

Regular Meeting
South Washington Watershed District
Tuesday, March 19, 2024 6:00 p.m.
City of Woodbury Public Works Building

1. Call to Order and Setting of Agenda

Manager Johnson called the meeting to order at 6:00 p.m. A motion was made by Manager ChapdeLaine to remove item the Wetland Conservation Act Notice of Decision for Mississippi Landing Wetland Replacement Plan from the Consent Agenda to the item 4a under the regular agenda. Manager Madigan seconded. Motion carried unanimously.

A motion was made by Manager ChapdeLaine to move agenda items: #9-2024 Construction Erosion & Sediment Control Inspections, WCD Task Order 2024-001, #10-Amendment 2, Cooperative Agreement for Enhanced Street Sweeping with the City of Woodbury, and Item#11-Erosion & Sediment Control Inspection App Maintenance Task Order Stantec 2024-001 to the Consent Agenda. Manager Doucette seconded. Motion carried unanimously.

Roll Call:

- Brian Johnson, President
- Sharon Doucette, 1st Vice President
- Emily Stephens, 2nd Vice President
- Kevin ChapdeLaine, Treasurer
- Mike Madigan, Secretary

Staff:

- John Loomis, Deputy Administrator
- Melissa Imse, Operations Manager
- Tony Randazzo, Watershed Restoration Specialist
- Kyle Axtell, BMP Project Specialist

Others:

- Bonnie Matter, Washington County Resident

- 2. Public Open Forum** Ms. Bonnie Matter, a Washington County Resident was present and provided statements and questions on the Mississippi Landing housing development in Grey Cloud Island and Cottage Grove. Ms. Matter's letter is attached to the minutes as a matter of public record.

3. Consent Agenda

Items on the Consent Agenda include: February 13, 2024 Regular Board meeting minutes, February Claims Roster and Treasurer's Report: accounts payable \$338,236.78, accounts receivable \$61,276.24, 4M fund balance \$12,220,963.17, Morcon Pay Request #5 \$37,537.88, Calendar of Events, Development Reviews, Miscellaneous Correspondence, and #9-2024 Construction Erosion & Sediment Control Inspections, WCD Task Order 2024-001, #10-Amendment 2, Cooperative Agreement for Enhanced Street Sweeping with the City of Woodbury, and Item#11-Erosion & Sediment Control Inspection App Maintenance Task Order Stantec 2024-001. A motion was made by Manager ChapdeLaine to approve the consent agenda as amended. Manager Madigan seconded. Motion carried unanimously.

4. Manager's Report

Manager Johnson—Manager Johnson reported that he attended the City of Woodbury quarterly meeting, the Grey Cloud Island Township Annual meeting, the City of

Woodbury's Environmental Stewardship Committee meeting, and the Minnesota Watersheds Legislative event.

Manager Doucette—None.

Manager Stephens—None.

Manager ChapdeLaine—None.

Manager Madigan—Manager Madigan reported that he toured the water treatment sites within the Cities of Woodbury and Newport.

Minnesota Wetland Conservation Act Notice of Decision, Wetland Replacement Plan for Mississippi Landing, Rachel Development.

Included in the board packet was the Minnesota Wetland Conservation Act Notice of Decision on the Wetland Replacement plan for Mississippi Landing and Rachel Development. SWWD is the Local Governing Unit (LGU) for Minnesota Wetland Conservation Act. The managers reviewed the Technical Evaluation Panel's (TEP) findings and recommendations on the Notice of Decision for the Wetland Replacement plan for Mississippi Landing.

The TEP met on January 25, 2024 and provided multiple comments about Wetland impact avoidance and minimization to the applicant. The applicant revised the application and submitted the following:

Minimization Alternative #3 (Remove Road C) -This alternative attempts to minimize impact to WB-01-B by moving Road C to a new location (further to south and not shown on this figure) and instead constructing home lots to the south of WB-01B. This alternative reduces impact to the wetland by 1,124 sf by being able to shift the fill slope further south. However, with this alternative:

- The sewer line from the cul-de-sac in this area would need to run along the north property line of adjusted lots within a 3:1 slope.
- Moving the sewer main line further south and out of the 3:1 sloping area would require it to be buried more than 12 feet deeper into bedrock-which would present installation and long-term City maintenance challenges for the main and services and was therefore rejected as a design option.

This area also includes a storm sewer culvert that maintains flow from WB-01-C to WB-01-B. For stability reasons, the culvert must discharge into WB-01-B at the lowest point, which is the south wetland edge. Therefore, a second utility line near the sewer main line is needed.

- With elimination of Road Casa stormwater collection source, an additional storm sewer line would be needed to collect the runoff from the rear yards before discharging to WB-01-B. Therefore, a third utility line near the sewer main line is needed.
- Three overlapping utility lines within 3:1 sloping topography are not preferred from an engineering, access, or maintenance perspective with this minimization alternative.

Proposed Alternative/Minimization Alternative #4 (Road A Crossing Design Change)

This alternative minimizes impact to WB-01-B (reduced by 824 sf) and WB-01-C (reduced by 644 sf) by 1,468 sf total. The project engineer reached out the city to request flexibility in the standard road design for this specific location. The City has agreed with an atypical road section where fill side slopes will be allowed to begin sloping downward starting from the back of the curb where adjacent to wetlands. With this change, side slopes widths are narrower, thereby reducing wetland impacts. Impact Areas WB-01-C and WB-01-D Contiguous trails within natural areas that connect development neighborhoods (and to the surrounding community) and which are accessible/usable by all are a required public value component of this master planned project. Impacts to WB-01-C and WB-01-D result from upgrading the existing cart path crossing to meet current City/MN DOT trail safety standards {8-ft wide bituminous trail with a 5-ft 6:1 sloping bench, which then transitions to 3:1 slopes). Impacts have been minimized to the extent possible by utilizing the narrowest existing cart path crossing in this area of the site while matching existing grades thereby providing a consistent elevation trail for safety and which allows access for all users. Total wetland impacts under alternative #4

would be **20,104 SF** and mitigation would occur through purchase of banking credits. The TEP recommends approval of the amended application and proposed alternative #4.

A motion was made by Manager Madigan to approve the Minnesota Wetland Conservation Act Notice of Decision, Wetland Replacement Plan for Mississippi Landing, Rachel Development. Manager Stephens seconded. Motion carried unanimously.

5. **Administrator Report**

SWWD Project Updates. Included in the board packet are project updates on: Trout Brook, Glacial Valley Park and Open space, Campus Greening, Wilmes Lake Alum Treatment Facility, Hasenbank Woods/Powers Lake BMP, St. Paul Park Public Works Underground BMP, Markgrafs Lake Retrofit Analysis, Northern Watershed/CDSF/East Ravine Review and Optimization, Cottage Grove Ravine Regional Park, St. Croix Bluffs Regional Park, CR74-65th and Geneva, Watershed Plan Update, and In-Lake AIS Management.

6. **St. Paul Park 7th Avenue Underground BMP.** SWWD was successful in securing approval of \$228,539 in funding for this project by the South Washington WBIF convene committee in February. A BWSR grant agreement should be in place by July or August. The Board review three items related to the project:

1) HR Green has completed plans and specifications, which have been reviewed and approved by SWWD staff and the City of St. Paul Park. A motion was made by Manager ChapdeLaine to accept the plans and specifications and authorize staff and HR Green to solicit contractor bids for the project. Manager Doucette seconded. Motion carried unanimously.

2) A Memorandum of Understanding between SWWD and the City of St. Paul Park is required to establish SWWD's access to the City right-of-way and fiscal and O&M responsibilities for the project. The City has already approved the MOU. A motion was made by Manager ChapdeLaine to approve the Memorandum of Understanding between SWWD and the City of St. Paul Park. Manager Doucette seconded. Motion carried unanimously.

3) Washington County has been unable to provide sufficient onsite water quality treatment to meet SWWD regulatory standards for its Red Rock II development in Newport, requiring alternative compliance sequencing. This has resulted in a payment in lieu of treatment (\$26,940) that SWWD wishes to apply toward the St. Paul Park Underground BMP. A motion was made by Manager ChapdeLaine to approve the Memorandum of Understanding with Washington County for the Red Rock II development. Manager Doucette seconded. Motion carried unanimously.

7. **Hasenbank Stormwater Park.** AE2S is the City of Woodbury's preferred SCADA contractor and will provide necessary services to integrate and connect the Hasenbank stormwater park lift station into the City's operations. Total cost of AE2S's proposal \$11,400. A motion was made by Manager Madigan to approve the notice to proceed for AE2S to support lift station design and SCACA integration for up to \$11,400. Manager ChapdeLaine seconded. Motion carried unanimously.

The managers reviewed the contract from Diversity Landworks for goat grazing in Hasenbank Woods. Grazing will occur in spring or early summer to target garlic mustard and buckthorn resprouts. Total cost of the contract is \$6,465.55. A motion was made by Manager ChapdeLaine to approve the goat grazing contract with Diversity Landworks for up to \$6,465.55. Manager Doucette seconded. Motion carried unanimously.

8. **Wilmes Alum Treatment Facility Landscape Restoration.** Staff released a Request for Quotes to a large pool of potential contractors for native restoration work at the Wilmes Lake Alum Facility project site. Eight quotes were received. Minnesota Native

Landscapes (MNL) is the presumptive low quote and has been found to be responsive. A motion was made by Manager Madigan to approve the contract with MNL to complete the work for an amount not to exceed \$77,251.00. Manager Stephens seconded. Motion carried unanimously.

- 9. 2024 Construction Erosion & Sediment Control Inspections, Washington Conservation District Task Order 2024-001.** The item was approved under the Consent Agenda.
- 10. Amendment 2, Cooperative Agreement for Enhanced Street Sweeping with the City of Woodbury.** The item was approved under the Consent Agenda.
- 11. Erosion & Sediment Control Inspection App Maintenance, Stantec Task Order 2024-001.** The item was approved under the Consent Agenda.
- 12. Glacial Valley Park (GVP).** The managers reviewed several items related to ongoing work at Glacial Valley Park.

Funding Agreement between SWWD and Washington Conservation District (WCD). Through the agreement, WCD will reimburse SWWD for up to \$20,000 of expenses related to ongoing restoration and enhancement work with grant funds from the National Fish and Wildlife Foundation. A motion was made by Manager Doucette to approve the funding agreement with Washington Conservation District for \$20,000 of grant funds through the National Fish and Wildlife Foundation. Manager Stephens seconded. Motion carried unanimously.

The managers reviewed plans for a paved regional trail connecting Woodbury and Cottage Grove trail systems through Glacial Valley Park. A motion was made by Manager Stephens to authorize staff to seek bids for the work. Manager Doucette seconded. Motion carried unanimously. SWWD Staff intends to let the project out for bid later this spring once details on the development south of GVP are finalized. After bidding, we will bring the project back to the Board for contract award.

The managers reviewed the proposal from Native Resource Preservation for tree and shrub clearing along the Glacial Valley Park fence lines. This work will clear the trail construction area in advance of potential summer restrictions due to northern long ear bat protection and support ongoing restoration efforts. A motion was made by Manager ChapdeLaine to approve the proposal from Native Resource Preservation for up to \$14,719.95. Manager Doucette seconded. Motion carried unanimously.
- 13. SWWD Administrator Appointment, Resolution 2024-002.** A motion was made by Manager ChapdeLaine to approve Resolution 2024-002 appointing John Loomis as the SWWD Administrator effective May 2, 2024. Manager Doucette seconded. Motion carried unanimously.
- 14. Closed Session. Personnel Discussion.** A motion was made by Manager Madigan suspend the regular meeting and to open the close the meeting to discuss Agenda Item 14 (Personnel Discussion) under section 13D.05, subdivision two (a) (4) to review medical information. Manager ChapdeLaine seconded. Motion carried unanimously. After review of medical records, Manager Johnson reopened the regular meeting. As a result of Matt Moore suffering serious injuries from a fall outside of work and if Matt is unable to return to work prior to his announced retirement date of May 2, 2024, a motion was made by Manager Johnson to grant Matt Moore up to 14 days of additional PTO. In the event that Matt Moore is able to return to work, the additional PTO would cease and he would be paid in the ordinary course of his employment. Manager Madigan seconded that motion. The motion carried unanimously.
- 15. Future Business and Meetings.**

- a) Regular Board Meeting, Tuesday, March 19, 2024 6pm
- b) CAC Meeting, Tuesday, March 26, 2024 5pm
- c) Regular Board Meeting, Tuesday, April 9, 2024 *5pm*
- d) Watershed Management Plan Workshop, Tuesday, April 9, 2024 after meeting
- e) Regular Board Meeting, Tuesday, May 14, 2024 6pm
- f) SWWD Board Tour-Spring TBD

16. Adjourn

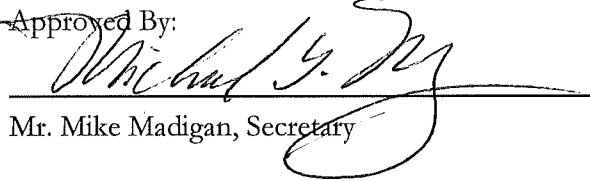
The next regular Board Meeting will be held on Tuesday, April 9th at **5:00 pm**. A motion was made by Manager Johnson to adjourn at 7:51 p.m. Manager ChapdeLaine seconded. Motion carried unanimously.

Respectfully submitted,

Melissa Imse

Melissa Imse, Operations Manager

Approved By:


Mr. Mike Madigan, Secretary

4-9-2024
Date

HAND DELIVERED

6649 Inskip Avenue South
Cottage Grove, MN 55016

March 19, 2024

South Washington Watershed District
Technical Evaluation Panel (TEP)
% Mr. John Loomis,
SWWD Deputy Administrator
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2301 Tower Drive
Woodbury, MN 55125
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651/714-3714
www.swwdmn.org

Department of Natural Resources
DNR Ecologist and Water Resources Division
Mr. Daniel Scollan, Area Hydrologist
Ramsey and Washington County
SWWD Technical Panel
City of Cottage Grove DNR Contact
Mississippi River Corridor Critical Area Contact
1200 Warner Road
St. Paul, MN 55106
651-259-5732
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Dear South Washington Watershed District Technical Panel Members:

I'm here this evening because I thought this group represented the "Water Protectors" for South Washington County.

I am trying to understand how a 377-unit housing development received the South Washington Watershed District's approval on land that is basically sand dunes. And I bring questions from county residents about the Mississippi Landing, (Grey Cloud) Cottage Grove, Minnesota, by Rachel Development, St. Michael, Minnesota.

Q: Since the soil is all sand, how will the acreage be stabilized with the removal of the 2,536 trees*. Wouldn't that cause a massive amount of erosion and more sinkholes?

S: An area of fine grain sand dunes, significant erosion and sedimentation to the river. Water quality will suffer.

S: Building on land that is geologically a place that will require a considerable amount of soil amendments to even build homes; not to mention the ecological destruction that this development will bring.

Q: How will water quality and the Mississippi River be impacted by stormwater runoff from all the additional impervious surfaces like rooftops, cement sidewalks, driveways, roadways, lawn treatment chemicals, road treatments.

Q: Where is the storm water ponding between the homes closest-to-the-river and the Mississippi River? The current plans do not have any ponding for this location.

Q: Did you receive and review the Final technical evaluation for this most recent development plan. Was it compared to the Preliminary technical evaluation; Does it show where karst and bedrock exist? Are you confident that all springs and seeps have been accounted for on the Dunes Property? Does the Final technical evaluation include the Lift Station and the work required to move the waste through the BNSF railway corridor bridge and up the hill? Is the water source near the Cowan House (the future Lift Station) a known spring?

Q: How does the South Washington Watershed District view their role and responsibilities on this project?

Q: How does the DNR Hydrologist view his role and responsibilities on this project?

Q: What would drive enforcement on SWWD's and the DNR Hydrologist's part? Erosion, sinkholes, poor water quality AFTER the 2,536 trees have been removed from the land? AFTER irreparable damage has occurred to the land?

What would enforcement look like?

Are you aware of and did you review the Preliminary Development Agreement that the Cottage Grove City Council entered into with Rachel Development on September 6, 2023. A signed agreement that was not included with the project documentation at the Planning Commission Public Hearing on January 22, 2024 or with the Cottage Grove City Council Meeting on February 21, 2024?

I would like to leave this meeting this evening with your responses to these questions. I would also request a written response following the meeting.

Please add this letter and the written response to the Public Record for this project.

Thank you.

Bonnie Matter,
Washington County Resident

SWWD Technical Evaluation Panel (TEP) for the Mississippi Landing
Project

John Loomis, SWWD

Ben Meyer, BWSR

Matt Moore, SWWD

Kelly Pharis, DNR Wildlife

Jay Riggs, WCD

Dan Scollan, DNR Hydrologist

South Washington Watershed District Board Managers

Kevin ChapdeLaine

Sharon Doucette

Brian Johnson

Mike Madigan

Emily Stephens

South Washington Watershed District Mission Statement

***“TO MANAGE WATER AND RELATED RESOURCES OF THE DISTRICT IN
COOPERATION WITH OUR CITIZENS AND COMMUNITIES”***

*Source: Preliminary Civil Drawings, Page 95 of 110 - Rachel Development - Mississippi Landing - Cottage Grove City Council Meeting Documents, February 21, 2024

Total Number of Onsite Trees: 3,931

Removed Number of Onsite Trees: **2,536 living trees**

Footnote: Total trees include all inventoried trees within the development site boundary. Some of the trees included do not classify as "significant" due to size and species. See full Tree Inventory List for specific Tree Removal Plan Sheet 104

Tree Preservation Notes:

Item #4. States: Dead, diseased, or dying significant trees were not included as part of the existing tree inventory.

Item #5. States: No trees shall be removed until this Tree Preservation Plan is approved by the City of Cottage Grove.

Source: Preliminary Civil Drawings, Page 95 of 110 - Rachel Development - Mississippi Landing - Cottage Grove City Council Meeting Documents, February 21, 2024