 3: Floodplain Fill and Replacement Storage at Wet Pond 22P

Since replacement floodplain storage is provided in the proposed wet pond and not within the floodplain of impacted wetlands, the applicant is requesting a variance to Rule 7.3.1, which is discussed under Rule 10.0.

Table 1 below shows a comparison of floodplain fill and created floodplain storage due to the proposed grading. HydroCAD analysis demonstrated that the net flood storage increases for a 100-year event with the addition of the Wet Pond (22P) and additional storage upstream of the proposed Culvert 30P.

Table 1 – Floodplain Storage Summary

Location	Floodplain Fill (ac-ft)	Created Storage (ac-ft)	Notes
8P – Wetland	0.012	0	Partially impacted
14P – Wetland	0.017	0	Partially impacted
20P – Wetland	0.030	0	Partially impacted
21P – Wetland	0.409	0	Fully impacted
23P – Wetland	0.098	0	Fully impacted
31P – Ravine Wetland	0.210	0	Partially impacted
22P – Wet Pond	0	1.330	Proposed wet pond
30P – Ravine Storage	0	0.086	Additional storage created from new culvert
Total	0.776	1.416	Net increase of 0.64 ac-ft

According to BCWD rule 7.3.2 all new and reconstructed buildings must be constructed such that the lowest floor is at least two feet above the 100-year high water elevation or one foot above the emergency overflow (EOF) of a constructed basin.

There are no new or existing buildings within the limit of disturbance and no buildings adjacent to the proposed wet pond

Under BCWD Rule 7.3.5, the District will issue a permit to alter surface flows under paragraph 7.2 only on a finding that the alteration will not have an unreasonable impact on an upstream or downstream landowner and will not adversely affect flood risk, basin or channel stability, groundwater hydrology, stream baseflow, water quality or aquatic or riparian habitat.

HydroCAD modeling demonstrates a reduction in discharge rates from the project area through the culvert under TH 36 while matching or reducing the existing high water level in the ravine and the large southern wetlands. In addition, the flow volume through the culvert under TH 36 was compared and found to increase by 0.8 ac-ft for proposed conditions. To confirm no impacts to downstream Long Lake, the applicant used the hydroCAD model results as inflows into the BCWD H&H model to compare the peak water levels on Long Lake and found the HWL to be 894.76 for both existing and proposed conditions.

Rule 8.0—FEES

As Washington County is a government entity, the applicant is exempt from permit fees.

Rule 9.0—FINANCIAL ASSURANCES

As Washington County is a government entity, the applicant is exempt from financial assurances.

Rule 10.0—VARIANCES

According to BCWD Rule 10.0, the Board of Managers may hear requests for variances from the literal provisions of these Rules in instances where their strict enforcement would cause undue hardship because of the circumstances unique to the property under consideration. The Board of Managers may grant variances where it is demonstrated that such action will be keeping with the spirit and intent of these rules. Variance approval may be conditioned on an applicant's preventing or mitigating adverse impacts from the activity.

The Permit Applicant has submitted a request for a variance from the following rule provision:

1. *BCWD Rule 7.3.1 states, "Floodplain filling must be accompanied by a replacement of flood volume between the ordinary water level and the 100-year flood elevation. The floodplain mitigation area must be calculated by a professional engineer registered in the State of Minnesota or by a qualified hydrologist."*

Although the replacement of floodplain storage is not between the ordinary water level and the 100-year flood elevation (as defined in Rule 7.3.1) for the Central Commons wetlands or the ravine wetlands, the replacement flood storage exceeds the volume of floodplain fill as noted in Table 1. The variance will meet the intent of the rule by providing the same volume of storage and will not result in negative upstream or downstream impacts as noted above under Rule 7.0. The BCWD engineer determines that there is sufficient technical support for the managers' approval of the requested variance.

RECOMMENDED CONDITIONS OF THE PERMIT:

The following is a summary of the remaining tasks necessary to bring the project into compliance with the BCWD Rules in all respects other than where variances are requested as discussed above:

1. Provide final right-of-way easement documentation from all non-county landowners (BCWD Rule 1.3).
2. Demonstrate that the plan has received Wetland Conservation Act approval (BCWD Rule 1.3).
3. Address all erosion control requirements (Condition 3-1).

STIPULATIONS OF APPROVAL:

1. Note that the permit, if issued, will require that the applicant notify the District in writing at least three business days prior to commencing land disturbance. (BCWD Rule 3.3.1)
2. Provide the District with As-built record drawings showing that the completed grading and stormwater facilities conform to the grading plan.
3. Provide the District with proof, such as photographic documentation, of de-compaction and incorporation of compost for all disturbed soils.

Resolution No. 25-01
Brown's Creek Watershed District
Board of Managers

**Ordering the Brewers Pond Separator Project and
authorizing execution of a cost-share agreement with the City of Stillwater, along
with work in support of the project by the administrator**

Manager _____ offered the following resolution and moved its adoption, seconded by Manager _____:

Whereas Brown's Creek Watershed District has an adopted watershed management plan in fulfillment of Minnesota Statutes section 103B.231, and the plan includes - in Table 20 specifying issues, policies and goals pertaining to wetland management - a policy of maintaining improving the functions and values of degraded and drained wetlands in the watershed, and Brewers Pond is a degraded wetland and is identified in Table 21 as a wetland for which BCWD would develop a management plan, and in Table 60, BCWD's implementation program in the 2017-2026 plan, funding is provided for development of such a management plan;

Whereas the plan also notes - in Table 54 of section 3.15, describing funding options for implementation of plan goals - that BCWD will leverage partnerships with entities that share BCWD's goals to achieve more innovative and cost-effective watershed management, and Table 60 notes that BCWD will cost-share with municipalities and others to fund capital improvements to increase the number of community-led projects that achieve plan goals;

Whereas, in engagement sessions initiated by BCWD to develop a management plan for Brewers Pond, BCWD staff and engineers worked with residents on Brewers Pond to identify goals and opportunities to improve water quality in the wetland, the BCWD engineer found that sediment loading is a significant issue by the community;

Whereas in reviewing the Northland Avenue drainage area for water-quality improvement opportunities, BCWD and City of Stillwater staff identified a need to address erosion along a storm-sewer pipe from Northland Avenue to Brewers Pond that is experiencing washouts causing sediment to reach the pond, and in developing plans for replacing the pipe (the Pipe Project), BCWD requested inclusion of stormwater treatment in the Pipe Project and city staff determined, in consultation with BCWD staff and engineers, that adding a storm-sewer separator to the pipe to remove pollutants and sediment from stormwater flowing to the pond would be feasible (the Separator);

Whereas the BCWD engineer assessed the effectiveness of including the Separator in the Pipe Project, and determined that it would remove approximately 480 pounds of sediment from stormwater flowing to the pond each year;

Whereas the City of Stillwater prepared the necessary technical documents and solicited a contractor for construction of the Pipe Project with the Separator included, and received two quotes, the lower of which included the Separator at a cost of \$23,000;

Whereas the BCWD Board of Managers held a duly noticed public hearing on the Brewers Pond Separator Project pursuant to Minnesota Statutes section 103B.251, subdivision 3, at the January 8, 2025, regular meeting of the managers, at which interested members of the public were provided with the opportunity to comment on the Separator project, and no comments were offered; and

Whereas in consideration of the above-cited plan basis and record in the matter, the board of managers finds that the Brewers Pond Separator Project will be conducive to public benefit and promote the general welfare, and represents a cost-effective contribution to the implementation of the watershed plan and the fulfillment of BCWD's powers and purposes under Minnesota Statutes chapters 103B and 103D.

Now, therefore, be it resolved that the Brown's Creek Watershed District Board of Managers hereby orders the Brewers Pond Separator Project, and directs that BCWD's costs thereof be funded through a watershed-wide levy;

Be it further resolved that the BCWD Board of Managers authorizes the president to enter into an agreement for reimbursement of the City of Stillwater's costs for the implementation of the Brewers Pond Separator Project of not to exceed \$23,000, and otherwise directs the administrator to take the necessary steps within her authority to implement the project.

The question was on the adoption of the resolution and there were __ yeas and __ nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Eckles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LeRoux	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Odebrecht	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sahulka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wirth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the president declared the resolution adopted January 8, 2025.

* * * * *

I, Debra Sahulka, secretary of the Brown's Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with BCWD and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____.

Debra Sahulka, Secretary

Project Name	Northland Ave. Water Quality and Storm Sewer Pipe Replacement	Date	1/3/2025
To / Contact info	Karen Kill / BCWD Administrator		
Cc / Contact info			
From / Contact info	Ryan Fleming, PE; Julia Lau, EIT / EOR		
Regarding	Assessment of Stormwater Runoff & Cost Share to Improve Brewers Pond Water Quality		

Background

BCWD and City of Stillwater staff identified a need to address erosion along a storm-sewer pipe from Northland Avenue to Brewers Pond (MnDNR ID #: 820022) that is experiencing washouts causing sediment to reach the pond.

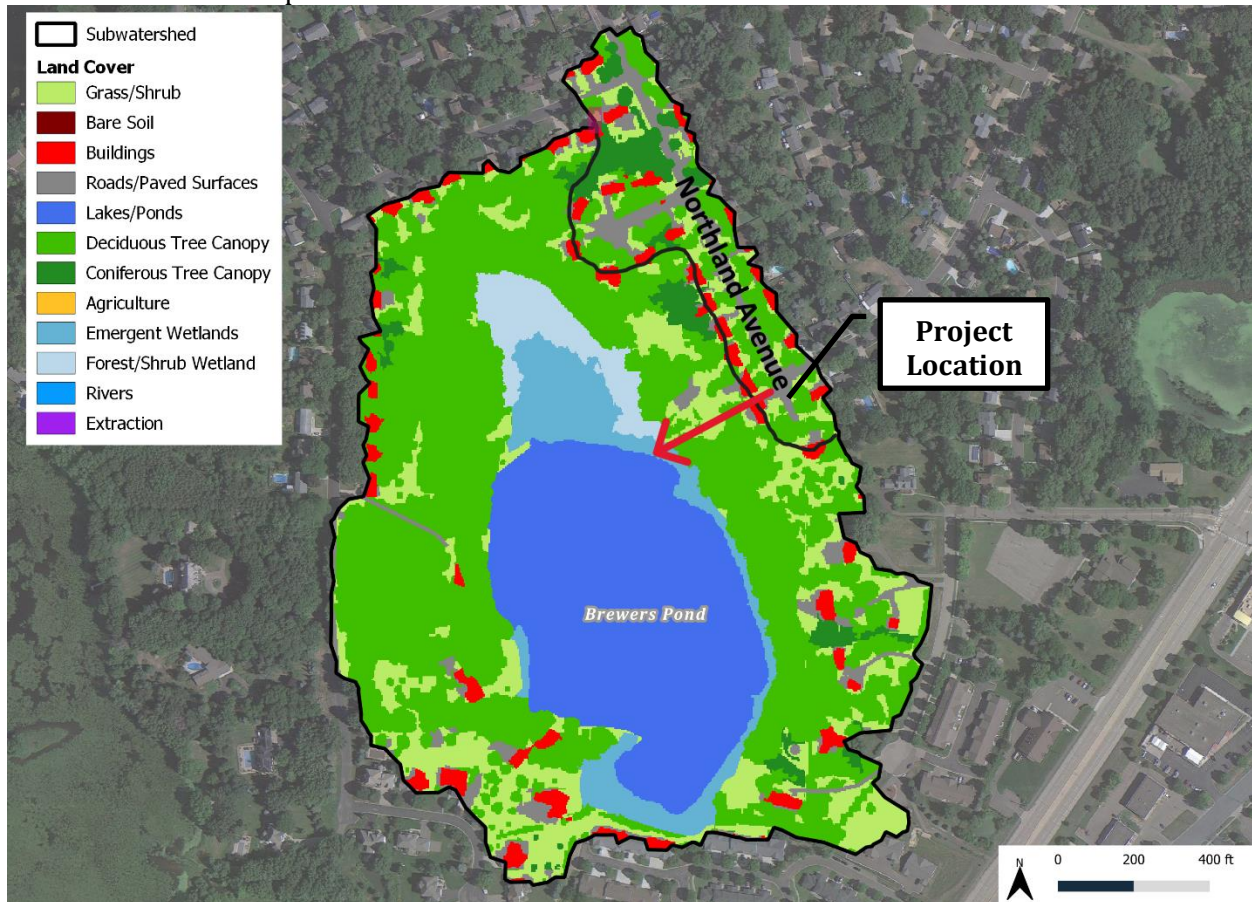


Figure 1: Brewers Pond watershed & Northland Avenue storm sewer catchment area

Brewers Pond is classified as a Lake in the BCWD Rules, with the BCWD function and value category of Manage 1 (high and medium MnRAM ratings). Over the past seven years, Brewers Pond has received Water Quality Grades ranging from F+ to C- as reported by the Brown’s Creek Watershed District Water Monitoring reports. The pond consistently exceeds impairment thresholds for chlorophyll- α , Secchi disk transparency, and total phosphorus.

Key Points of Concern:

- Chlorophyll- α : Eutrophic to hypereutrophic levels observed in 2017-2018, 2022-2023.
- Secchi Disk Transparency: Lower than threshold in 2017-2018, 2022-2023.
- Total Phosphorus: Above threshold 2017-2018, 2022.

Analysis

Northland Avenue Drainage Catchment

As shown in Figure 1, the Northland Avenue drainage catchment consists of the greatest amount of impervious surface, likely yielding the greatest number of pollutants discharging to Brewer's Pond. The runoff from this area does not have stormwater treatment and is piped directly to the pond. Minimum Impact Design Standards (MIDS) calculator modeling reports that the seven-acre Northland Avenue catchment area discharges 1,060 pounds of Total Suspended Sediment, and 5.8 pounds of phosphorus to Brewers Pond annually.

Stormwater Treatment Options Explored

During the pipe maintenance design development process, BCWD requested inclusion of stormwater treatment as part of the project to reduce the amount of pollutants entering Brewers Pond. The city explored several options, including a curb cut rain garden, stormwater pretreatment area next to Brewers Pond, and an in-line, flow through stormwater separating device. The separator was found to be the most workable as the other options exhibited real estate and slope challenges.

Performance Estimate

The Sizing Hydrodynamic Separators and Manholes (SHSAM) model was used to assess the removal performance of the stormwater separator device, which estimated that approximately 45 percent of the sediment would be trapped annually, or 480 pounds based on the MIDS calculator watershed loading. As sediment removal is the primary purpose of hydrodynamic separators, phosphorus removal estimates are not commonly reported. However, earlier analysis BCWD conducted to estimate the pollutant for catch basin flow through device for the McKusick Road BMP project, suggests that approximately one pound of phosphorous may be trapped in this stormwater separator annually.

Cost Analysis

A 25-year project life cost analysis resulted in an estimated \$2.00/lb of TSS removed, not including annual maintenance to be conducted by the city. The EPA stormwater BMP cost guidelines (2021) include a range of \$0.50-\$2.00/lb of TSS as being cost-effective range for pollutant removal. Given the site constraints of the narrow road right-of-way, at the dead-end of the street, and steep slope down to Brewer's Pond, the cost per pound removal is expected to be at the higher end of the range for what is considered cost effective pollutant removal.

The cost-share proposal is shown below between BCWD and City of Stillwater for storm sewer pipe replacement from Northland Avenue to Brewer's Pond.

Total cost-share requested: \$25,000.

- Requested Storm sewer separator: \$23,000.
- Mobilization: \$1,000
- City construction oversight: \$1,000

Conclusion

The inclusion of stormwater treatment in the pipe maintenance design is crucial for reducing pollutants entering Brewers Pond. The in-line stormwater separator device is the most feasible option, considering the site constraints. Continued monitoring and maintenance are essential for achieving desired water quality improvements.

**Second Amendment to Agreement Dedicating a Land-Use License
for the Brown’s Creek Restoration Project
Between the City of Stillwater and
Brown’s Creek Watershed District**

This amends for the second time the March 19, 2024, agreement (Agreement) between the City of Stillwater, a Minnesota municipal corporation (Stillwater), and Brown’s Creek Watershed District, a special purposes governmental entity of the State of Minnesota with purposes and powers set forth at Minnesota Statutes chapters 103B and 103D (BCWD), first amended May 8, 2024, (the Amended Agreement) to add certain vegetative-management work to the scope of the project.

Recitals

- A. Stillwater and BCWD entered into the Agreement to provide BCWD with rights to access the Brown’s Creek Nature Preserve, 10.8 acres of certain real property owned in fee by Stillwater at the southwest corner of McKusick Road North and Neal Avenue North in the City of Stillwater, to construct “the Project,” a creek-restoration construction and improvement defined and specified in the Agreement.
- B. The Agreement defined and provided an illustration of the “Project Area,” the area within which the Project would be constructed.
- C. Stillwater and BCWD amended the agreement May 8, 2024, to reconfigure the access route BCWD’s contractor would use for construction and implementation of the Project.
- D. Stillwater also owns in fee simple certain real property adjacent to the Project Area and designed by the following Washington County property identification numbers:
 - 19-030-20-41-0005;
 - 19-030-20-41-0012.

(The two parcels together are referred to herein as the “Buckthorn Properties.”)

- E. BCWD and Stillwater have determined that winter removal of invasive common and glossy buckthorn and preservation of quality aspen, cottonwood, birch, elm, walnut, silver maple, boxelder and alder trees on approximately 5 acres of area within the Project Area and on the Buckthorn Properties (the Habitat Improvements) would improve woodland habitat buffering Brown’s Creek, enhancing the resource-improvement benefits achieved by the implementation of the Project, and Stillwater has obtained quotes for completion of the Habitat Improvements, including two years’ of followup vegetation maintenance.

- F. The parties wish to again amend the Agreement to provide for the completion of the Habitat Improvements to the scope of the Project and provide for cooperative implementation of the work.
- G. Stillwater and BCWD are authorized by Minnesota Statutes section 471.59 to enter into this amendment to add the Habitat Improvements to the scope of the Project.

Amendment

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated into and made a part of this second amendment, and to facilitate the Project and Habitat Improvement for the benefit of the public, the parties agree as follows:

1. Implementation of the Habitat Improvements.

- A. Plans and designs for the Habitat Improvements have been prepared by Stillwater and are attached hereto and incorporated herein as Exhibit CC. By the signature of its authorized officials hereunder, BCWD approves the plans and design in Exhibit CC. Stillwater makes no warranty regarding its or any third party's performance in design, implementation or implementation oversight for the Habitat Improvements.
- B. Stillwater will contract in accordance with applicable public-procurement requirements and other applicable law for the implementation of the Habitat Improvements in accordance with the design and plans in Exhibit CC. Stillwater will require, in contracting for the Habitat Improvements, compliance with prevailing-wages requirements in Minnesota Statutes sections 177.41 to 177.50. Stillwater will obtain, at its expense, all required permits and approvals and will bear the costs and fees associated with complying with regulatory requirements applicable to the Habitat Improvements. In contracting for the construction of the Project, Stillwater will require that:
 - i. The contractor name BCWD as an additional insured for general liability with primary and noncontributory coverage and provide a certificate showing same prior to start of implementation.
 - ii. The contractor indemnify, defend and hold BCWD harmless from any and all actions, costs, damages and liabilities of any nature arising from the contractor's negligent or otherwise wrongful act or omission, or breach of a specific contractual duty, or a subcontractor's negligent or otherwise wrongful act or omission, or breach of a specific contractual duty owed by the contractor to Stillwater.
 - iii. The contractor extend any warranties applicable to the Habitat Improvements to BCWD.

2. Costs

- A. Stillwater will be responsible for all costs of design, specification, implementation, implementation oversight and management of the Habitat Improvements. Stillwater will submit to BCWD a description of and invoices documenting eligible costs incurred in completing the Habitat Improvements, along with a narrative and photographs documenting the work.
- B. Within 35 days of receipt by BCWD of documentation of costs incurred and paid by Stillwater for the Habitat Improvements, BCWD will reimburse Stillwater for the documented contracted costs of the Habitat Improvements, not to exceed a total of \$20,000.
- C. Beyond the cost-sharing provisions herein, each party will bear its own costs of completion of their responsibilities and exercise of their rights hereunder.

All terms of the Amended Agreement not expressly altered or amended by this second amendment remain in full force and effect.

[Signature page follows.]

IN WITNESS WHEREOF, the undersigned have executed this second amendment with the intent to be legally bound by its terms as of the date this second amendment is fully executed by both parties.

City of Stillwater

Ted Kozlowski, Mayor

Attest

Beth Wolf, City Clerk

Date:_____

Brown's Creek Watershed District

Klayton Eckles, President

Approved as to form and execution

BCWD counsel

Date:_____

EXHIBIT CC

Habitat Improvements - Design & Plans

BCWD CIP PROGRAM

Date	1/3/2025
To / Contact info	BCWD Board of Managers
From / Contact info	John Sarafolean / EOR; Ryan Fleming, PE / EOR
Regarding	CIP Program Annual Report

Background

In 2018, the BCWD created the Capital Improvement Program Standard Operating Procedures Manual (CIP SOPM). This manual compiled the following project information in one location so that District staff can keep track of the activities needed to operate and maintain the District's facilities.

- A. Project Location, Description, Background, and Funding
- B. Maintenance and Inspection Requirements and responsible parties
- C. Cooperative Agreements
- D. Maintenance Records and Reporting
- E. Emergency Plan and Operating Procedures
- F. Appendices (including Record Drawings and other relevant project information)

To date, the BCWD has developed a SOPM for the following projects:

1. THPP (Flood Mitigation - 2000)
2. Kismet Basin (Flood Mitigation - 2001)
3. Long Lake Neighborhood Raingardens (Water Quality – 2017)
4. State Highway 95 & 96 Fish Baffles (Habitat Improvement – 2011)
5. Oak Glen Golf Course Buffer (Habitat Improvement – 2011)
6. Iron-Enhanced Sand Filter at Settlers Glen (Water Quality – 2013)
7. Countryside Auto Repair BMP (Water Quality – 2011)
8. Brown's Creek Floodplain Restoration Project (2014)
9. Neal Avenue Neighborhood BMPs (Water Quality – 2015)
10. Brown's Creek Park Rock Crib (Water Quality – 2017)
11. Long Lake Tributary Headcut Stabilization (Water Quality – 2018)
12. McKusick Road Water Quality Improvement Project (2017)
13. Applewood Golf Course Reuse (Water Quality – 2022, in-progress)
14. Indian Hills Golf Course Fen Vegetation Management (Water Quality – 2022)
15. Oak Glen Golf Course Reuse Project (Water Quality – 2022)
16. Long Lake Shoreline Vegetation Maintenance (Water Quality and Shoreline Stabilization – 2011)
17. Brown's Creek Trail Vegetation Maintenance
18. Norell Avenue Pond Water Quality Retrofit (2016)
19. Brown's Creek tributary Floodplain Restoration (2022)
20. Kittentail / Bluff Restoration Work (2022)

This memorandum provides a summary of operations and maintenance activities conducted on the Districts Capital Improvement Projects and ongoing restoration efforts. It highlights performance metrics, project updates, challenges, and lessons learned. Recommendations or adjustments for future CIP planning is also included where applicable.

Annual Activities

Each year, District staff inspect the projects according to the needs that were anticipated when drafting the SOPM and based on site conditions and recommendations from the previous year. The inspection findings are documented, and updates are communicated with the District Administrator.

In cases where maintenance or repairs are needed, EOR works with the Brown’s Creek Watershed District administrator and legal counsel to prepare project documents to facilitate contracting of the work.

2024 Activities

The following table summarizes the activities and maintenance that was conducted in 2024. Figure 1 identifies the project locations.

Table 1. Summary of Inspection and Maintenance Activities for BCWD CIP in 2024

Project	Inspection Activities	Maintenance Activities
THPP	Annual inspection of storm water sewer condition and exercising the Goggins Lake butterfly valve. Annual vegetation site assessment performed by Natural Shore.	Site vegetation herbicide treatments targeting invasive species, monthly mowing, and buckthorn foliar treatment ⁱ .
State Highway 95 & 96 Fish Baffles	Annual inspection of fish baffles condition and functionality.	None
Iron-Enhanced Sand Filter at Settlers Glen	Two seasonal full system inspections and monthly monitoring of the iron-enhanced sand filter system operation. Annual vegetation site assessment performed by Natural Shore.	Installation of Clemson Beaver Leveler to protect lift station system equipment. Installation of underdrain bulkhead to reduce short circuiting of filtered flow through spent iron media. Site vegetation herbicide treatments targeting invasive species, monthly mowing, and buckthorn foliar treatment. Flowering spotted knapweed was hand-pulled and removed from the site. ⁱ
Countryside Auto Repair BMP	Sediment depth inspections by WCD.	Sediment removal from the stormwater quality unit. ⁱⁱ
Brown’s Creek Park Rock Crib	Sediment depth inspections by WCD.	Sediment removal from the stormwater quality unit. ⁱⁱ
McKusick Road Water Quality Improvement Project	Sediment depth inspections by WCD.	Sediment removal from the stormwater quality units(3) and sump catch basins (8). ⁱⁱ
Oak Glen Golf Course Reuse Project	Start up and shut down inspections and procedures, and monitoring pumping data.	None

Fen at the Indian Hills Golf Course	Annual site assessment by Natural Shore Ecological Restoration.	Vegetation management including spring mowing, fall herbicide treatments targeting invasive plant species, monthly selective invasive plant mowing, and late-summer foliar buckthorn treatments. ⁱ
Brown's Creek Floodplain Restoration	Annual site assessment by Natural Shore Ecological Restoration.	Mowing of vegetation in the spring, monthly selective mowing and hand pulling of invasive species. Spring and fall herbicide treatments of invasives and volunteer woody species removal. ⁱ
Long Lake Tributary Headcut Stabilization	Annual inspection of rock checks, channel bank condition, and native vegetation.	Hand-pulling weeds, make small adjustments to rock checks by repositioning any loose rock by hand as needed.
Brown's Creek Tributary Floodplain Restoration	Annual inspection of rock checks, channel bank condition, and native vegetation.	Minnesota Native Landscapes completed their final year of vegetation maintenance per the original project contract with BCWD. The work was conducted in the fall of 2024 which included cut stump treatment of woody invasive species.
Kittentail / Bluff Restoration Work	Searches for rare plants and removal of herbaceous and woody invasive species.	Hand-pulling weeds, coordinated with WCD to remove woody invasive species in early 2024. The property is currently being transferred to Washington County (previously owned by State of MN). Future work on this property will be dependent on permission & possible partnership with Washington County staff.
Long Lake Shoreline Vegetation Management	Annual site assessment by Natural Shore Ecological Restoration.	Spring mowing of last years senesced material and removal of volunteer tree species, monthly visits throughout the growing season weed whipping and hand pulling invasive species, fall herbicide treatments of reed canary grass and broadleaf weeds. ⁱ
Kismet Basin	Annual site vegetation assessment by Natural Shore Ecological Restoration.	Spring mowing to break up thatch layer and cut down small volunteer woodies. Spring and fall herbicide applications targeting invasive plant species. Monthly select mowing non-native weeds. Regular hand

		pulling of non-native weeds including mullein and bull thistle as necessary. ⁱ
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In addition to the activities listed in Table 1, EOR completed a performance evaluation of the Brown’s Creek Park Rock Crib.

Performance Metrics & Project Updates

THPP –

Two of the project objectives were flood protection for properties on the Goggins and School Section lakes, and thermal protection of the Brown’s Creek headwaters from discharged lake water. The Goggins Lake outlet hasn’t discharged since the summer of 2020, therefore these two objectives continue to be achieved, despite the record rainfall that occurred in spring and summer of 2024.

Iron-enhanced Sand Filter at Settlers Glen (IESF) –

1. A project metrics report from 2014 to 2023 was presented to the Board in May of 2024. BCWD staff worked with St. Anthony Falls Laboratory (SAFL) research staff to analyze the filter media to estimate the degree of filtering capacity degradation and remaining filter life (estimated at approximately three years remaining).
2. Beaver activity in the area has been increasing since the tributary head cuts were repaired, and the tributaries have been able to connect with the floodplain which improves the wetland hydrology adjacent to the tributary. In predevelopment conditions, the area was a sedge/ shrub meadow and has now been colonized by young aspen trees. While the beaver activity is helping to restore the historic sedge meadow by removing the aspen trees, the rising water poses the threat of inundating sensitive flow metering equipment for the IESF pump. In December, a Clemson Beaver Leveler was installed through dam on the pump harvest pond to lower the water to an acceptable level.
3. Short circuiting of water through the upstream, more used, section of the filter to the underlying drain tile was suspected, so the upper portion of the tile was temporarily blocked to force untreated water to reach the less used areas of the filter. SAFL conducted influent and effluent sampling under various conditions, including before and after blocking the upper portion of the drain tile, as part of their ongoing IESF research. SAFL will share their sampling results and report once complete.

Oak Glen Golf Course Reuse Project –

1. We are currently working with Tri-State Pump to have flow meter and remote communication equipment installed on the Oak Glen Golf Course well pumps and reuse system pump. This will allow precise monitoring of the reuse system and golf course water usage.

Countryside Auto Repair Stormwater BMP, McKusick Road Water Quality Improvement Project, Brown’s Creek Park Rock Crib (four direct outfalls to Brown’s Creek) –

Sump manholes and underground Storm Water Quality Unit’s were cleaned out in December 2024. An estimated 30 tons of sediment (muck) was removed from the units which would have otherwise entered Brown’s Creek. The estimated cost per ton removed was \$1,000, or \$0.50/lb of sediment. The contractor suggested the maintenance trigger at the access ports is not representative of the amount of sediment throughout the chamber. Revising the trigger to a lower depth of sediment could reduce the amount of sediment that bypasses the trapping chamber which results in sediment flowing downstream to Brown’s Creek.

Recommendations

In addition to the inspection and maintenance protocols established in the SOPM for each project, the following list of project recommendations includes recommendations based on the 2024 inspection findings.

1. THPP (Flood Mitigation - 2000)

Continue stormwater management facilities inspections. Continue herbicide treatments and mowings to improve aesthetics, promote the native plant ecosystem, and protect wildlife habitat. Work with landowners to improve wetland buffer and reduce edge effect and encroachment of weeds from surrounding area. Continue to promote the propagation and spread of natives throughout the area. Continue to remove undesirable tree species surrounding the Eastern ponds. Address/ fill the small cable hoist hole found in the top of the flared end structure leaving wetland A.
2. Kismet Basin (Flood Mitigation - 2001)

Continue ongoing maintenance including herbicide treatments and mowing to control aggressive or invasive species with a stronghold in the basin, such as spotted knapweed, reed canary grass, and Canada goldenrod. Encourage and aid the propagation of native plants for improved diversity and habitat in the basin area.
3. Long Lake Neighborhood Raingardens (Water Quality – 2017)

Perform an annual site inspection of all rain gardens to assess any blockages, debris build up, sedimentation, and vegetation.
4. Iron–Enhanced Sand Filter at Settlers Glen (Water Quality – 2013)

Continue complete equipment facility seasonal inspections, monthly operational inspections, and monitoring of beaver activity. Continue removal of spotted knapweed and regular mowing of other invasive or aggressive plants to promote diversity in the plant community and improve aesthetics of the site. Consider permanent drain tile check valve to prevent short circuiting once sampling results have been analyzed.
5. Brown’s Creek Floodplain Restoration Project (2014)

Continue maintenance comprised of herbicide treatments and mowings to protect and improve the native plant populations. Continue to monitor and remove non-native tree and shrubs species where observed. Continue to promote the propagation of native species to improve aesthetics, add biodiversity, create habitat in the sites, and to fill in space left by removal of non-native and invasive species.
6. Neal Avenue Neighborhood BMPs (Water Quality – 2015)

Perform an annual site inspection of all rain gardens to assess any blockages, debris build up, sedimentation, and vegetation.
7. Indian Hills Golf Course Fen Vegetation Management (Water Quality – 2022)

Continue timely, ongoing maintenance including herbicide treatments and mowings to protect the native ecosystem. Monitor and record native and invasive species present throughout the fen from year to year.
8. Long Lake Shoreline Vegetation Maintenance

Continue regular maintenance to promote the propagation of native plants and progressive improvement of aesthetics, plant community, and habitat. Work to reduce the impact of pervasive weeds such as reed canary grass which are already present in sites. Monitor non-native and invasive weeds and shrubs such as buckthorn that enter from neighboring areas. Work with neighbors to reduce the impact of weed encroachment from neighboring properties. Reintroduce native plants into areas where we remove non-native species by either installing pots or seed.
9. Brown’s Creek Trail Vegetation Maintenance

Continue maintenance program comprising of herbicide treatments and mowings to protect and improve the native plant populations. Continue to monitor and remove non-native tree and shrubs species where observed.

Continue to promote the propagation of native species to improve aesthetics, add biodiversity, create habitat in the sites, and to fill in space left by removal of non-native and invasive species.

10. Norell Avenue Pond Water Quality Retrofit (2016)

Coordinate a joint inspection with the City of Oak Park Heights to assess the stormwater management facilities and sedimentation of the basin.

11. Brown's Creek tributary Floodplain Restoration (2022)

Perform an annual site inspection of the rock riffles and beaver dams, vegetation assessment to determine if vegetation management is required, and coordinate with the City of Stillwater to conduct prescribed burns on a 5-7 year rotation.

12. Kittentail / Bluff Restoration Work (2022)

The property is currently being transferred to Washington County (previously owned by State of MN). Future work on this property will be dependent on permission & possible partnership with Washington County staff.

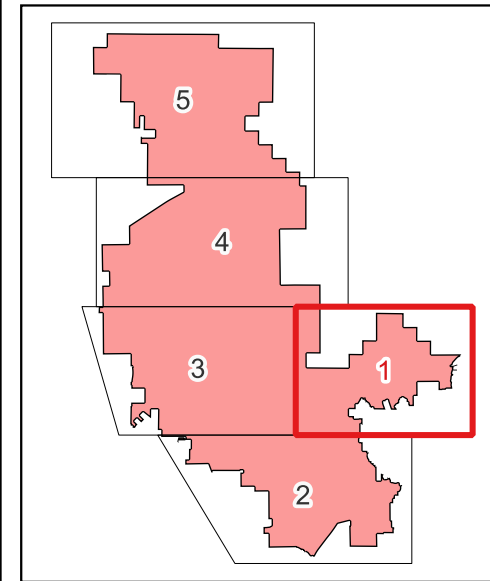
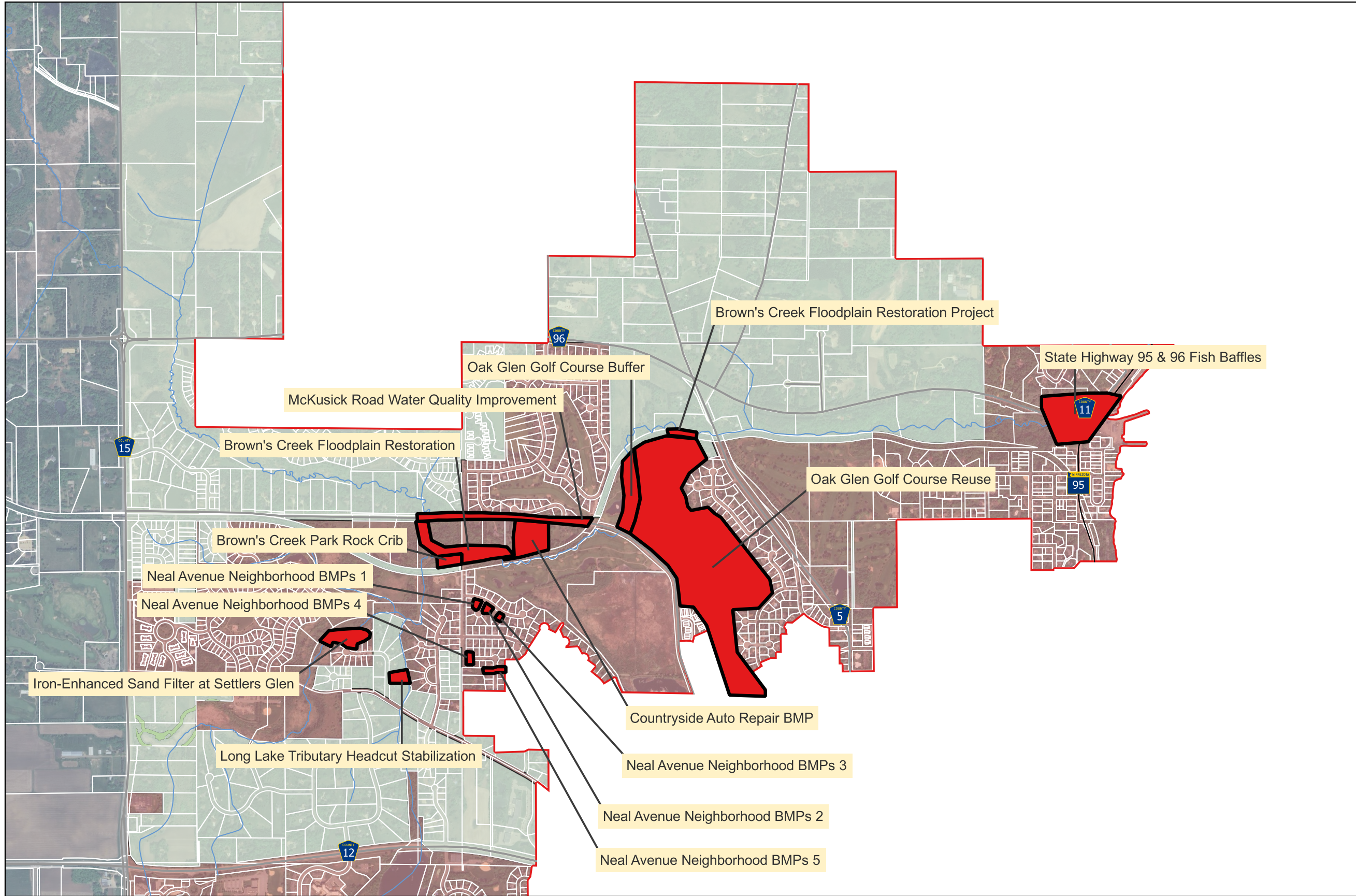
ⁱ Vegetation management conducted by Natural Shore Technologies Ecological Restoration


ⁱⁱ Sediment removal conducted by Rock Leaf Water Environmental

Appendix A

Figure 1: Atlas of watershed district CIP project locations.

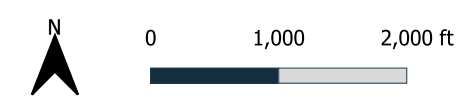
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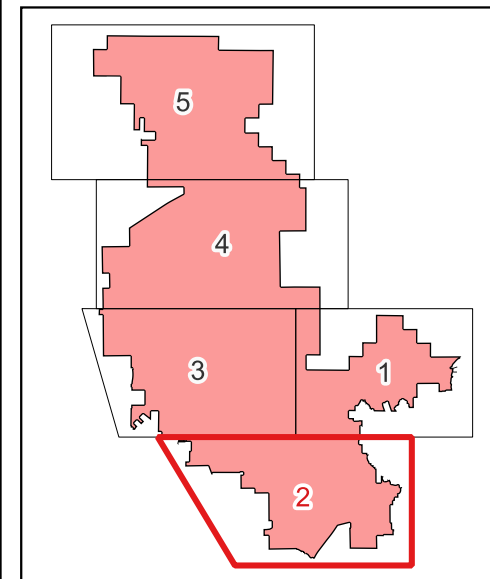
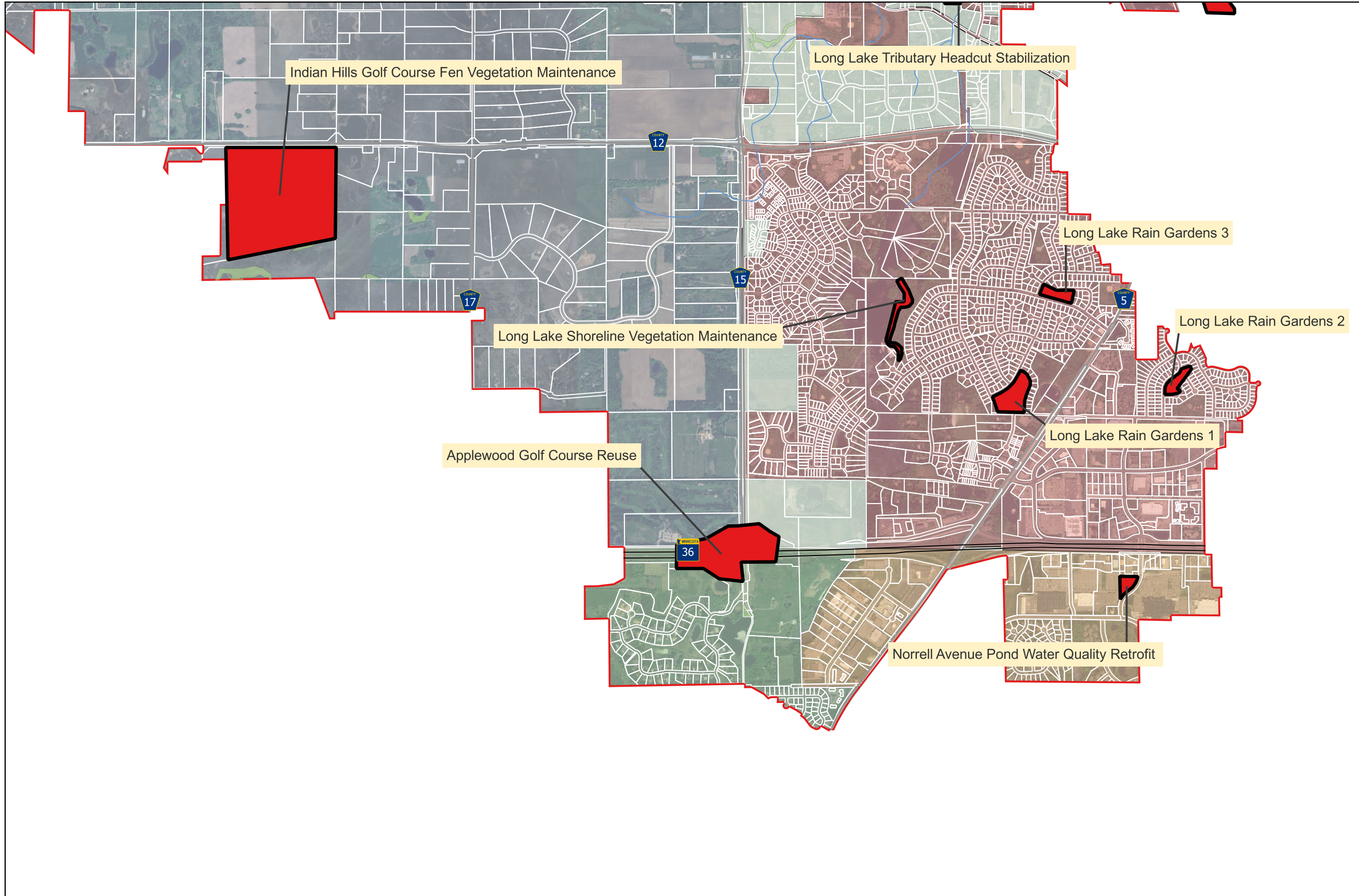
 CIP Program Project Locations




BCWD CIP Program January 3, 2025

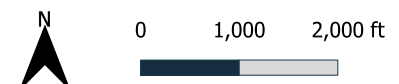


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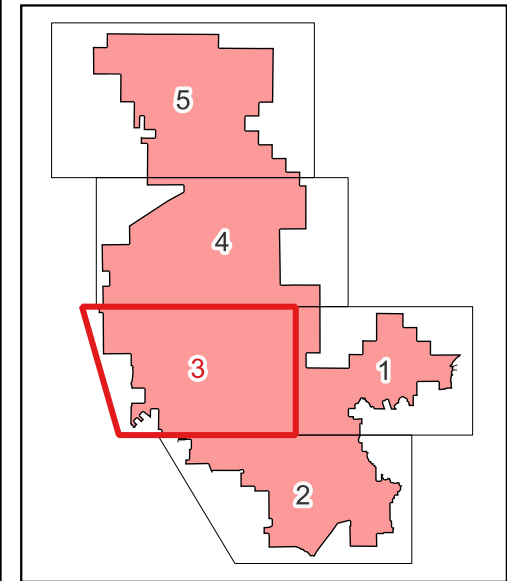
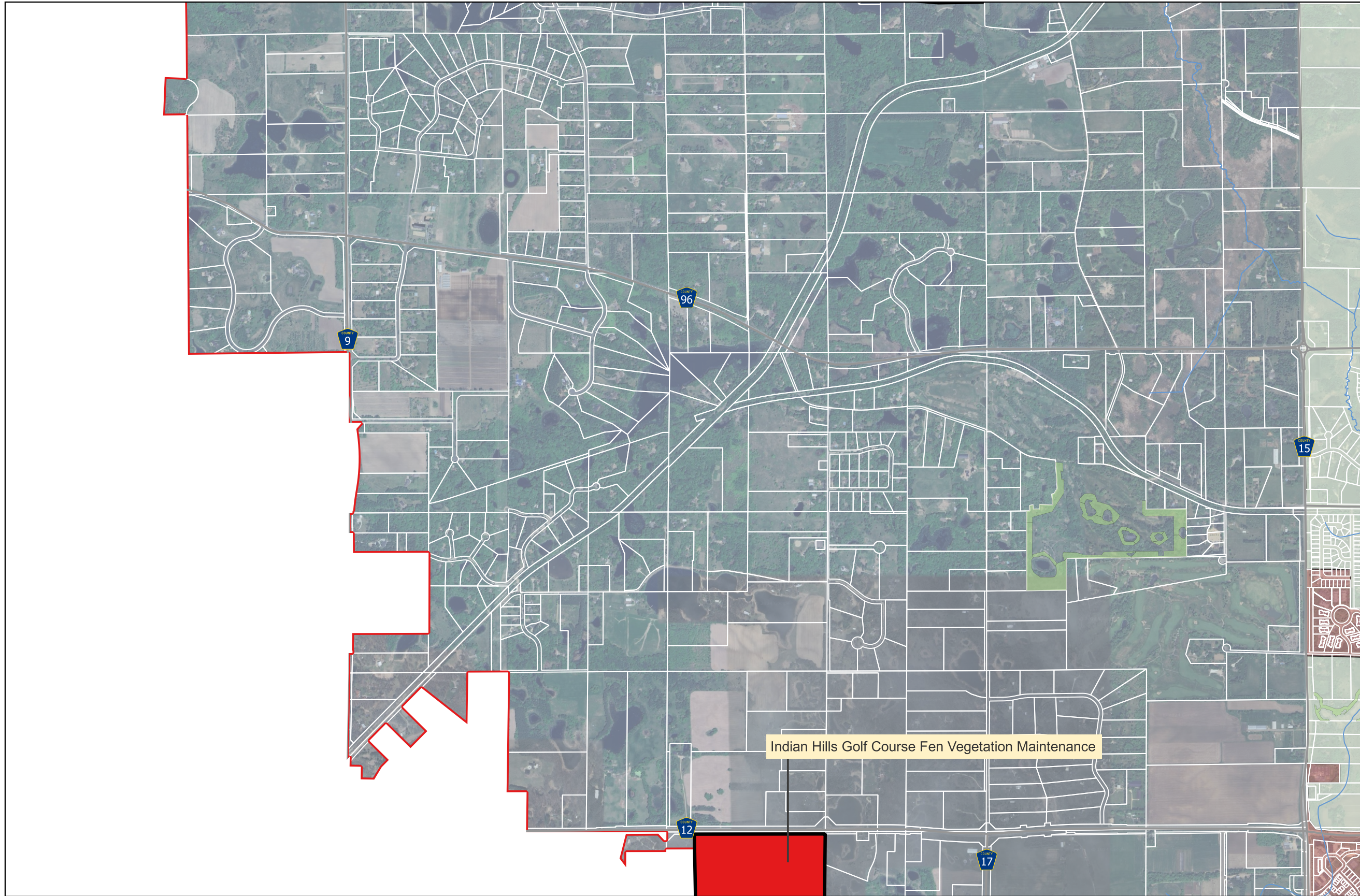



 CIP Program Project Locations

BCWD CIP Program January 3, 2025



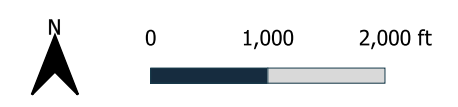
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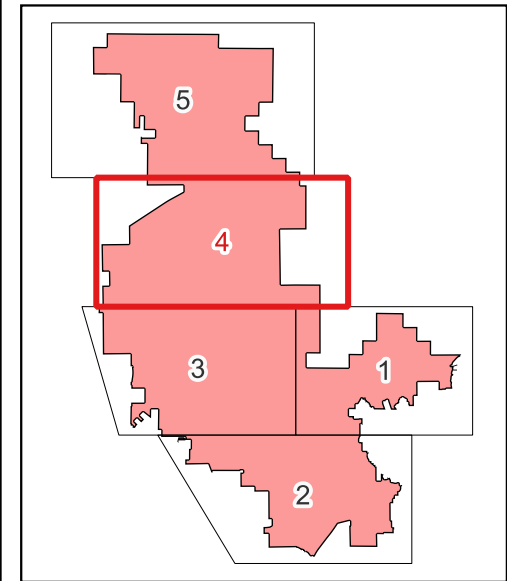
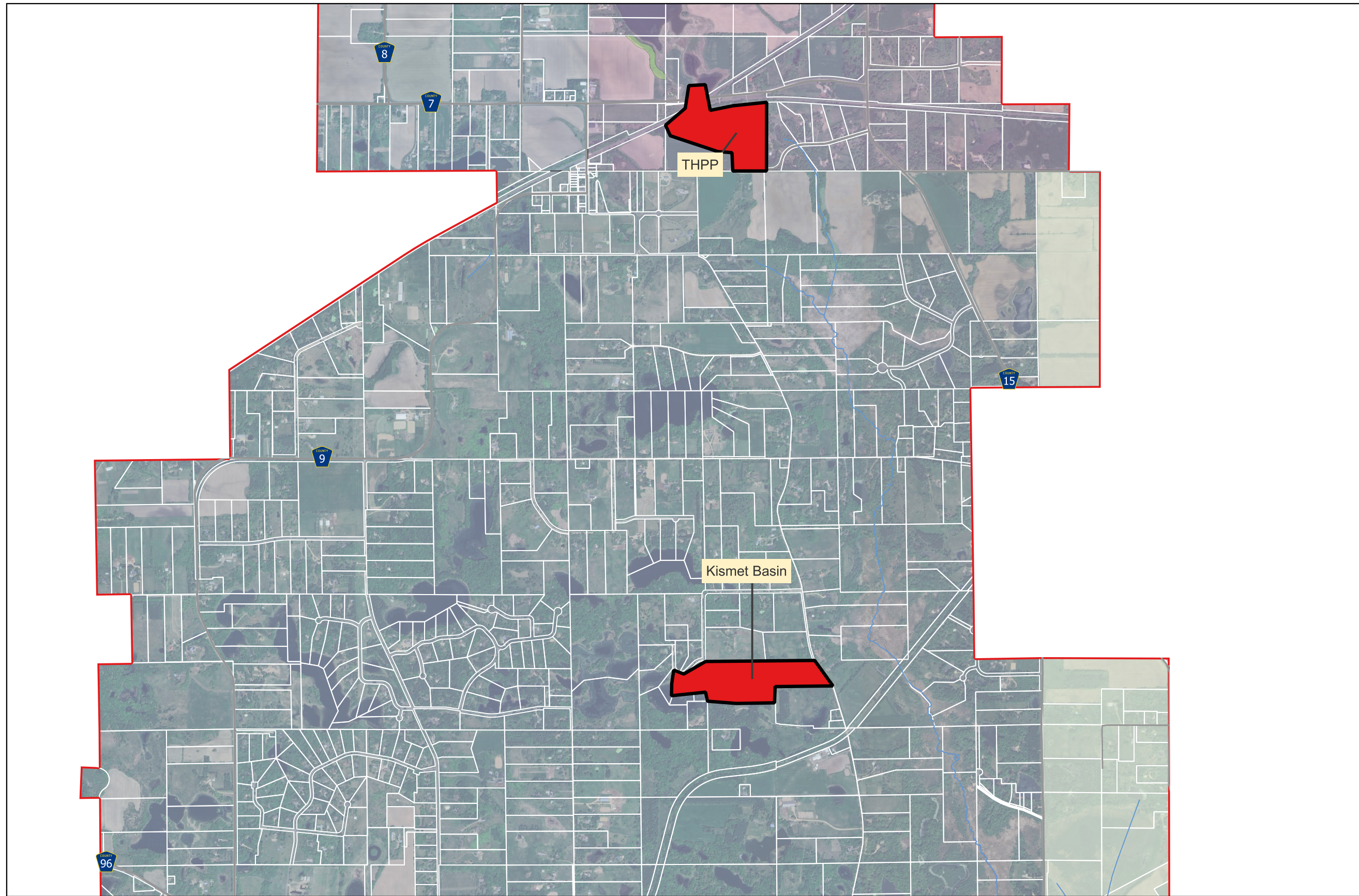
 CIP Program Project Locations




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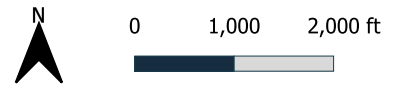
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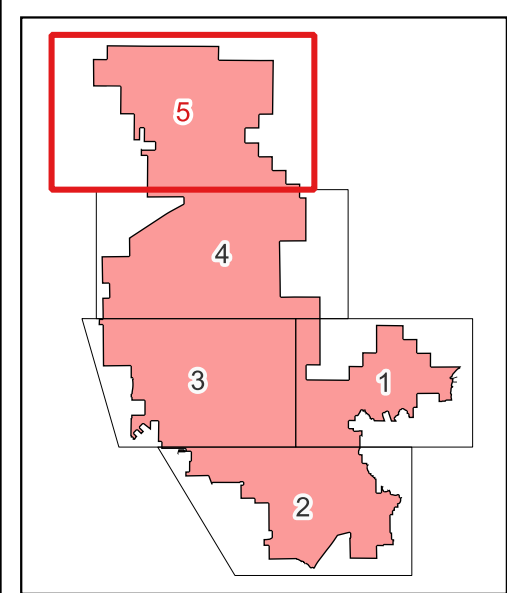
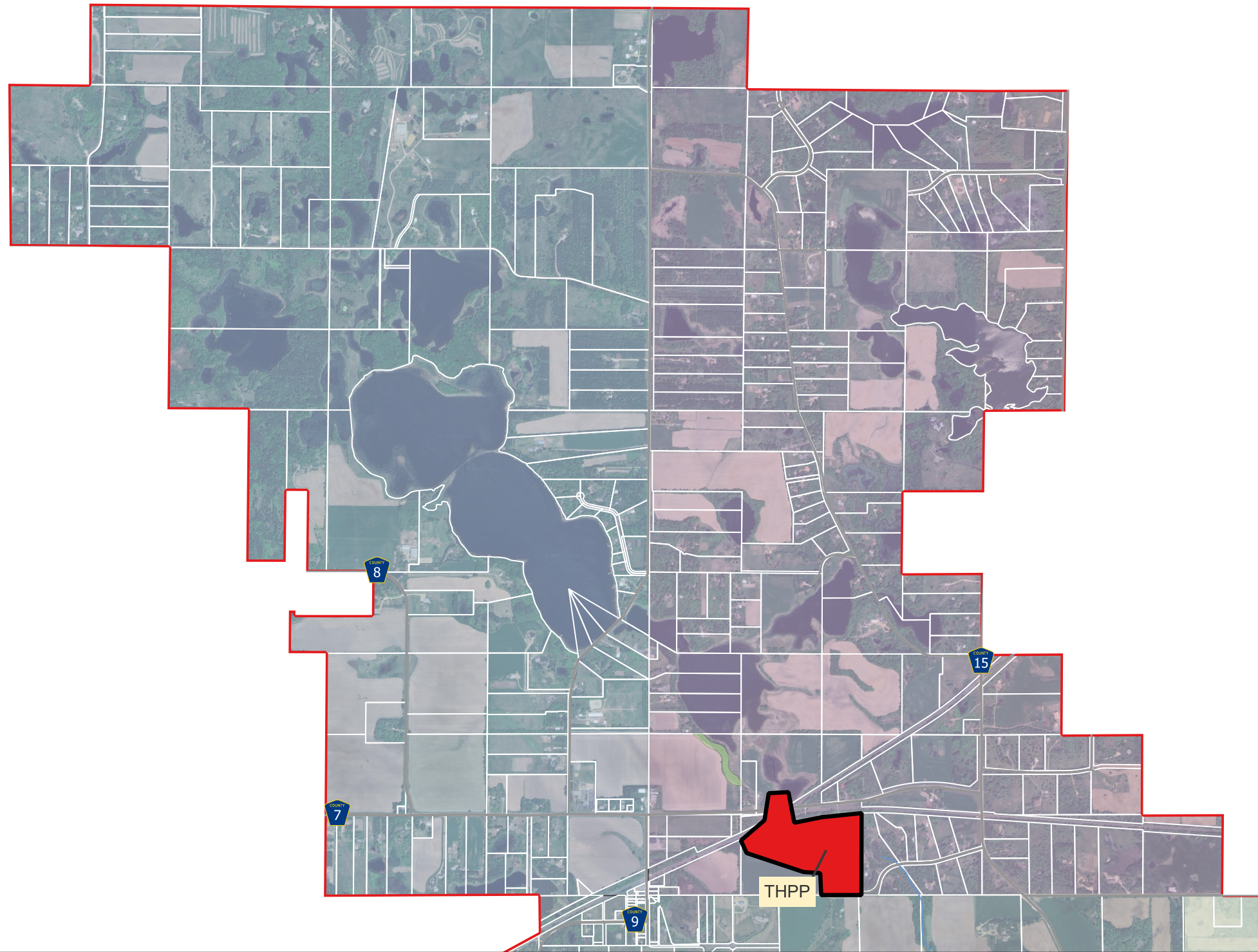
 CIP Program Project Locations




BCWD CIP Program January 3, 2025



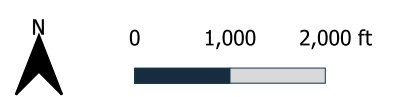
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 CIP Program Project Locations



BCWD CIP Program January 3, 2025





**Brown's Creek Watershed District Regulatory Review:
Draft Report and Recommendations
December 23, 2024
Facilitator: Beth Carreño**

Brown's Creek Watershed District Regulatory Review: Draft Report and Recommendations

Purpose Statement

The purpose of the Brown's Creek Watershed District (BCWD) regulatory review and facilitated partner meeting was to gain feedback on the current BCWD regulatory program and recommendations for the BCWD Board of Managers to consider when developing the updated (2026-2035) Watershed Management Plan and future initiatives of the regulatory program. Participants were asked to consider the three components of the regulatory program: rules, processes, and outreach and information.

Summary

The purposes of watershed districts are to conserve the natural resources of the state by land use planning, flood control, and conservation projects by using sound scientific principles for the protection of the public health and welfare and the use of the natural resources. BCWD has rules required by Minnesota Statute to conserve the natural resources of the State and Watershed. The regulatory program addresses stormwater management, erosion and sediment control, buffers, shoreline alterations, water crossings, and flood control.

A facilitated partner meeting was held November 21, 2024, as part of the BCWD regulatory review. BCWD staff put a great deal of planning and effort to ensure attendance and participation at the meeting. They worked with a facilitator for planning and hosting the meeting and reporting to the Board.

Partner meetings benefit from a facilitator who ensures balanced participation, guides discussions and activities, manages the group and conflicts, improves communication and collaboration, and provides non-biased recommendations for problem solving. It builds trust in a process, allows staff and Board members to listen, and increases the likelihood of achieving the desired outcomes.

Staff developed the invitation list based on local and regional partners, individuals and companies with a history of participating in the permitting process, individuals who have interacted with the watershed district in the past, and through an additional equitable partner engagement review. A survey was conducted to select the date of the meeting, invitations were emailed with multiple reminders, and staff reached out directly through email and phone calls to improve attendance.

Thirty-nine individuals attended the meeting; this was 33% of the 118 invited. Participants represented residents, homeowner's associations (HOAs), permittees, developers, BCWD communities, Washington County, state agency partners, other watershed districts, and members of the Citizen Advisory Committee and Board of Managers. It was noted during the meeting that many of the engineers that were invited weren't in attendance. This is noteworthy because engineers often work with clients during the permitting process, and their feedback would have been valuable. Recommendations related to this audience are included later in the report.

The meeting included introductions, an icebreaker, an overview of the current BCWD regulatory program, and multiple facilitated large and small group discussions. Multiple techniques were used so participants would interact with different people throughout the morning. In addition to BCWD capturing feedback, it was important that participants also heard the perspectives of the others in the room.

To ensure transparency and accountability, staff sent the initial draft of meeting feedback to all participants and invitees with a request that they provide any additional clarification or feedback and to provide those that had not attended an opportunity to give feedback. Appendix One is the BCWD Regulatory Review: Amended Partner Meeting Feedback Summary, and it contains the initial feedback summary plus the additional comments received.

Appendix Two is a review of the icebreaker activity, “Defining Simple,” which was designed to encourage participants to focus on providing detailed feedback with specific strategies.

The recommendations included in this report are based on specific feedback, identification of themes in the feedback, and an interpretation of the information received from partners. BCWD will likely require additional staff to support the recommendations related to the rules review, changes to processes, and improved outreach. It’s notable that BCWD is already allocated additional resources and staff to support and improve delivery of its programs.

The participants represented diverse audiences with often differing priorities. This diversity was essential to get a full range of feedback. It also provided an opportunity to gather feedback from partners that may not have the same ability or opportunity to communicate with the watershed district but still have a perspective that should not be overlooked.

This information will be presented to the BCWD Board of Managers at the January 8, 2025, Board Meeting. **The Board will have the opportunity to review the feedback and recommendations, discuss and identify priorities, provide direction for obtaining additional clarification from partners, and ultimately incorporate selected priority activities into the watershed management plan and BCWD work plans.** Another partner meeting will be held to get any follow-up requested by the Board and to communicate outcomes.

Recommendations

Participants were asked multiple questions during the facilitated exercise and frequently reminded to consider the three components of the regulatory program: rules, processes, and outreach and information.

Participants provided detailed feedback and specific strategies for improving the BCWD regulatory program. However, *participants also consistently complimented current BCWD staff, BCWD efforts to protect water resources and provide good service, and this process.* This is a good foundation for building the next stage of BCWD efforts.

All comments were recorded and reviewed. Several themes emerged during the meeting and the synthesis of the feedback:

- **Theme 1:** The BCWD regulatory program should be transparent, efficient, equitable, consistent, and not unduly complicated.
- **Theme 2:** The BCWD regulatory program should protect and improve the resources and properties in the District, and there should be accountability.
- **Theme 3:** Communication is critical, should be consistent, and should lead to improved engagement and understanding with the public, partners, permittees, and other specific audiences including engineers representing permittees and the business community.

The Board will ultimately decide the degree to which these can be implemented. For example, it may not be possible to have rules that are in plain language and can be understood at or below the standard 7th grade comprehension standard for public documents. Instead, the Board may consider guidance documents and allocate staff support for some applicants to ensure better understanding of the rules.

The Board may determine that additional clarity or detail is needed from partners and request that staff ask follow-up questions at the next partner meeting.

While not all-encompassing, the feedback from partners was accompanied by a review of the website and existing processes of the District. This was to improve and provide context to the recommendations.

The review and interpretation of some of the partner feedback resulted in recommendations that may include strategies BCWD is already implementing. In these cases, it will be important to clarify with partners if the District’s activities are still inadequate in these areas or if the District needs to improve communication and outreach in that area. The first opportunity for this will be at the follow-up partner meeting.

Rules	Recommendation	Theme(s)
	Prepare for future rule revisions <ul style="list-style-type: none"> • Review the specific rules that were identified by participants of the partner meeting <ul style="list-style-type: none"> ○ Are there opportunities to make changes? • Create an inventory of rules that could be considered during a formal rules update • Complete a comparison of rules to those of nearby and/or similar watersheds <ul style="list-style-type: none"> ○ Look for opportunities to align, ideas for clarity • Identify opportunities to clarify rules or allow for increased flexibility in meeting the rules 	1,2,3
	Identify opportunities in the rules to increase administrator / Board’s ability to provide flexibility without increasing the number of variances <ul style="list-style-type: none"> • Identify opportunities to engage additional feedback from partners / permittees • May include some process opportunities 	1,3
	Begin rule revision process after watershed management plan is completed, selected process / outreach strategies have been implemented, and additional partner meetings have been held and only if specific rules have been identified <ul style="list-style-type: none"> • Estimated timeline: 2026 – 2029 	1,2,3

	<p>Allow regional solutions – <i>rules, processes, & outreach</i></p> <ul style="list-style-type: none"> • Review how other watershed districts (and State partners) support regional solutions and identify opportunities for BCWD – <i>this may require a rules change</i> • Note: BCWD does offer opportunities for regional solutions / treatments; utilize outreach / information strategies to communicate this and including this in future partner meetings <ul style="list-style-type: none"> ○ Monitor future feedback on this to determine if rules or process changes are needed 	1,2,3
Processes		
	Develop and implement a process for follow-up on closed projects, additional inspections, and enforcement	2
	<p>HOAs – identify and implement strategies to improve “hand-off” from developers and HOAs – <i>this also requires implementation of improved outreach and information strategies</i></p> <ul style="list-style-type: none"> • Require a meeting with a checklist with HOA obligations • Improve HOA Guidance on website to include more information on obligations, processes, and resources 	2,3
	<p>Allow regional solutions – <i>rules, processes, & outreach</i></p> <ul style="list-style-type: none"> • Review how other watershed districts (and State partners) support regional solutions and identify opportunities for BCWD – <i>this may require a rules change</i> • Note: BCWD does offer opportunities for regional solutions / treatments; utilize outreach / information strategies to communicate this and including this in future partner meetings <ul style="list-style-type: none"> ○ Monitor future feedback on this to determine if rules or process changes are needed 	1,2,3
	<p>Assess the viability of an application portal and electronic payment process</p> <ul style="list-style-type: none"> • Complete a cost-benefit analysis to determine feasibility • Consider fixed <i>and</i> variable costs, number of applications, risks, and opportunities – <i>there were 20 permit approvals in 2023</i> • Identify other practices to communicate permit status to applicants (or to improve current communication) • Improve transparency and perspective on the program by communicating on the number of applications, permits, projects, and pre-app meetings; how the program is paid for; and estimated costs 	1

	<p>Review permit fee structures to ensure they are clearly communicated and equitable</p> <ul style="list-style-type: none"> • Consider caps on fees (and other requirements) for single family projects • Identify opportunities to increase transparency, full-cost accounting, and standardized fees • Determine who should bear the weight of the regulatory program and permits 	1
	<p>Review the current appeals process and assess opportunities to improve the process, timeline, and communication; ensure that applicants are provided with information on the appeals process</p>	1,3
Outreach & Information		
	<p>Host ongoing engineering workshop / meeting</p> <ul style="list-style-type: none"> • Initial facilitated conversation • Ongoing discussions / training 	1,3
	<p>Increase outreach opportunities</p> <ul style="list-style-type: none"> • Inventory where touchpoints are and look for opportunities to share BCWD info (city billing inserts, realtor communications) • Create information cards or standard language (for documents / websites) for other permitting LGUs to provide to applicants • Schedule consistent meetings with partners <ul style="list-style-type: none"> ○ City-county partner meetings; city coordination meetings; partner meetings – determine a schedule that is do-able and set an expectation ○ Identify opportunities to collaborate with regional groups – county, neighbor watersheds, etc. ○ Opportunities for developers and/or contractors to meet staff and learn about rules, processes, expectations, obligations, and opportunities <ul style="list-style-type: none"> ▪ Lunch and learns, virtual sessions, breakfasts ▪ Incentivize their participation ▪ Ex: A city with two watersheds within its borders co-hosts a developer / contractor breakfast with both watersheds; rules presentation highlighting requirements 	1,3
	<p>Develop guidance documents for permittees and potential permittees</p> <ul style="list-style-type: none"> • Rules guidance document • Videos / vlogs to provide guidance / instruction 	1,3

	<p>Website</p> <ul style="list-style-type: none"> • Review the General Permitting Info page of the website and identify opportunities for improvement <ul style="list-style-type: none"> ○ Improve transparency on the program by including a statement of how many applications, permits, projects, pre-app meetings, how the program is paid for, and estimated costs • Complete FAQs • Continuously look for opportunities to increase readability, plain speak, and user experience on the website 	1,3
	<p>Annual Reports and Newsletters</p> <ul style="list-style-type: none"> • Include information on regulatory program in newsletters and annual reports <ul style="list-style-type: none"> ○ Mission and purpose focus – why is there a regulatory program? ○ Improve transparency and perspective on the program by including a statement of how many applications, permits, projects, pre-app meetings, how the program is paid for, and estimated costs 	3
	<p>Committee membership</p> <ul style="list-style-type: none"> • Provide opportunities for developers, contractors, and the regulatory audience to participate in the District. <ul style="list-style-type: none"> ○ This could include Board, CAC, and/or TAC appointments, inviting them to information sessions with members of the Board, CAC, and/or TAC, and staff providing presentations at meetings where business leaders will be present. ○ Provide opportunity for this group to identify ways that they want to participate at follow-up meeting(s). 	1,2,3

Appendix 1

BCWD Regulatory Review: Amended Partner Meeting Feedback Summary

The original Partner Meeting Feedback Summary has been amended to include comments received by email in the extended comment period from December 6, 2024, through December 13, 2024.

Meeting Overview

A partner meeting was held November 21, 2024, to gain feedback on the current Brown's Creek Watershed District (BCWD / the District) regulatory program and recommendations for future activities for the BCWD Board of Managers to consider when developing the updated (2026 – 2035) Watershed Management Plan.

The meeting included an overview of the current BCWD regulatory program including information on its regulatory authority, past updates, current processes and rules, and accomplishments due in part to the District's regulatory program.

There were 118 individuals invited and 39 individuals, or 33% of those invited, in attendance with participants representing residents, homeowner associations, permittees, developers, BCWD communities, Washington County, state agency partners, other watershed districts, and members of the Citizen Advisory Committee and Board of Managers. Participants were asked to introduce themselves, who they represent, and how they interact with BCWD. Several participants noted that there weren't many engineers at this meeting. It's important to note that engineers were invited, and staff are continuing to develop and implement strategies to engage this critical audience.

An icebreaker was led to create a definition for the word "simple." Simple and its variations are frequently used to provide direction for what the BCWD rules and regulatory program should be. Seventy-eight responses were offered with many of these unique. It was established that "simple" would not be a word used in the day's feedback, and participants would focus on providing specific strategies and detailed feedback.

Participants were asked to consider the BCWD regulatory program as its rules, processes, and outreach and information. Activities focused on getting feedback around these three components. Multiple facilitation approaches were used to increase engagement, encourage participants to interact with different people, allow participants to hear multiple perspectives, and for everyone to share their ideas in multiple conversations.

There were three facilitated discussions. The first was done with the whole group, the second was completed in small groups, and the third had participants moving around the room in changing small groups (a variation of a known facilitation technique called World Café). Participants were asked to respond to multiple questions or prompts. After each activity, participants reported back to the entire group and shared ideas. The meeting ended with a brief wrap-up discussion, and participants were asked if they felt anything was missed in the questions asked or the conversation. Individuals were asked to share something they heard another participant say that was a new perspective for them.

Questions & Response Summary

A summary of the questions and a generalization of the responses follow. A complete list of all answers is included in this report and were used to inform recommendations.

Who and what benefits from the regulatory program?

The answers reflected the group’s shared beliefs that the community, property owners, and the resources benefited from this program. Half of all responses identified individuals (in the community or property owners) as beneficiaries as a result of a healthy resource or protection from harm (flooding, etc). Of nearly 100 responses given, only five identified engineers, consultants, and watershed staff as the beneficiaries of the regulatory program.

What are the most important factors or components of a successful regulatory program?

Themes that were present in the answers focused on consistency and fairness; flexibility; efficiency; clarity; value and cost; public engagement, awareness, and communication; effectiveness and enforcement; the process; and a focus on the resource.

There was broad agreement that a successful regulatory program has sound and clearly communicated processes that are applied fairly and consistently while also valuing flexibility, cost-effectiveness, and efficiency. Public engagement and informational materials should be used to increase knowledge and understanding of the regulatory program and the applicable rules. Enforcement was identified in addition to a number of process suggestions.

What are improvements or changes that you would like to see in the regulatory program?

A significant amount of feedback focused on changes in communication, outreach materials, administrative efforts, and fees. There was less focus on the specific topics identified for possible rule changes; however, one individual provided a list of items for consideration.

What would those improvements or changes result in?

Responses could be categorized into improved communication and engagement, efficiency and expense, administration, and the resource and water quality. They identified outcomes for resident and permit applicant experiences, processes or activities of the watershed district, and the effect on the resource.

What is working in the current BCWD regulatory program?

Participant responses identified current success with resource protection and improvement; administrative practices and staff; current flexibility; and communication and engagement. Many of these were implemented after the last facilitated effort around the regulatory program. All of the things identified serve as a strong foundation for the regulatory program and future changes.

Provide specific suggestions and strategies for BCWD rules, processes, and outreach and information.

There were many similarities between what participants wanted to keep or build upon and aspects of the regulatory program that were identified as “working.”

Suggestions for the District’s rules encouraged flexibility and innovation; consistency; and some specific rules that could be reviewed.

Suggestions for the District’s processes focused on steps to improve communication and transparency; cost-effectiveness; efficiencies; and permittee resources.

Suggestions for the District’s outreach and information efforts included the continuation of partner meetings and community engagement; ideas for what and how to share the BCWD story and requirements; and identification of audiences.

Questions and All Responses

Large Group Facilitated Discussion: Idea Pools

Large Group Question One: *Who and what benefits from the regulatory program?*

Topic Areas	Specific Comments
COMMUNITY	<ul style="list-style-type: none"> • Community – 2 <ul style="list-style-type: none"> ○ Reduced flooding • Individuals in the watershed – 2 <ul style="list-style-type: none"> ○ Users in the watershed district • Individuals downstream • Residents - 6 <ul style="list-style-type: none"> ○ Current residents ○ All residents within the District • Future <ul style="list-style-type: none"> ○ Property owners ○ Generations – 2 ○ Future residents • Citizens - 4 <ul style="list-style-type: none"> ○ Of state, watershed, etc. ○ “Citizens should” • The public (in general) - 2 • People near the water • Those who use the resource <ul style="list-style-type: none"> ○ Recreationists - 2 • Anyone drinking water • Public health
PROPERTY OWNERS	<ul style="list-style-type: none"> • Homeowners • Property owners - 3 <ul style="list-style-type: none"> ○ Flooding • Landowners - 2 <ul style="list-style-type: none"> ○ Downstream landowners • Old homesites that were built before planning for runoff • Taxpayer <ul style="list-style-type: none"> ○ Property values - 2 ○ Resource quality • Business owners
OTHER PEOPLE	<ul style="list-style-type: none"> • The watershed district employees, staff, engineers <ul style="list-style-type: none"> ○ Watershed district employees • Consultants – 2 <ul style="list-style-type: none"> ○ Consultants / engineers currently benefit ○ Engineers and their firms • Economics

<p>THE RESOURCE</p>	<ul style="list-style-type: none"> • Resources – 3 <ul style="list-style-type: none"> ○ The resource ○ Shared resources ○ Natural resources – 2 <ul style="list-style-type: none"> ▪ Natural resources should • Water <ul style="list-style-type: none"> ○ Water resources – 4 <ul style="list-style-type: none"> ▪ Lakes, streams, wetlands, groundwater ▪ Lakes ○ Brown’s Creek Water Quality <ul style="list-style-type: none"> ▪ Brown’s Creek ○ Water quality - 2 ○ Groundwater – 2 ○ Surface water • Lakes, rivers, streams, wetland • Ecosystems <ul style="list-style-type: none"> ○ Ecosystem health • The environment - 8 • Habitat – 2 • Aquatic environment • Aquatic life <ul style="list-style-type: none"> ○ Trout ○ Animals near the water ○ Fish, bugs, plants • Wildlife • Nature
<p>Additional comments and questions</p>	<ul style="list-style-type: none"> • Recreation • Who suffers if not enforced? • How do the rules account for climate change? • Rules not enforced versus when rules are enforced <ul style="list-style-type: none"> ○ Benefit: environment, landowners, future residents

Large Group Question Two: *What are the most important factors or components of a successful regulatory program?*

Topic Areas	Specific Comments
CONSISTENCY	<ul style="list-style-type: none"> • Consistent – 3 <ul style="list-style-type: none"> ○ Consistency - 2 • Predictable • Implemented consistently
FAIRNESS	<ul style="list-style-type: none"> • Fair – 6 <ul style="list-style-type: none"> ○ Applied Consistently • Fairness • Fair implementation • Fair application • Implemented equally • Equitable
FLEXIBILITY	<ul style="list-style-type: none"> • Flexibility <ul style="list-style-type: none"> ○ Flexibility for landowners • Nimble / flexible – 2
EFFICIENT	<ul style="list-style-type: none"> • Efficient – 4 <ul style="list-style-type: none"> ○ Efficient for BCWD, applicant, municipality ○ Efficient to administer • Timely - 3 • Timeliness
COST / VALUE	<ul style="list-style-type: none"> • Cost-effective • Pre-determined fees <ul style="list-style-type: none"> ○ Fees that do not require calculations ○ 1 garden = \$100 • Demonstrated value to stakeholders • Minimum cost for the most value • Technical assistance at low cost • Area wide fees and developer fees
UNDERSTANDABLE	<ul style="list-style-type: none"> • Clear <ul style="list-style-type: none"> ○ Clear rules • Clarity • Straightforward • Decipherable • Understandable • Easy to understand <ul style="list-style-type: none"> ○ Easily understandable by all ○ Easy to understand by all parties ○ Easy ○ Easy to accomplish ○ Step by step notice • Easy to implement

<p>PUBLIC ENGAGEMENT & AWARENESS</p>	<ul style="list-style-type: none"> • Shared understanding of long-term maintenance / limitations (stormwater BMPs + buffers) • Buy-in by watershed residents <ul style="list-style-type: none"> ○ Buy-in ○ Buy-in from both the regulator and the regulated • Awareness of rules that can be followed • Community involvement • Value to stakeholders • Educated public • Participation by all parties – with clear responsibilities <ul style="list-style-type: none"> ○ BCWD ○ Applicant • Municipality
<p>COMMUNICATION</p>	<ul style="list-style-type: none"> • Communication • Open communication of permittee and regulator • Clear communication between staff and applicant • Well-communicated and clear rules that applicants can understand • Clear guidance materials (contributes to streamlined processes)
<p>ENFORCEMENT & FOLLOW-UP</p>	<ul style="list-style-type: none"> • Enforced • Enforcement with leverage and a process • Follow-up and reporting – w/out lose benefit of project / plan • Ensuring permit requirements are enforced both short and long term • Way to establish accountability for maintenance and potential negative impacts
<p>EFFECTIVENESS</p>	<ul style="list-style-type: none"> • Effective <ul style="list-style-type: none"> ○ Permits issued, permits closed • Regulations are effective <ul style="list-style-type: none"> ○ Ex: when applied they protect the resource they are meant to • Provides intended results • Successful best management practices <ul style="list-style-type: none"> ○ Ensure solutions are / can be perpetual • Implementable • Does it actually produce the desired result and at what cost – accountability
<p>PROCESS</p>	<ul style="list-style-type: none"> • Process • Shared regulatory authority • Local government participation and involvement <ul style="list-style-type: none"> ○ Local / county involvement • LGU implemented • A succinct end point with a clear punch list • Data driven • Streamlined process • Everyone knows their role • Everyone involved understands the process • Workshop with the engineering community to see what they need; what formulas to use; what steps to take; it’s not clear to them • Good plan (BMPs)

	<ul style="list-style-type: none"> • One online access portal for permits • Accountability - 2 • Appeals Processes <ul style="list-style-type: none"> ○ Ease of appeals
RESOURCE	<ul style="list-style-type: none"> • Protective of resource <ul style="list-style-type: none"> ○ Protect / improve the resources • Adequate protection of water resources (quantity / quality) for future generations • Objective resource protection
OTHER	<ul style="list-style-type: none"> • Purposeful • Supported • Appropriate rules • Comprehensive and well thought out rules • Not unduly burdensome – 2 • Projects able to occur without harming the environment • The program is forward thinking (looking ahead for changes in population, climate, etc)

Small Group Facilitated Discussion

Small Group Question One: *What are improvements or changes that you would like to see in the regulatory program? Think rules, processes, and outreach / information.*

Topic Areas	Specific Comments
<p>COMMUNICATION / INFORMATION / OUTREACH / RESOURCES</p>	<ul style="list-style-type: none"> • Better targeting • Better guidance / expectation setting <ul style="list-style-type: none"> ○ Communicate expectations ○ Increased communication for buyers who are responsible for maintenance of stormwater / sediment control structures • Conciseness of rules • Ease of access to rules • Better follow-up • Portal – submit permits; monitor status • Engineering <ul style="list-style-type: none"> ○ Clear calculations for engineers ○ Better engineer information • Resources online for permittee <ul style="list-style-type: none"> ○ Link to well index, watershed health assessment tool, etc.
<p>ADMINISTRATIVE / FEES / FLEXIBILITY / EFFICIENCY</p>	<ul style="list-style-type: none"> • More pre-permit coordination • More administrative approvals • 30 day staff review instead of 60 day • Appeals <ul style="list-style-type: none"> ○ Clearly defined appeals process • Fee structure – easy to calculate • Create rules that place high value on alternative improvement efforts • Flexibility • Regional ponding • Efficiency • LGU implementation of WMO rules w/ WMO support (or WMO does if LGU prefers) • Consistency among watershed districts
<p>DEFINITIONS</p>	<ul style="list-style-type: none"> • Rule 7 defined • Re-use calculator defined
<p>DEVELOPMENT</p>	<ul style="list-style-type: none"> • Should not be in charge of land use planning – leave to townships / cities • Hold developers responsible for their part in stormwater structure maintenance and protection of features during construction
<p>OTHER RULE REVISION SPECIFIC TOPICS</p>	<ul style="list-style-type: none"> • Site specific analysis – setback review on a cliff but not near a creek • Change “steep slope” criteria • Remove “landlocked versus not” rules difference • Enable farming to remain <ul style="list-style-type: none"> ○ How to permit / address? • Reduce setbacks by 25 – 50% • More stormwater controls for shoreland development (single lots) • MID – watershed wide (higher standard for / if trout & flooding)

- SINGLE FAMILY and SMALL PROJECTS
 - Less rigorous process for small individual projects (homes)
 - Very expensive
- WCA
 - Support WCA plus
 - Local mitigation priority sequence
 - Higher replacement ratio for high quality wetlands
- DRINKING WATER, GROUNDWATER, PRIVATE WELLS
 - Drinking water protection
 - More rules tied to drinking water / private wells (SWSMA)
 - Limitations of infiltration near wells or in SWSMA
 - Floodplain & well considerations

An individual provided this feedback during the process:

- Consultant fees
 - Create transparency of fees collected
- Create a quick appeal process when consultants disagree
- Endeavor to appoint at least one manager with a background in real estate
- Limit requirements of declarations and extractions
- Buffers in excess of 20'
- Any rule prohibiting buffer averaging
- Allow reasonable activities in buffer zones
- Requirement to mimic pre-settlement conditions
- Allow variances based on practical difficulties
- Eliminate landowners obligation to demonstrate that landowner facilities will not have an adverse impact – very subjective standard
- Release financial assurances and eliminate need for posting LOL and then paying fees

Small Group Question Two: *What would those improvements or changes result in?*

Topic Areas	Specific Comments
COMMUNICATION / ENGAGEMENT	<ul style="list-style-type: none"> • Communicated expectations • Clearer communication – the HOA receives outlining the rules when they assume responsibility from the developer / seller / title • Acceptance of enforcement
EFFICIENCY / TIME / COST / EXPENSE / FEES	<ul style="list-style-type: none"> • Faster / shorter review timeline will reduce \$ for waiting and eventually obtaining permits • Less rigorous program for small projects would save time and money <ul style="list-style-type: none"> ○ Also might get more protection with “un-engineered” solutions • Less costs - 3 <ul style="list-style-type: none"> ○ Less upfront costs ○ Predetermined fees / precalculated • Efficiency • Simplification / consolidation of rules <ul style="list-style-type: none"> ○ Watershed district wide rule would result in increased regulations but simplification • Increased complexity
ADMINISTRATION	<ul style="list-style-type: none"> • More staff (needed to speed up processes) • Faster approval process • Faster timelines • A more fair and equitable system • Less variances required • On-line portal <ul style="list-style-type: none"> ○ Permit & submission ○ Follow-up in portal ○ Appeal application • Appeal process <ul style="list-style-type: none"> ○ Ability to appeal a permit decision in a reasonable time • More cities as LGU • More direct involvement of the Board in rule making <ul style="list-style-type: none"> ○ Less engineer and legal review / comments
RESOURCE	<ul style="list-style-type: none"> • Better follow up keeps integrity of projects / plan • Increased / regulated <ul style="list-style-type: none"> ○ Protection of groundwater <ul style="list-style-type: none"> ▪ Increased costs ▪ Increased water quality of groundwater • Limit potential contamination / liability of drinking water

Small Group Question Three: *What is working in the current BCWD regulatory program?*

Topic Areas	Specific Comments
RESOURCE	<ul style="list-style-type: none"> • Water quality is improving! – 2 • Protection / improvement of Brown’s Creek • Surface water quality in areas of watershed <ul style="list-style-type: none"> ○ Meeting goals – phosphorus, temperature, sediment • Volume control is being achieved • Resources are being protected <ul style="list-style-type: none"> ○ Resource protection • Phosphorus reduction and improvement of resources
ADMINISTRATIVE	<ul style="list-style-type: none"> • More administrative review – efficient • Staff wants to help you through the process • Staff is proactive, but restrictive / inflexible • Good staff that cares about the community • Staff is approachable • Application process
FLEXIBILITY	<ul style="list-style-type: none"> • Flexibility on reconstruction vs. rehabilitation (roads projects) • Board flexible but responsible
COMMUNICATION / ENGAGEMENT / OUTREACH	<ul style="list-style-type: none"> • Pre-application meetings <ul style="list-style-type: none"> ○ Initial free meeting • Collaboration <ul style="list-style-type: none"> ○ WCD ○ Cities ○ Developers • Board of managers understanding of projects / reality • Communications / connections • Listening to feedback / outreach <ul style="list-style-type: none"> ○ This type of collaboration and asking for input • Partnerships <ul style="list-style-type: none"> ○ Good with partnerships • Processes on website • Information is accessible and available • Trying to make it easy for the applicant
OTHER	<ul style="list-style-type: none"> • Consistent • Rules are good • Attentiveness to rules

Facilitated Discussion: World Café Variation

Instructions:

- Rotate through tables - provide comments - Be Specific
- What is good / important to keep? Suggest changes - don't use the word "simple"

Topic Areas	Specific Comments
<p>PROCESSES</p>	<ul style="list-style-type: none"> • Grant opportunities for BCWD priorities • Appeal process <ul style="list-style-type: none"> ○ Implement an appeal process • Portal to see where the permit is at in the process – 4 <ul style="list-style-type: none"> ○ Coon Creek has permit portal now online (as an example) • Fees <ul style="list-style-type: none"> ○ Easier fee or automated calculator ○ Fee caps as a % of total cost for single families or ????? • Small, medium, large projects • Shorten process as much as possible • Interagency coordination of permits – 2 • Less legal review <ul style="list-style-type: none"> ○ Let engineers / admin review and approve ○ Administrative approval ○ Less attorney review by staff • Developer maintain integrity of stormwater feature during construction <ul style="list-style-type: none"> ○ District enforce • KEEP <ul style="list-style-type: none"> ○ Keep Citizen Advisory Committee – 2 (could also apply to outreach & info) ○ Admin review ○ Pre-application meetings ○ Stakeholder engagement & involvement (could also apply to outreach & info) ○ Continue these meetings with cross-education exercises (could also apply to outreach & info) • CHANGE <ul style="list-style-type: none"> ○ Landlocked basins ○ Better communication ○ Easier to figure out if it applies ○ Less rigorous process for solo single-family permits ○ Change undue hardship on variances to practical difficulty ○ Simplify appeal of technical / consultant / disputes ○ Strengthen maintenance agreements ○ Communicate expectations better ○ Make release of financial assurances easier / quicker

<p>OUTREACH & INFORMATION</p>	<ul style="list-style-type: none"> • Keep partnership meetings – 2 • Keep attending project-specific public project meetings • Keep pre-meetings (free) – 2 • Community events • Maintain Citizen Advisory Committee – 2 <ul style="list-style-type: none"> ○ More CAC outreach / communication to increase attendance at events • Share outcomes of implementation • Highlight uniqueness of BCWD • Identify conflict and highlight positives • Maintain relationship with the WCD <ul style="list-style-type: none"> ○ Utilize shared services • Improve relationships with land use authorities • Share what BCWD does with tax bill, benefits, programs • Budget process • Knowledge of needing a permit • Clear permitting authority when multiple entities have regulations • Give explanation / justifications for each role • Links to more resources like MN Well Index, watershed health assessment framework tool, etc. • Engineer list for stormwater / flood mitigation projects • Have \$\$ available • Videos - 2 <ul style="list-style-type: none"> ○ Permit application video for builders / owners ○ Target primarily homeowners / HOAs <ul style="list-style-type: none"> ▪ How-tos ▪ Overview ▪ Importance • Website works <ul style="list-style-type: none"> ○ Well laid out ○ Rules are easy to find on website
<p>RULES</p>	<ul style="list-style-type: none"> • Encourage flexibility – options - 2 <ul style="list-style-type: none"> ○ Encourage flexible options ○ Innovative practices ○ Regional ponding – 2 <ul style="list-style-type: none"> ▪ Prioritize regional ponding opportunities <ul style="list-style-type: none"> • Stormwater credits? ○ Look for multi-benefit projects / extra flexibility • More flexibility for recon projects – especially public <ul style="list-style-type: none"> ○ Keep rehab versus recon • Consistency with other watershed districts – 3 • Equitable application of rules • Reconsider decompaction – 2 • Rule 7 defined – 2 • Re-word re-use • Less engineering required for homeowners • Farm friendly rules

	<ul style="list-style-type: none"> • Pre-settlement (?) <ul style="list-style-type: none"> ○ Pre-settlement conditions a challenge to meet; existing conditions preferred • Buffers in excess of 25' • Provide clear responsibilities for HOA stormwater facility maintenance - 2 <ul style="list-style-type: none"> ○ Include enforcement ○ City versus watershed district • Protect private / drinking wells / source not just public supplies – 2 <ul style="list-style-type: none"> ○ Both could be explicit in rule – thinking regarding stormwater & floodplain • KEEP <ul style="list-style-type: none"> ○ Permit Threshold triggers ○ Volume control – maintain standards • CHANGE <ul style="list-style-type: none"> ○ Single family home rules – 3 ○ Where statute does not define specific language, make it less technical ○ Forcing landowners to solve MNDOT runoff issues with no compensation
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Additional Feedback:

Participants and the invitee list were emailed the “Partner Meeting Feedback Summary” on December 6, 2024, and encouraged to provide comments on the summary and/or submit additional feedback on the BCWD regulatory program. The email requested that additional comments be sent by December 13, 2024; a reminder was sent on the morning of December 13, 2024. Limited feedback was received and has been considered in preparing the final report and report and recommendations.

Summary of those comments is below:

Attended	<ul style="list-style-type: none"> • Document captures the comments well • Many may support comments even if they were shared by one individual • The Board will have to determine what to focus on and in what order
Could not attend	<p>Enforcement and Follow-up</p> <ul style="list-style-type: none"> • Enforcement and follow-up are lacking • An example was provided (and has been shared with staff) • Would like to see resources and tools made available to improve enforcement
Attended	<p>Follow-up on the rules for stronger protections for groundwater and drinking water and that the specific suggestions provided during the meeting were opportunities / possibilities and not dictated expectations.</p> <ul style="list-style-type: none"> • Specific ideas were presented to staff

Appendix 2

Defining Simple

The icebreaker at the facilitated partner meeting was designed to demonstrate that using single words, like simple, to provide direction on complex issues provided very little benefit to decision makers. The activity also showed that people meant many different things even though they are using the same word. Participants were asked to share what “simple” means or what they mean when they use it.

“Simple” was the word selected for the activity, because the word and its variations are frequently used to provide direction for the BCWD rules and regulatory program. Seventy-eight responses were offered; many of the responses were unique.

During the wrap-up of the icebreaker, participants were encouraged to focus on providing detailed feedback and specific strategies they wanted the Board to consider.

Defining SIMPLE

- Easy - 4
 - Easy to perform, enact, do
 - Easily done
 - Easy to implement
 - Easy to achieve or understand
 - To explain
- Not complicated / uncomplicated- 5
- Easily understood / easy to understand / understandable- 13
 - Understandable to all -2
 - Easily understood at all knowledge levels
- Plain language
- Concise
- Not hard
- Quick – 2
 - quickest
 - Fast
- Practical
- Clear Language
 - Clear definitions
 - Clearly defined terms / rules that don’t encourage discussion
- Nothing more than what is essential
- Can be described within one paragraph

- Efficient – 5
- Effective
- To the point
- Straightforward - 2
- Predictable
- General - 2
- Basic
- Minimal details
- Not specific -2
- Transparent
- Opposite of complex
- Down to essentials
- Least number of steps
 - Most direct way
 - Minimal steps
- Instinctual
- Flexible
- Conservative
- Economical
- Not targeted
- Not unduly burdensome
- Doesn't require technical expertise
- Planned, local input, qualified implementors
- MIDS; MIDS + for cold water fisheries and landlocked basins (so not totally simple...)
- Captured above, "something that is efficient and easily understood by all."
- Process
- Question someone added:
 - For who? How to serve the resource?
 - Feedback



MEMORANDUM

TO: Brown's Creek Watershed District Board
 FROM: Karen Kill
 RE: Statements of Qualification for Contracted Services
 DATE: January 6, 2025

BCWD posted requests for qualifications for accounting, auditing, legal, and engineering services for 2025-26, due to BCWD by December 30, 2024. All statements of qualifications have been emailed to the Board of Managers.

Services	Provider	Cost	Compare to BCWD Budget	Experience with BCWD	Recommendation
Accounting	Dave McCord	\$420/month \$5040/year	Budget 2025 \$5000 Exceeds budget by \$40	Existing accounting services – work with monthly and on the audit, punctual, organized, and good attention to detail	Yes
Auditing	Abdo	\$11,300 – 2024 Audit (in 2025) \$11,500 – 2025 Audit (in 2025)	Budget 2025 \$12,000 Under budget by \$700	Existing auditing services - good to work with, efficient use of BCWD time, well organized process	Yes
Legal	Smith Partners	Retainer \$26,700 2025, \$29,100 2025	Budget 2025 \$27,100 Under budget by \$400	Provided legal services since 1997, responsive, timely, knowledgeable on watershed issues	Yes
Engineering	Emmons & Olivier Resources	Retainer \$10,576/month (\$126,912 annual) 2025	Budget 2025 \$130,811 Under budget by \$3,899	Provided engineering services since 1997 and good knowledge of resources and history in BCWD, responsive, timely, stay within budget, assist BCWD with innovative projects	Yes

Managers:

Klay Eckles, President • Celia Wirth, Vice-President & Treasurer • Debra Sahulka, Secretary
 • Chuck LeRoux, 2nd Vice-President • Larry Odebrecht



January 7, 2025

Jessica L. Collin-Pilarski
Washington County Department of Public Health and Environment
14949 62nd Street North
Stillwater, MN 55082

RE: Washington County Groundwater Plan 60-day Review

Dear Mrs. Collin-Pilarski,

Thank you for submitting the Washington County Groundwater Plan 2014-2024 to the Brown's Creek Watershed District (BCWD) for review and comment. Overall, the Groundwater Plan is an excellent planning document: it is easy to read, well organized, has appropriate goals and policies and identifies a number of well-thought-out strategies to help achieve the County's vision and goals. In particular, the BCWD appreciates the approach the County took to evaluate Diversity, Equity and Inclusion (DEI), Environmental Justice and Climate Change as these impacts will become more pronounced over the next ten years,

As the County knows, the BCWD has an active interest in better understanding and preserving groundwater resources. The BCWD appreciates the note on page 61 of the Plan highlighting Brown's Creek, its status as a cold-water fishery, and its dependence upon a steady source of cold baseflow. As a result, the BCWD supports the adoption of this Groundwater Plan as well as the policies and strategies identified in the Plan.

Additionally, the BCWD commends the County's new strategy to "Encourage partners to implement stormwater best management practices that are protective of groundwater, including safe and feasible water reuse" as well as the supporting actions. The implementation of these types of stormwater management practices will improve the County's resilience to climate change and encourage others to adopt similar water conservation practices.

A couple of specific comments that the County may want to consider as it finalizes the Groundwater Plan (GWP) are articulated below:

- Page 21, Goal #2, C. Support stormwater retention, infiltration and opportunities to replenish aquifer storage. The BCWD is concerned that this strategy has been assigned low priority. This strategy and the corresponding actions are needed to achieve the County's vision, goals and other higher priority strategies identified in the plan.

- Page 22, Goal #2, D. Strategy: Protect, preserve, and restore resources that support groundwater dependent ecosystems. Suggest replacing the example “Minimum Impact Design Standards” to “Volume Control/Stormwater Infiltration” to emphasize the fact that this is what is needed to support groundwater recharge (see Section 4.4) in the face of land use and climate change. The Minimal (not Minimum) Impact Design Standards are a *minimum* requirement which can be used to achieve recharge, but it may not be enough in every situation.
- Page 24, Goal #3, A. Strategy: Inform and educate targeted audiences (e.g., well and septic owners, business, property managers, etc.), and encourage adoption of practices that are protective of groundwater quality and quantity, Action 3.A.2 – suggest adding the developers and the engineering and design community to the list of targeted audiences.
- Page 27 - Recent major groundwater modeling efforts have further refined and improved on the Metro Model. The Northeast Metro Lakes Groundwater-flow model includes roughly the north half of the county. This model is currently maintained by DNR. Another model was developed to address PFAS In the southern half of the county. This model is currently maintained by MPCA.
- Page 38, Watershed Management Organizations – There is a typo in the first bullet. It should read “Brown’s Creek Watershed District”.
- Page 46, Figure 9 – There should be local confirmation by watershed districts of the features included on Figure 9 such as karst features as they may have regulatory implications.
- It is recommended that the County consider including language speaking to the development of a cost-share program to fund the collection of additional groundwater level measurements in the County. The BCWD is interested in the collection of groundwater level measurements to better understand short- and long-term changes to the groundwater system and its corresponding impacts to groundwater dependent natural resources.

Please let me know if you have any questions about the comments or suggestions submitted for the Washington County Groundwater Plan.

Sincerely,

Karen Kill
BCWD Administrator

Camilla Correll, P.E.
BCWD Engineer



2024 Legislative Briefing and Day at the Capitol
Radisson Hotel - Capitol Ridge
161 St. Anthony Avenue, St. Paul | February 19-20, 2025

Administrator Meeting 2/19/25 9-2pm \$50
Feb 19 3pm-2/20 programming \$100

Agenda – Wednesday, February 19, 2025

Welcome to the Minnesota Watersheds 2025 Legislative Briefing. The following schedule is approximate. Speakers and times may change as needed to accommodate the ever-changing schedules of lobbyists and directors.

3:00 – 4:00 Minnesota Watersheds Legislative Priorities

- 3:00 Welcome and Announcements – Jan Voit, Minnesota Watersheds Executive Director
- 3:05 Capitol Activity Update – Kevin Matzek, Minnesota Watersheds Lobbyist
- 3:20 The Legislative Process and Strategies for Working with the Legislature and State Agencies on Minnesota Watersheds Legislative Priorities
 - Top Two Priorities
 - Support 60-day permit review period for Department of Natural Resources
 - Support developing regulatory approaches to reduce chloride contamination
 - Endeavors to Support
 - Support Clean Water Land and Legacy Funding
 - Support legislation regarding DNR regulatory authority over public drainage maintenance and repairs
 - Support 2025 bonding requests and stable funding for multipurpose flood mitigation and water storage projects
 - Support streamlining the Flood Hazard Mitigation Program
 - Q & A

4:00 – 4:55 Agency Updates*

- 4:00 Sarah Strommen, Department of Natural Resources (invited)
- 4:15 John Jaschke, Board of Water and Soil Resources (invited)
- 4:30 TBD
- 4:45 Q & A

4:55 Closing Remarks/End of Briefing

- 4:55 Jan Voit, Executive Director

5:00 – 7:00 Legislative Reception: Minnesota Watersheds Members and Legislators

Invitations to this reception and networking event were sent to all legislators. However, individual invitations from members helps provide additional encouragement for them to attend.

Take advantage of this opportunity to network with other members and chat with legislators as they arrive. **Please also use this time for informal regional caucus discussion.** There will be a cash bar. Light food options will be served for you to enjoy.

Agenda – Thursday, February 20, 2025

7:00 am – 8:00 am Networking Event: Minnesota Watersheds Members

Take advantage of this opportunity to have a buffet breakfast with Minnesota Watersheds members at the Capitol Ridge Hotel and discuss our legislative priorities.

8:30 am – 4:00 pm Meet with Legislators

Please use this occasion to visit with legislators in their offices or at the Capitol.

*Speakers and topics may change as schedules evolve.