

VLAWMO TECHNICAL COMMISSION MEETING
8:00 AM June 8th, 2022

Vadnais Heights City Hall, Council Chambers, 800 County Road E East, Vadnais Heights, MN 55127

Action items: *

- I. **CalltoOrder– 8:00am –ChairJesse Farrell**
- II. **Approval ofAgenda**
- III. **Approval ofMinutes(May 11th,2022)**
- IV. **Administration&Operations**
 - A. Financial Report for Payment – Phil * Pg. 7
 - B. TEC Report to the Board – Phil * Pg. 15
- V. **Programs**
 - A. Public drainage policy recommendation – Brian * Pg. 19
 - B. Introduction to FY '22-23 BWSR WBIF grant process - Lauren * Pg. 34
 - C. Soil Health Grant: SHG-2022-08 –Nick * Pg. 41
 - D. Website renovation - Nick * Pg. 16
 - E. Update on Education & Outreach program – Nick Pg. 17
 - 1. AFSA service day update
- VI. **Projects**
 - A. Maintenance JPA Sucker Vadnais Park – Dawn * Pg. 46
 - B. Wilkinson BMP project update /discussion * Pg. 18
 - C. Carp update Pg. 18
 - D. Notification of acceptance of EWM treatment grant for Birch Lake Pg. 18
- VII. **CommissionerReports**
- VIII. **NOHOA**
- IX. **RamseySoil&WaterConservationDivision**
- X. **St.PaulRegionalWaterServices**
- XI. **PublicComment**
- XII. **NextMeetings:** TEC: July 13th, Regular Board Meeting: June 22nd, 2022
- XIII. **Adjourn**

Upcoming events:

Landscape Revival: June 11th
VH Ice Cream Social: June 15th
Bridgewood Raingarden Kick-off: July 12th
Raingarden Palooza: July 21st
Native Plant Walk-and-Talk: Aug 11

**Vadnais Lake Area Water Management Organization
Technical Commission Minutes
May 11, 2022
Vadnais Heights City Hall, Council Chambers
800 County Road E East, Vadnais Heights, MN 55127**

Commission Members Present:

Jesse Farrell	Chair, Vadnais Heights (VH)
Gloria Tessier	Vice Chair, Gem Lake (GL)
Bob Larson	Tresurer, North Oaks (NO)
Terry Huntrods	White Bear Lake (WBL)
Paul Duxbury	White Bear Township (WBT)
Andy Nelson	Lino Lakes (LL)

Absent:

Others in attendance: Phil Belfiori, Brian Corcoran, Dawn Tanner, Lauren Sampedro, Nick Voss (VLAWMO staff); Diane Gorder (NOHOA), Ed Shapland (Watershed Action Volunteers/CAC), Jeremy Erickson (SPRWS),

I. Call to Order

Vice Chair Gloria Tessier called the meeting to order at 8:00 am.

II. Approval of Agenda

It was moved by Commissioner Duxbury and seconded by Commissioner Huntrods to approve the May 11th, 2022 TEC agenda as presented. Vote: all aye. Motion passed.

III. Approval of Minutes (March 9, 2022)

It was moved by Commissioner Huntrods and seconded by Commissioner Duxbury to approve the April 13th, 2022 meeting minutes as presented. Vote: all aye. Motion passed.

IV. Administration & Operations

A. Financial Report for Payment

Administrator Belfiori provided a summary of the financial report as included in the TEC packet. He noted the Lambert Lake Loan and Wilkinson BMP budget lines as notable budget items reflecting high priority projects.

It was motioned by Commissioner Duxbury and seconded by Commissioner Tessier to recommend approval of the May 2022 financial report for payment. Vote: All aye. Motion passed.

V. Programs

A. Education & Outreach

1. WHEP Pilot Program with Tamarack Nature Center

Voss provided a summary of the proposed WHEP pilot program with Ramsey County and the Tamarack Nature Center. He noted that the program will ramp up with a volunteer celebration event in Mid October 2022. He said staff are excited that this program will build off of Dakota and Hennepin counties' WHEP programs that have been going on for approximately 20 years, and it will continue a partnership with the Tamarack Nature Center. He added that the program will be an opportunity to share what is learned about wetland monitoring. It will focus on Teal Pond in the Nature Center. Voss noted that staff will be evaluating the program at the end of the year. He noted that TNC and County have yet to sign and execute the agreement for program partnership and that he will be providing an updated status at a later TEC meeting.

B. Cost-Share Program

1. LL1 Application 2022-03 – Coyne Raingarden

Sampedro outlined the LL1 application in the Pleasant/Charley/Deep lake subwatershed for a raingarden. The property is on the southeast Tip of Pleasant Lake and drains directly to the lake. The proposed project captures runoff from the immediate property, adjacent properties, and the street. The project is adjacent to a community hiking trail managed by the North Oaks Home Owner's Association (NOHOA) and would provide an education and outreach opportunity. She recommended approval of the application contingent on the addition of erosion and sediment control bmps being added to the project design and installed with the raingarden.

It was motioned by Commissioner Duxbury and seconded by Commissioner Huntrods to approve LL1 2022-03. Vote: all aye. Motion passed.

2. Soil Health Grant: SHG-2022-06 Folsom

Voss provided a summary of the grant application for a native plant restoration. It is a 360 SF project area and the applicant is using the BWSR design template for pollinator gardens in shady areas. Farrell asked for context on the cardboard in the project area photo and Voss noted the applicant had started site preparation of smothering the turf, which would not be reimbursable with the grant. Voss added the project area is near a

septic mound and could be a good example for others interested in vegetating septic mound areas.

It was motioned by Commissioner Tessier and seconded by Commissioner Larson to approve SHG 2022-06. Vote: all aye. Motion passed.

3. Soil Health Grant SHG 2022-07 Ripka

Voss provided a summary of the grant application for a native plant restoration, which is 417 SF in size. Voss noted that the applicant is contracting with Ecoscapes Sustainable Landscaping for the project and chose proposal three in the packet. He stated staff find the plant list and proposal are reliable and suitable for the site. Voss stated the project would provide a corridor for pollinators, especially since it is located near the City Hall site.

Voss provided a brief update that the Soil Health Grant Program's funds are almost fully spent for the year.

It was motioned by Commissioner Huntrods and seconded by Commissioner Tessier to approve SHG 2022-07. Vote: all aye. Motion passed.

VI. Projects

A. Wilkinson/319 Update

Tanner provided an update that the Wilkinson request for Proposals is out for engineering, which was submitted to four qualified firms. She said staff are looking forward to receiving the proposals and continuing work on the project design. Tanner added the deadline for proposals is May 24th and staff will provide an update at the June TEC and BOD meetings.

B. Carp update

Tanner updated the TEC that carp are behaving as staff hoped. She said the carp were in the northern bay by Charley Channel, possibly feeding on curlyleaf pondweed, and are leaving the main basin of Pleasant Lake, moving into Deep Lake, and hopefully moving to the barrier installation. Tanner described that there are two PVC barriers in place, installed by Carp Solutions. The downstream barrier has a doorway that can be closed to trap carp inside for removal. She added that PIT tag monitoring from previous years suggests that peak movement will occur from May 12-21, and staff are hoping for a productive harvest

Chair Farrell inquired about the strength of the electric shocking methods and its safety measures. Tanner responded the carp receive a jolt that stuns them for a short time before they swim away. She discussed there are safety releases in place to prevent shocking people. Chair Farrell inquired about what other types of fish are discovered, and Tanner described Northern pike, muskie, and big mouth buffalo.

C. East Vadnais remnant restoration site prep

Tanner described the prairie remnant site and explained the significance of lead plant being discovered at the site.

Tanner provided an update that fabric is currently installed to reduce non-native species and new plantings will be added after site prep has been completed.

This restoration is expected to increase visibility of the collected restoration sites in the area to the public as the Vadnais Lake trail network gets established.

VII. Commissioner Reports

Chair Farrell noted a proposed watershed political boundary change request for West Vadnais Lake drainage area, which is under discussion between VLAWMO, Ramsey-Washington Metro Watershed District (RWMWD), and the City of Vadnais Heights. He noted West Vadnais Lake is currently within VLAWMO's political boundary, but it is within RWMWD's hydrologic boundary. The proposal to switch West Vadnais drainage area from VLAWMO to RWMWD was stimulated by the RWMWD board. Both the City of Vadnais Heights' City Council and VLAWMO Board would need to approve the boundary change for it to be implemented. Belfiori noted that the vast majority of the runoff and pollutants in West Vadnais Lake are coming from a different watershed, and the outlet to the lake is also a different watershed.

Chair Farrell also noted that the City of Vadnais Heights has invested in a new LGEN regenerative street sweeper. He noted that it's an improvement in terms of efficiently protecting waterbodies by reducing street inputs of sediment and nutrients. He said spring is the best time to collect sediment and leaves from the street. Farrell thanked the Vadnais Heights City Council for this investment. Belfiori noted that street sweeping is an effective BMP that takes more nutrients per dollar out of the watershed system than any other stormwater BMP. Commissioner Duxbury asked which of the City's two street sweepers would be used on the streets and if they would only be used in the spring. Chair Farrell responded the City will ideally use both of the street sweepers and try to use them in the spring and fall.

VIII. NOHOA

Tanner provided an update on behalf of NOHOA that they have finished a shoreline restoration plan for Deep Lake, working with Natural Shore Technologies. The restoration plans outline priority areas around Deep Lake and provide an opportunity for VLAWMO staff to follow-up with specific projects in the future.

Diane Gorder of NOHOA reported an improvement in native plant establishment along trail areas.

IX. Ramsey Soil & Water Conservation Division

None

X. St. Paul Regional Water Services

Jeremy Erickson of SPRWS provided an update that official groundbreaking of treatment plant upgrade is May 12th, 2022.

XI. Public Comment

None

XII. Next Meetings:

Next TEC meeting June 8th, Next BOD meeting June 22nd.

XIII. Adjourn

It was moved by Commissioner Tessier and seconded by Chair Farrell to adjourn the meeting at 8:36 am. Vote: all aye. Motion passed.

Minutes compiled by Nick Voss.

VLAWMO Finance Report: June 2022

Jun-22		Actual 6/1/22	Actual to Date	2022 Budget	2021 carry over/Grants	Remaining in Budget	2022 Available	Act vs. Budget
BUDGET #	INCOME							
5.11	Storm Water Utility	\$0	\$440,247	\$1,019,521	\$0	\$579,274	\$1,019,521	43%
5.12	Service Fees	\$100	\$100	\$200	\$0	\$100	\$200	50%
5.13	Interest + mitigation acct	\$360	\$603	\$1,500	\$0	\$897	\$1,500	40%
5.14	Misc. income - WCA admin & other	\$0	\$1,876	\$3,000	\$0	\$1,124	\$3,000	63%
5.15	Other Income Grants/loan	\$4,143	\$33,662	\$324,500	\$0	\$290,838	\$324,500	10%
5.16	Transfer from reserves	\$0	\$0	\$192,367	\$133,751	\$326,118	\$326,118	0%
	TOTAL	\$4,603	\$476,488	\$1,541,088	\$133,751	\$1,198,351	\$1,674,839	31%
EXPENSES								
3.1	Operations & Administration							
3.110	Office - rent, copies, post tel supplies	\$2,492	\$12,616	\$27,097	\$0	\$14,481	\$27,097	47%
3.120	Information Systems	\$2,000	\$12,434	\$25,865	\$0	\$13,431	\$25,865	48%
3.130	Insurance	\$0	\$0	\$7,210	\$0	\$7,210	\$7,210	0%
3.141	Consulting - Audit	\$21	\$7,896	\$8,191	\$0	\$295	\$8,191	96%
3.142	Consulting - Bookkeeping	\$0	\$0	\$1,500	\$0	\$1,500	\$1,500	0%
3.143	Consulting - Legal	\$0	\$296	\$5,000	\$0	\$4,704	\$5,000	6%
3.144	Consulting - Eng. & Tech.	\$2,771	\$17,373	\$30,000	\$14,000	\$26,627	\$44,000	39%
3.150	Storm Sewer Utility	\$602	\$1,242	\$14,000	\$0	\$12,758	\$14,000	9%
3.160	Training (staff/board)	\$0	\$7,735	\$12,500	\$0	\$4,765	\$12,500	62%
3.170	Misc. & mileage	\$317	\$1,283	\$6,300	\$0	\$5,017	\$6,300	20%
3.191	Administration - staff	\$30,144	\$192,843	\$391,400	\$0	\$198,557	\$391,400	49%
3.192	Employer Liability	\$9,326	\$56,379	\$114,425	\$0	\$58,046	\$114,425	49%
3.2	Monitoring and Studies							
3.210	Lake and Creek lab analysis	\$1,019	\$1,369	\$18,000	\$0	\$16,631	\$18,000	8%
3.220	Equipment	\$122	\$517	\$3,000	\$0	\$2,483	\$3,000	17%
3.230	Wetland assessment & management	\$0	\$0	\$15,000	\$0	\$15,000	\$15,000	0%
3.240	Watershed Plan Amendment	\$0	\$0	\$15,000	\$0	\$15,000	\$15,000	0%
3.3	Education and Outreach							
3.310	Public Education	\$26	\$93	\$6,000	\$0	\$5,907	\$6,000	2%
3.320	Marketing	\$1,296	\$5,598	\$17,500	\$0	\$11,902	\$17,500	32%
3.330	Community Blue Ed Grant	\$0	\$100	\$2,000	\$0	\$1,900	\$2,000	5%
<i>Total Core functions: Ops, Monitoring, Education</i>		\$50,136	\$317,774	\$719,988	\$14,000	\$416,214	\$733,988	43%
Capital Improvement Projects and Programs								

3.4	Subwatershed Activity							
3.410	Gem Lake	\$0	\$0	\$10,000	\$0	\$10,000	\$10,000	
3.420	Lambert Creek	\$6,860	\$15,179	\$44,432	\$70,000	\$99,253	\$114,432	13%
3.421	Lambert Lake Loan	\$0	\$19,284	\$38,568	\$0	\$19,284	\$38,568	50%
3.425	Goose Lake	\$0	\$19,665	\$70,000	\$10,000	\$60,335	\$80,000	25%
3.430	Birch Lake	\$0	\$4,145	\$10,000	\$0	\$5,855	\$10,000	41%
3.440	Gilf Black Tam Wilk Amelia	\$0	\$31,935	\$93,500	\$12,000	\$73,565	\$105,500	30%
3.450	Pleasant Charley Deep	\$656	\$16,554	\$35,000	\$10,000	\$28,446	\$45,000	37%
3.460	Sucker Vadnais	\$5,245	\$5,618	\$41,500	\$0	\$35,882	\$41,500	14%
3.48	Programs							
3.480	Soil Health Grant	\$0	\$179	\$5,000	\$0	\$4,821	\$5,000	4%
3.481	Landscape 1	\$0	\$0	\$16,000	\$0	\$16,000	\$16,000	0%
3.482	Landscape 2	\$0	\$7,426	\$28,000	\$17,751	\$38,325	\$45,751	16%
3.483	Project Research & feasibility	\$0	\$0	\$0	\$0	\$0	\$0	#DIV/0!
3.485	Facilities Maintenance	\$1,540	\$37,259	\$102,600	\$0	\$65,341	\$102,600	36%
3.5	Regulatory							
3.510	Engineer Plan review	\$0	\$0	\$2,000	\$0	\$2,000	\$2,000	0%
	Total CIP & Program	\$14,301	\$157,244	\$496,600	\$119,751	\$459,107	\$616,351	26%
	Total of Core Operations & CIP	\$64,437	\$475,018	\$1,216,588	\$133,751	\$875,321	\$1,350,339	35%

Fund Balance	5/1/2022	6/1/2022
4M Account	\$531,109	\$417,401
4M Plus Savings	\$324,302	\$324,459
Total	\$855,411	\$741,860

Restricted funds	6/1/2022
Mitigation Savings	\$21,013
Term Series	\$0

Vadnais Lake Area Water Management Organization
Check Detail
 May 12 through June 8, 2022

12:00 PM
 06/01/2022

Type	Num	Date	Name	Item	Account	Paid Amount	Original Amount
Check	eft	05/18/2022	Reliance Standard		Checking - 1987		-316.66
				Insurance Benefit		-90.00	90.00
				Insurance Benefit		-226.66	226.66
TOTAL						-316.66	316.66
Check	5353	05/12/2022	wsb		Checking - 1987		-3,608.00
				3.450 · Pleasant Charley Deep		-2,522.00	2,522.00
				3.450 · Pleasant Charley Deep		-1,086.00	1,086.00
TOTAL						-3,608.00	3,608.00
Check	5354	06/08/2022	Press Publications		Checking - 1987		-425.00
				3.320 · Marketing		-425.00	425.00
TOTAL						-425.00	425.00
Check	5355	06/08/2022	ESRI		Checking - 1987		-700.00
				WEB		-700.00	700.00
TOTAL						-700.00	700.00
Check	5356	06/08/2022	Safeguard		Checking - 1987		-413.14
				Supplies		-413.14	413.14
TOTAL						-413.14	413.14
Check	5357	06/08/2022	Houston Engineering, Inc		Checking - 1987		-208.75
				3.144 · Eng. & Tech.		-208.75	208.75
TOTAL						-208.75	208.75
Check	5358	06/08/2022	Anoka County Treasurer		Checking - 1987		-212.00
				3.150 · Storm Sewer Utility		-212.00	212.00
TOTAL						-212.00	212.00
Check	5359	06/08/2022	City Of Roseville		Checking - 1987		-1,300.19
				IT Support		-1,300.19	1,300.19
TOTAL						-1,300.19	1,300.19
Check	5360	06/08/2022	SEH		Checking - 1987		-9,422.49
				1 · LL grant \$302,679		-6,860.24	6,860.24

		3.144 · Eng. & Tech.	-2,562.25	2,562.25
TOTAL			-9,422.49	9,422.49
	Check 5361	06/08/2022 Innovative Office Solutions	Checking - 1987	-19.03
		3.220 · Equipment	-19.03	19.03
TOTAL			-19.03	19.03
	Check 5362	06/08/2022 Ehlers & Associates, Inc.	Checking - 1987	-390.00
		3.150 · Storm Sewer Utility	-390.00	390.00
TOTAL			-390.00	390.00
	Check 5363	06/08/2022 Department of Corrections	Checking - 1987	-5,100.00
		3.460 · Sucker Vadnais	-5,100.00	5,100.00
TOTAL			-5,100.00	5,100.00
	Check 5364	06/08/2022 Kennedy & Graven, Chartered	Checking - 1987	-1,705.30
		3.460 · Sucker Vadnais	-144.90	144.90
		3.141 · Audit	-20.70	20.70
		3.485 · Facilities & Maintenance	-1,539.70	1,539.70
TOTAL			-1,705.30	1,705.30
	Check 5365	06/08/2022 wsb	Checking - 1987	-655.75
		3.450 · Pleasant Charley Deep	-655.75	655.75
TOTAL			-655.75	655.75
	Check 5366	06/08/2022 RMB Environmental Laboratories, Inc.	Checking - 1987	-1,019.00
		3.210 · Lake & Creek lab analysis	-725.00	725.00
		3.210 · Lake & Creek lab analysis	-294.00	294.00
TOTAL			-1,019.00	1,019.00
	Check 5367	06/08/2022 City of Vadnais Heights	Checking - 1987	-2,079.06
		Rent	-1,665.00	1,665.00
		Phone/Internet/Machine Overhead	-295.00	295.00
		Postage	-46.64	46.64
		Copies	-72.42	72.42
TOTAL			-2,079.06	2,079.06
	Check 5368	06/08/2022 City of White Bear Lake	Checking - 1987	-39,153.52
		payroll	-30,144.02	30,144.02
		Administration FICA	-2,186.82	2,186.82
		Administration PERA	-2,260.80	2,260.80
		Insurance Benefit	-4,516.96	4,516.96
		Admin payroll processing	-44.92	44.92

TOTAL			-39,153.52	39,153.52
	Check 5369	06/08/2022 Dawn Tanner		
			Checking - 1987	-146.25
			3.170 · Misc. & mileage	-146.25
TOTAL			<u>-146.25</u>	146.25
	Check 5370	06/08/2022 Brian Corcoran		
			Checking - 1987	-238.31
			3.170 · Misc. & mileage	-135.14
			3.220 · Equipment	-103.17
TOTAL			<u>-238.31</u>	238.31
	Check 5371	06/08/2022 Lauren Sampedro		
			Checking - 1987	-21.24
			3.170 · Misc. & mileage	-21.24
TOTAL			<u>-21.24</u>	21.24
	Check 5372	06/08/2022 Nicholas Voss		
			Checking - 1987	-40.08
			3.170 · Misc. & mileage	-14.56
			3.310 · Public Education	-25.52
TOTAL			<u>-40.08</u>	40.08

Vadnais Lake Area Water Management Orga
Profit & Loss
May 12 through June 8, 2022

12:03 PM
 06/01/2022
 Cash Basis
May 12 - Jun 8, 22

Ordinary Income/Expense	
Income	
5.1 · Income	
5.12 · Service Fees	100.00
5.13 · Interest	359.89
Total 5.1 · Income	<u>459.89</u>
6.6.6 · Grants	4,143.08
Total Income	<u>4,602.97</u>
Gross Profit	4,602.97
Expense	
3.1 · Administrative/Operations	
3.110 · Office	
Copies	72.42
Phone/Internet/Machine Overhead	295.00
Postage	46.64
Rent	1,665.00
Supplies	413.14
Total 3.110 · Office	<u>2,492.20</u>
3.120 · Information Systems	
IT Support	1,300.19
WEB	700.00
Total 3.120 · Information Systems	<u>2,000.19</u>
3.141 · Audit	20.70
3.144 · Eng. & Tech.	2,771.00
3.150 · Storm Sewer Utility	602.00
3.170 · Misc. & mileage	317.19
3.191 · Employee Payroll	
payroll	30,144.02
Total 3.191 · Employee Payroll	<u>30,144.02</u>
3.192 · Employer Liabilities	
Admin payroll processing	44.92
Administration FICA	2,186.82
Administration PERA	2,260.80
Insurance Benefit	4,833.62
Total 3.192 · Employer Liabilities	<u>9,326.16</u>
Total 3.1 · Administrative/Operations	<u>47,673.46</u>
3.2 · Monitoring and Studies	
3.210 · Lake & Creek lab analysis	1,019.00
3.220 · Equipment	122.20
Total 3.2 · Monitoring and Studies	<u>1,141.20</u>
3.3 · Education and Outreach	
3.310 · Public Education	25.52

3.320 · Marketing	1,296.00
Total 3.3 · Education and Outreach	<u>1,321.52</u>
3.4 · Capital Imp. Projects/Programs	
3.420 · Lambert Creek Restoration	
1 · LL grant \$302,679	6,860.24
Total 3.420 · Lambert Creek Restoration	<u>6,860.24</u>
3.450 · Pleasant Charley Deep	655.75
3.460 · Sucker Vadnais	5,244.90
Total 3.4 · Capital Imp. Projects/Programs	<u>12,760.89</u>
3.48 · Programs	
3.485 · Facilities & Maintenance	1,539.70
Total 3.48 · Programs	<u>1,539.70</u>
Total Expense	<u>64,436.77</u>
Net Ordinary Income	<u>-59,833.80</u>
Net Income	<u><u>-59,833.80</u></u>

Vadnais Lake Area Water Management Organization
Custom Transaction Detail Report
April 1 through June 1, 2022

11:58 AM

06/01/2022

Accrual Basis

Type	Date	Num	Name	Memo	Account	Clr	Split	Amount	Balance
Apr 1 - Jun 1, 22									
Credit Card Charge	04/01/2022		Ace Hardware	gloves for workday	US Bank CC	√	3.485 · Facilities & Maintenance	27.96	27.96
Credit Card Charge	04/01/2022		Ace Hardware	fence mulch for workday	US Bank CC	√	3.485 · Facilities & Maintenance	111.67	139.63
Credit Card Charge	04/04/2022		Google*SVCAPPS_VLAWM		US Bank CC	√	WEB	38.89	178.52
Credit Card Charge	04/08/2022		subway	lunch Corrections crew	US Bank CC	√	3.485 · Facilities & Maintenance	173.53	352.05
Credit Card Charge	04/11/2022		University of Minnesota	inspection cert. - Lauren	US Bank CC	√	3.160 · Training (staff/board)	125.00	477.05
Credit Card Charge	04/11/2022		adobe *photography plan		US Bank CC	√	Software	9.99	487.04
Credit Card Charge	04/12/2022		Zoom	subscription	US Bank CC	√	Software	110.88	597.92
Credit Card Charge	04/13/2022		Ace Hardware	weed killer for workday	US Bank CC	√	3.485 · Facilities & Maintenance	119.98	717.90
Transfer	04/21/2022			Funds Transfer	US Bank CC	√	Checking - 1987	-867.36	-149.46
Credit Card Charge	04/26/2022		Adobe "Creative Cloud		US Bank CC	√	Software	32.20	-117.26
Credit Card Charge	04/26/2022		Google*SVCAPPS_VLAWM		US Bank CC	√	WEB	42.00	-75.26
Credit Card Charge	05/02/2022		Prairie Moon Nursery	seed	US Bank CC	√	3.220 · Equipment	34.00	-41.26
Credit Card Charge	05/04/2022		L.L. Bean	jacket for lauren	US Bank CC		3.320 · Marketing	254.85	213.59
Credit Card Charge	05/26/2022		Prairie Restorations	seed for 4th & Otter	US Bank CC		3.320 · Marketing	871.00	1,084.59
Apr 1 - Jun 1, 22								1,084.59	1,084.59

**TEC Report to the Board
June 2022**

Programs & Projects	Effort Level	Completion Date	Comments																
	LOW																		
	MED																		
	HIGH																		
Projects				Administration & Operation															
319 Biochar		2021/22	SEH working on design and staff continues to work with Township on access agreement. Anticipate bring design to June Board meeting for authorization to go out for quotes for construction.	Audit		2021/22	2021 approved Audit submitted to BWSR as required.												
East Goose Lk Adaptive Mgmt.		2021-ongoing	Sent letter to City of White Bear Lake regarding approved aquatic plant management position.	Budget		21/22	Staff working on draft 2023 budget for consideration at June VLAWMO meeting.												
Public Ditch Maintenance		2022	Draft VLAWMO public drainage policy document on the agenda for both the June TEC and Board meetings.	Personnel /HR		ongoing	staff continue to pursue professional development per their approved training plans.												
MPCA 319 /Wilkinson Lake BMP		2021-24	Anticipated Board consideration of proposals received for engineering services at the June VLAWMO Board meeting.	SSU		ongoing	proposed 2023 SSU rate information will be assumed once the 2023 budget has been approved by the VLAWMO Board.												
Pleasant Lake Carp Management		2022-25	More than 15,000 pounds of invasive Common carp harvested by Carp Solutions as of 5/31/2022. Planning for the next 3 years of the project is underway.	Strategic planning		early /mid 2022	Work has started at a staff level on the watershed plan amendment process for later in 2022.												
Programs																			
City/Township MS4		June-Aug	"SWPPP Chats" Partnership with Rice Creek and Ramsey Washington Watershed Districts for luncheon-type info presentations educating municipal partners on MS4 resources and strategies for use. Next segment: July 27th. MS4 E newsletter sent week of June 1st. Materials development for mailing slips and infographics for MS4 assistance.	<table border="1"> <thead> <tr> <th colspan="3">FINANCIAL SUMMARY as of 6/1/2022</th> </tr> <tr> <th></th> <th>4M Account (1.10)</th> <th>4M Plus (1.23)</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td></td> <td>\$417,401</td> <td>\$324,459</td> <td>\$741,860</td> </tr> </tbody> </table>					FINANCIAL SUMMARY as of 6/1/2022				4M Account (1.10)	4M Plus (1.23)	Total		\$417,401	\$324,459	\$741,860
FINANCIAL SUMMARY as of 6/1/2022																			
	4M Account (1.10)	4M Plus (1.23)	Total																
	\$417,401	\$324,459	\$741,860																
Education/Outreach		June-Sept	Communications planning surrounding Bridgewood Raingarden in VH, North Oaks entrance raingarden with NOHOA. Promotion of VLAWMO educator resources (from website) onto White Bear Lake School District newsletter, the "Digital Backpack." Arrangement of tabling resources and schedules for June-Aug.																
Website		June-Sept	Community Website Evaluation Survey created to guide a website renovation process - closes July 1st. Continued updating of News and Blog to feed into monthly E-newsletters. Pleasant Lake Carp Removal update, No-Mow-May education effort.																
WAV		April-Aug	"Good Neighbor Guide" production continues. Tamarack Nature Center pilot program for wetland health monitoring (Teal Pond), St Marys Raingarden renovation with Eagle Scout Alex Nelson, continued maintenance support and guide creation for North Oaks East Rec Bioswale. MN Water Stewards hosting education tables in Summer '22.																
Cost Share & BWSR WBF		ongoing	VH Bridgewood Park project still on schedule to complete in 2022; specific schedule is pending drier weather conditions. NOHOA filtration basin planning is underway with construction expected fall 2022. Working on potential WBIF projects for FY '21-22 funds.																
GIS		ongoing	completed Sucker & East Vadnais SLMR.																
Monitoring		ongoing	2022 season underway																
WCA		ongoing	administering WCA as needed.																

Budget Summary	Actual Expense YTD	2022 Budget amended	Remaining in Budget	% YTD
Operations	\$317,774	\$719,988	\$402,214	44%
CIP	\$157,244	\$496,600	\$339,356	32%
Total	\$475,018	\$1,216,588	\$741,570	39%

TEC Staff Memo – June 8th, 2022

IV. Administration & Operations

A. Financial Report for June & Authorization for Payment

Please find the June 2022 Finance Report attached in the ePacket for review and approval.

B. TEC Report to the Board

Please find the June 2022 TEC Report to the Board attached in the packet for review and approval.

V. Programs

A. Public drainage policy recommendation – Brian

See memo in packet.

B. Introduction to FY '22-23 BWSR WBIF grant process – Lauren

The BWSR fiscal year '22-23 Watershed-based Implementation Funding program process is beginning and VLAWMO has been allocated \$75,000 for the program. Prior to submitting proposed projects and activities for the grant program and submitting a budget request to BWSR, VLAWMO and municipal partners need to complete a few steps this year, including holding at least one convening meeting. Staff recommend the TEC considers VLAWMO staff as the meeting coordinator and selects two decision-making representatives for the convening meeting/s. Additional details are included in the **attached** memorandum and PowerPoint slides.

C. SHG Application: SHG-2022-08 Obrien Bee Lawn

Colleen Obrien has submitted a Soil Health Grant application for a 6,445 sq ft bee lawn on her property in the City of Vadnais Heights. Obrien will be doing the work herself, and has submitted a photo and sketch diagram of the anticipated project in addition to a cost estimate. The total estimated cost is \$560.00, and the VLAWMO requested funds are \$420. The bee lawn will be an improved groundcover to receive rooftop runoff before it drains to a storm pond in Bear Park. Obrien will also be utilizing erosion control blankets and steel landscape edging at her own expense (outside of requested grant funds) which will help support the establishment and long-term viability of the bee lawn. Staff is recommending approval of Soil Health Grant SHG-2022-08.

D. Website update

VLAWMO's current web contract was initiated in conjunction with the previous water plan (2007-2016) with HDR. The current contract is near its expiration and the current website is showing signs need for update, maintenance challenges, and portions of the site being out of date according to public expectations. Because of these factors, VLAWMO staff have initiated a process for renovating VLAWMO.org onto the most recent version of Concrete5 software. The current website uses an outdated version of Concrete5. Concrete5 is also a common platform for public organizations to use, and several other local watershed districts use it as

well. Staff utilized examples and contract scope agreements from other watersheds as a baseline for comparison, to learn how these other watersheds have approached their budget and planning regarding their website updates.

To start this process, staff have developed a Community Website Evaluation survey to gather information from our partners and Board members to help outline priority needs for a new scope of agreement with VLAWMO's website specialists for the website update project.

Please find the survey online here: [Community Website Evaluation Survey](#)

VLAWMO TEC, Board, and affiliates are encouraged to spend 3-5 minutes minimum completing questions 1-5. Questions 6-10 may be left incomplete if there is no preference or input on what those particular questions.

Suggested motion: Technical Commission vote to send the Community Website Evaluation Survey to the Board of Directors June 22, 2022 meeting.

E. Education and Outreach Program Updates

Summer, 2022 Education and Outreach activities are as follows:

- Wetland Health Evaluation Program Pilot Program initiated in partnership with Tamarack Nature Center. A volunteer activity spanning June-October.
- Bridgewood targeted communications campaign surrounding new Bridgewood Raingarden in Vadnais Heights. Kick-off education event on-site July 12th.
- North Oaks City entrance raingarden communications campaign. Partnership with North Oaks Home Owner's Association (NOHOA).
- MS4 tools and materials development, permit compliance reviews with each City and Township, who are also MS4 permit holders.
- Volunteer activities: The creation of a "Good Neighbor Guide" outlining water-friendly home and neighborhood practices, adopt-a-raingarden, St. Mary's raingarden renovation with Eagle Scout Alex Nelson, VLAWMO trailcam photo gallery, MN Water Stewards hosting public table events representing VLAWMO, North Oaks East Oaks Rec Bioswale maintenance plan and volunteer maintenance activities.
- Native Plant Walk-and-Talk in partnership with White Bear Montessori and Natural Shores Technologies

1. AFSA Community Service Day: May 27th, 2022. During the June 8th, 2022 TEC meeting, Nick Voss will provide a synopsis of work completed by the generous efforts from the AFSA high school, located within the VLAWMO watershed.

VI. Projects

- A. Maintenance JPA Sucker Vadnais Park:** The maintenance JPA with St. Paul Regional Water Services and Ramsey County Parks has been completed and signed by our partners. VLAWMO staff have included the JPA in the TEC packet and request a recommendation by the TEC to the Board to complete this agreement by adding VLAWMO's signature at the June regular Board meeting by Board Chair Lindner. Once

VLAWMO's signature is added, the final completed agreement will be shared with our partners.

- B. **Wilkinson BMP Project Update:** VLAWMO received 3 proposals from engineering firms in response to the RFP for the Wilkinson BMP project. VLAWMO and, project partner, NOC staff evaluated and scored the proposals received using a rubric. Scored and discussion were provided to the VLAWMO Policy and Personnel Subcommittee on June 6. Following the subcommittee, VLAWMO staff request a recommendation by the TEC to accept the staff and subcommittee recommendation that will be provided to the full Board at the regular June Board meeting. A discussion of the subcommittee comments will be provided by VLAWMO staff to the TEC. That information is not available at the time of packet preparation.
- C. **Pleasant Lake Carp Update:** The carp removal effort has been very busy since the May TEC meeting. Carp Solutions has harvested more than 15,000 pounds of carp. The effort is still active at the time of packet preparation. The first successful removal day occurred on May 12, 2022, with 9,500 pounds removed. Additional successful removals occurred on May 13, 17, 18, and 24 (as of the time of packet preparation). Carp Solutions has been providing information to VLAWMO as it is available. Carp Solutions has also provided numbers to inform the VLAWMO budget for the next 3 years as the project continues and we work to get to the 100 kg/ha management threshold. Photos will be shared at the TEC meeting by VLAWMO staff.
- D. **Notification of acceptance of EWM treatment for Birch Lake:** VLAWMO was notified by MN DNR during May that the grant proposal for Eurasian watermilfoil in Birch Lake was selected for funding by the MN DNR. The grant provides support for treatment for 2 years (\$1,710 per year, \$3,420 total for treatment of 11.4 acres as identified by RCSWCD during the EWM delineation in 2019). BLID is the lead for this project with support from VLAWMO staff.

To: Technical Evaluation Committee (TEC)

From: Brian Corcoran and Phil Belfiori

Date: June 3, 2022

Re: **V. A.** Public Drainage policy- Recommendation to the Board

VLAWMO staff has prepared a draft Public Drainage Management Policy for recommendation to the Board. This draft policy was recommended by the VLAWMO legal counsel and directed by the Board to be initiated in 2021.

This draft Public Drainage Management Policy outlines the primary goals of VLAWMO's management of the public drainage system, strategies to accomplish those goals and the role of the member communities in public drainage system management.

Please find attached the PowerPoint slideshow which provides a summary of the attached June 8, 2022 draft public drainage management policy as well as a 2021 memo from VLAWMO legal counsel Troy Gilchrist summarizing roles and responsibilities for VLAWMO in public ditch management.

Staff request TEC recommendation to the Board:

_____ moves and seconded by _____ to recommend to the VLAWMO Board of Directors to approve the VLAWMO Public Drainage policy.

Attached:

- PowerPoint slides
- June 8, 2022 Draft Public Drainage Management Policy
- April 21, 2021 VLAWMO as Public Ditch Authority Memo

Agenda Item V. A.

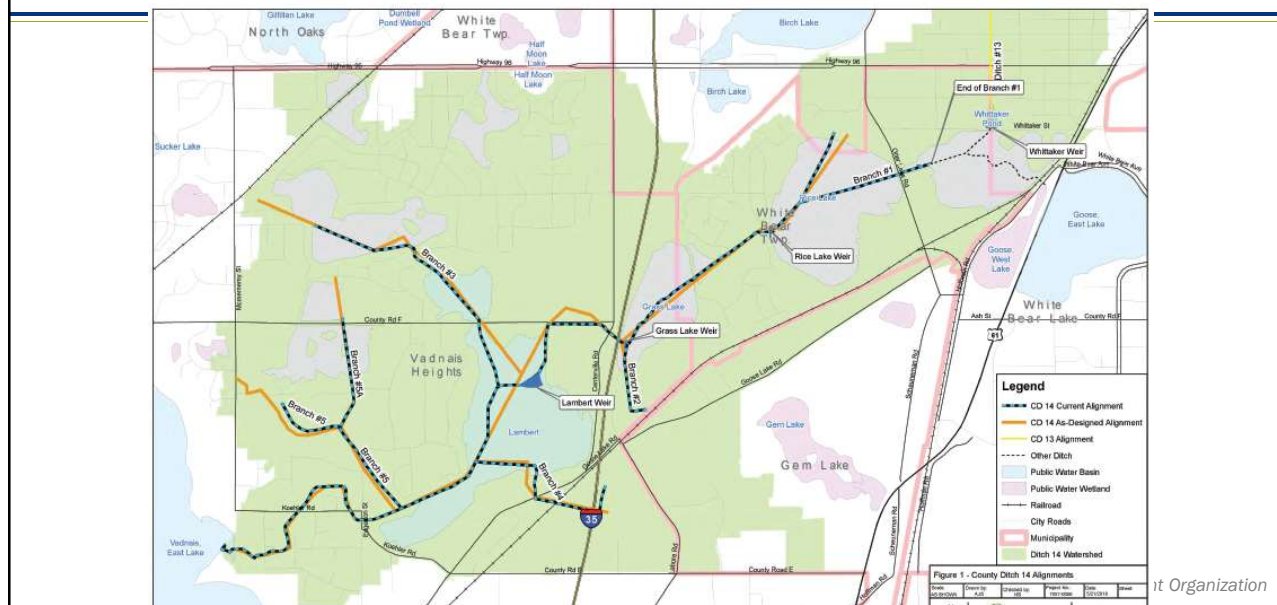
Request for TEC Recommendation to the Full VLAWMO Board –

VLAWMO Draft Public Drainage Management Policy

June 8, 2022
VLAWMO TEC Meeting



Background-Public Drainage System within VLAWMO



Background – Draft Public Drainage Management Policy



- In 1986 Ramsey County transferred responsibility over two public drainage systems (CD14 & CD13) to VLAWMO;
- VLAWMO not subject of 103E, VLAWMO manages drainage system according to laws managing the WMO (103B)
- Under MN Statutes chapter 103B authorities, the specific roles, responsibilities and operational methods in managing the systems are not well defined;
- Policy is to establish a set of policies and principles for guidance in future decisions by the VLAWMO Board for management activities & procedures

Vadnais Lake Area Water Management Organization

Background - Overview of Public Drainage Management Policy



- Strategies to accomplish those goals in Policy;
 - * **Public** drainage inspection program
 - * Minor (routine) maintenance implementation
 - * Major repair implementation where /if needed
 - * Partner request for a drainage system project
- Role of Partners in **Public** Drainage system Management;
 - * Management of roadway culverts
 - * Point of contact with Landowners
 - * Acceleration of Capital Projects
 - * Transfer of portions of the public drainage system

Vadnais Lake Area Water Management Organization

Background - Draft Public Drainage Management Policy- Local review



At the April 27, 2022 VLAWMO Board meeting the Directors authorized distribution of draft public drainage policy to member communities for review and comment.

It was requested that any comments be received by VLAWMO by Monday May 23, 2022.

Staff did not receive any comments.

Policy brought to VLAWMO Subcommittee 6/6/2022

Vadnais Lake Area Water Management Organization

Next Steps



- Policy review/recommendation by VLAWMO TEC to Board
- Bring final draft policy to VLAWMO BOARD for consideration / approval;
- Policy would then be incorporated into the VLAWMO Water Plan amendment later in 2022;

Vadnais Lake Area Water Management Organization

Staff Recommendation and Requested Subcommittee Discussion



Given no comments were received by member communities, staff recommends that the TEC recommend approval of the VLAWMO Public Drainage policy to the Full Board for consideration at the June 22, 2022 Board meeting.

Vadnais Lake Area Water Management Organization

Kennedy

&

Graven

CHARTERED

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MEMORANDUM

To: VLAWMO Board of Directors
Phil Belfiori, Administrator

From: Troy Gilchrist

Date: April 21, 2021

Re: VLAWMO as a Ditch Authority

I am writing to provide the Board an update and recommendations regarding its on-going role as a “ditch authority” regarding County Ditches 13 & 14. As the Board recalls, the County transferred the ditches to VLAWMO in 1986. The transfer would have included the entire ditch system constructed as part of County Ditches 13 & 14, including the laterals/branches. The law at the time allowed the transfer and did not provide an opportunity for the watershed to reject the transfer. Since 2016, I have on various occasions been asked to comment on the authority and obligations of VLAWMO regarding the ditches as the Board has considered its options for how best to address the ditches.

A recent proposal by one of the member cities to repair a branch of the ditch system has renewed the conversation about VLAWMO’s role and responsibilities regarding the ditch system. I will summarize my past comments and then provide my recommendation on how the Board should handle requests by member communities to undertake their own repair projects on a branch of the ditch system.

Management Authority

When VLAWMO received the transfer of the ditches, it obtained whatever interest the County had in the ditches. At the time of the transfer, the applicable statute indicated that after the transfer “all proceedings for repair and maintenance shall thereafter conform to the provisions of section 106A.005 to 106A.811.” Minn. Stat. § 112.65, subd. 2. As part of a comprehensive water law bill the legislature adopted in 1990, the provisions of Minnesota Statutes, Chapter 106A became Minnesota Statutes, Chapter 103E, which is the current ditch law.

In 2002, the legislature adopted Minn. Stat. § 103E.812 to address the process to transfer ditches to a “water management authority” (which is defined as including WMOs). While the transfer procedure set out in the statute did not apply to the transfer to VLAWMO since it occurred several years earlier, the statute does set out the on-going effect of a ditch transfer. “The water management authority may manage water within its jurisdictional boundaries according to whatever law controls the function of the water management authority.” Minn. Stat. § 103E.812, subd. 8(a). I view this provision regarding the on-going management of transferred ditches as reflecting current legislative intent and is controlling.

Furthermore, Minn. Stat. § 103E.812, subd. 8(a) indicates the “transferred drainage system shall become a work and a responsibility of the transferee water management authority.” Meaning VLAWMO walked into the County’s shoes regarding its rights and interests in the ditch system, but it also assumed the on-going maintenance duty. To support that duty, the legislature made it clear “[a]ctivities conducted in the transferred drainage system must continue to be eligible for all exemptions and exceptions available for activities conducted in public drainage systems under sections 103G.2241 and 103G.245.” Minn. Stat. § 103E.812, subd. 8(b).

I previously set out an analysis of how to apply these changing authorities and concluded that it is up to the communities participating in the WMO to decide, as part of their joint powers agreement (JPA), the authority under which VLAWMO will manage the transferred ditches. The member communities made that decision in Section VI, Subd. 5 of the JPA, which states ditches are to be managed “in accordance with the powers and procedures set forth in Minnesota Statutes, Chapters 103B and other applicable law, and must be in conformance with the Watershed Management Plan adopted pursuant to Minnesota Statutes, Chapters 103A through 103H.” Having concluded VLAWMO is to manage the ditches in accordance with its authority under Minn. Stat. §§ 103B.201-103B.253, the issue became what does that mean from a practical perspective.

Maintaining the Ditches

VLAWMO is the “ditch authority” over the ditches. Technically, it is a water management authority responsible for managing a transferred drainage system. I placed “ditch authority” in quotes to point out that term is not used in Chapter 103B. I use the term simply to convey that VLAWMO has the rights and obligations toward the ditch, not to suggest VLAWMO is bound by the procedures in Chapter 103E, which speaks specifically to the authority and duties of a ditch authority. That means the opportunity to petition for a repair and the other provisions of Chapter 103E related to maintaining ditches do not apply to VLAWMO.

I previously advised that VLAWMO has a general duty to keep the ditches reasonably maintained, similar to how cities have a general duty to keep its streets in reasonable repair. What that means overall, or with respect to a given portion of a ditch, is left to the discretion of the Board to decide in accordance with its watershed plan. I recommended the Board treat any proposed work on the ditches as a capital improvement project under its plan.

When asked how to determine the need for work on the ditches, I recommend VLAWMO hire an engineering firm to evaluate the ditches and provide recommendations. The Board followed

that advice and obtained a detailed report on the ditch system. That report will be valuable to the Board as it continues to work to identify needed projects within its area and prioritize projects. To the extent the Board does identify work to be done on some portion of the ditch system, it would program the work just as it would any other CIP project.

City Ditch Work

A more recent issue that has come up regarding work on the ditch system is the desire of a member city to undertake its own ditch project within its jurisdictional boundaries. Because this may not be the only instance of a member community desiring to undertake work in one or more portions of the ditch system, I recommend the Board adopt a policy on how to handle such requests.

Because the rights and interests in the ditches are held by VLAWMO, member communities need to work through VLAWMO to receive permission to perform work on the ditches. This is somewhat similar to City A wanting to improve a street in a neighboring City B to better serve a development being constructed in City A. Typically, City A approaches City B and a written agreement is entered into allowing City A to perform the work with certain conditions, including approval of the construction specifications. The same would be true here. VLAWMO will want to make sure the proposed project does not interfere with its own plans or creates a problem on some other portion of the system. Otherwise, the agreement sets out the provisions for how the project may proceed and makes clear the community is responsible for obtaining any necessary permits, acquiring any easements that may be needed to accommodate the work, and to construct the project. The agreement must be approved by the Board and the community's governing body.

Summary

The following points are intended to sum up the findings and recommendations contained herein:

- VLAWMO acquired the County's rights and interest in the transferred ditch system.
- VLAWMO manages the ditch system pursuant to its authority under Minn. Stat. §§ 103B.201-103B.253 as directed by the JPA.
- VLAWMO has an obligation to keep the system reasonably maintained.
- VLAWMO should program any repair and maintenance activities it determines are needed in the same way as other CIP projects and in accordance with its plan.
- VLAWMO can allow member communities to perform work on a portion of the ditch system located within its jurisdictional boundaries. Any such work can only occur pursuant to an agreement between VLAWMO and the community. VLAWMO should consider adopting a policy for addressing future community requests.

Please feel free to let me know if there are any questions.

Vadnais Lakes Area Water Management Organization
DRAFT Public Drainage Management Policy

INTRODUCTION

The Vadnais Lakes Area Water Management Organization (“VLAWMO”) is a joint powers organization tasked with managing water resources in a 25 square mile area within Ramsey and Anoka Counties. VLAWMO has its own staff and is managed by a board of directors (“Board”). On September 22, 1986, Ramsey County transferred to VLAWMO its responsibility over two public drainage systems: Ramsey County Ditch (CD) 13 and CD 14. See **Figure 1** for the location for these systems. The transfer occurred under Minnesota Statutes, section 112.65, subdivision 2, which directed the repair and maintenance of the transferred ditches were to be in accordance with Minnesota Statutes, sections 106A.005 to 106A.811. In 1990, the provisions of Minnesota Statutes, chapter 106A were revised and moved into Minnesota Statutes, chapter 103E.

Under Minnesota Statutes, section 103E.812, subdivision 8(a), the effect of transferring all of a drainage system to a water management authority (VLAWMO) is that “the drainage system ceases to be subject to regulation under this chapter . . .” Furthermore, the “water management authority may manage water within its jurisdictional boundaries according to whatever law controls the function of the water management authority. The transferred drainage system shall become a work and a responsibility of the transferee water management authority.” The joint powers agreement creating VLAWMO recognizes the transfer and Section VI, Subd. 5 of the agreement indicates ditches are to be managed “in accordance with the powers and procedures set forth in Minnesota Statutes, Chapters 103B and other applicable law, and must be in conformance with the Watershed Management Plan adopted pursuant to Minnesota Statutes, Chapters 103A through 103H.” Which means VLAWMO is required to manage CD 13 and CD 14 in accordance with its authority under Minnesota Statutes, chapter 103B. Nothing in this document is to be construed as VLAWMO agreeing to be bound by the procedures set out in Minnesota Statutes, chapter 103E.

Understanding VLAWMO’s unique role in managing public drainage systems under its Minnesota Statutes, chapter 103B authorities, the specific roles, responsibilities, and operational methods in managing the systems are not well defined. Therefore, the purpose of this document is to establish a set of policies and principles for guidance in future decisions by the VLAWMO Board, for management activities completed by VLAWMO staff, and to establish procedures informative to VLAWMO’s local government partners.

MANAGEMENT PURPOSE, GOALS, AND STRATEGIES

CD 13 and 14 were originally established in 1916 to drain wetlands and reduce flooding to enable various forms of agricultural production (likely hay and pasture). As the as the area urbanized, the function and utility of the systems changed from agricultural drainage to serving as a regional outlet for municipal stormwater facilities. With this transition, the capacity of the systems is most relevant to large rainfall events (e.g., 10-year and 100-year rainfall). In addition, several impoundments have been built along the systems for the purpose of water quality, ecological habitat, and flood management. Management of the system must now consider multiple purposes, functions, and interests.

The following are the primary goals of VLAWMO's management of the CD 13 & 14 public drainage systems:

- Manage the public drainage systems pursuant to its authorities under Minnesota Statutes, chapter 103B;
- Maintain and/or restore drainage function in the systems to the maintenance profile which may or may not be equivalent to the as-constructed and subsequently improved condition¹ (ACSIC) of the drainage systems when feasible. Determination of feasibility includes, but is not limited to, overall cost and conflict with other program goals/interests;
- Provide for a capacity of at least a 10-year, 24-hour rainfall without overtopping municipal roadway infrastructure;
- Provide for a capacity of at least a 100-year, 24-hour rainfall without inundating existing permanent buildings; and
- Maintain and/or modify the grade, cross-section, and capacity of the systems to preserve and/or enhance water quality, ecological habitat, and flood storage functions of the system and its adjacent wetlands

These goals are accomplished through the following strategies:

- Inspect the systems on a coordinated schedule and upon notification of deficiencies;
- Complete schedule maintenance activities on the drainage system to enable continued access and reduce the frequency of reconstruction;
- Collaborate with VLAWMO partners (including local governments and DNR) to coordinate activities and to achieve common interests while minimizing costs;
- Engage adjacent landowners in advance of repair activities and modifications to the system to inform them of the extent, purpose, and management of the systems and receive input on adjacent property interests and their relationship to the proposed work;
- Complete early coordination with regulatory interest prior to repair and/or modification of the public drainage systems. Regulatory coordination will consider the policies described herein and the exemptions provided for public drainage systems under Minnesota Statutes, chapter 103G, the Wetland Conservation Act, and any other exemptions which may apply; and
- Adopt (via a Board action) a maintenance profile on each segment of the public drainage system prior to completing maintenance or major repair work on that segment. The maintenance profile may or may not be the as-constructed and subsequently improved condition of the system.

These goals and strategies may not be achievable in their entirety in all locations. VLAWMO will balance the multiple functions and interests to maximize the overall value and utility of the system. As deemed necessary by the VLAWMO Board, this Policy can be reviewed and or updated as needed.

PUBLIC DRAINAGE INSPECTION PROGRAM

VLAWMO desires to establish a schedule for the inspection of CD 13 and 14 as part of its management of the systems. The following are inspection frequency protocols for various components of the drainage system:

¹ For the purposes of this document, the ACSIC includes both documented and non-documented modifications to the drainage system, including impoundments and excavation.

System Component	Type of Inspection	Minimum Frequency	Primary Responsible Entity
Open Ditch and right-of-way (accessible areas)	Walk-through	Every 5 years	VLAWMO
Open Ditch and right-of-way (inaccessible areas)	Drone flight	Every 5 years	VLAWMO
Open Ditch and right-of-way	Field survey of ditch bottom	Every 20 years and following major repairs	VLAWMO
Roadway culverts	Site visit	Every 5 years and following significant (>3") rainfall events	Road Authority
Private culverts	Site visit	Every 5 years and following significant (>3") rainfall events	VLAWMO
Stormsewer	Site inspection of intakes and outfalls	Every 5 years	VLAWMO
Stormsewer	Televising	Every 20 years	Local government
Weirs/dams	Site visit	Every 5 years	VLAWMO
Miscellaneous	Response to landowner complaint	Within 14 days of complaint	VLAWMO

All inspections should be documented and filed within VLAWMOs filing system.

MINOR (ROUTINE) MAINTENANCE IMPLEMENTATION

Completing routine maintenance along the systems in a timely manner will extend the life of the system and decrease the frequency of more substantial repair efforts. For the purposes of this policy document, “minor” maintenance is work on the system with an estimated cost of less than \$30,000 requiring minimal regulatory coordination or engineering assistance. Examples of minor maintenance activities include, but are not limited to, mowing and/or spraying of right-of-way access corridors, removal of deadfalls and nuisance trees, removal of beaver dams, limited dredging of sediments, channel erosion repairs, and cleanout of culvert/stormsewer intakes.

The following is the general process for addressing minor maintenance.

- a) Need for maintenance is identified (either via scheduled inspection or landowner complaint).
- b) Inspect the site and verify scope and potential for damage.
- c) Prioritize maintenance with respect to other VLAWMO activities and schedule the work to be completed. Prioritization shall consider, but is not limited to, the following:
 - a. Size/scale of work;
 - b. Potential for damages to property/infrastructure if work is not completed;
 - c. Potential for further deterioration of the ditch system if work is not completed;
 - d. Availability of staff to address the concern;
 - e. Availability of contractors to complete the work; and
 - f. Overall cost.
- d) Obtain approval from the Board for the work if required.
- e) Contract with a contractor to complete the work. This may consist of a direct hire on a time and materials basis, or a receipt of quotes from one or multiple contractors.

- f) Execute the work and observe construction. Observation generally to be completed by VLAWMO staff.
- g) Document maintenance work in the VLAWMO file system

Annual maintenance costs will vary. A budget of \$2,000 per ditch mile annually may be used as an initial starting point. The budget should be reevaluated annually to determine its effectiveness in meeting system needs.

MAJOR REPAIR IMPLEMENTATION

Over time, restoration of the drainage systems will require reconstruction of a significant portion of a system. This work generally exceeds \$30,000 for single project and may require engineering development. For the purpose of this policy, such projects constitute “major” repairs. Examples of major repair activities include, but are not limited to, reestablishment of right-of-way corridors via tree clearing, dredging of open channel and/or erosion repair over extended portions of the system, replacement of stormsewer, replacement of weir structures, and other work requiring regulatory permitting.

The following is the general process for major repairs.

- a) Need for repair is identified via an inspection report, completed by VLAWMO staff or a consultant.
- b) Present the inspection report to the VLAWMO Board and provide a preliminary opinion on the cost of repair and prioritization of work.
- c) Prioritize and schedule the work within the VLAWMO CIP. Prioritization shall consider, but is not limited to, the following:
 - a. Size/scale of work;
 - b. Potential for damages to property/infrastructure if work is not completed;
 - c. Potential for further deterioration of the ditch system if work is not completed;
 - d. Relative urgency and value of work compared to other scheduled CIPs;
 - e. Likelihood of work to provide benefit in achieving multiple VLAWMO goals;
 - f. Complexity and likely duration of project development; and
 - g. Overall cost.
- d) Between 1 to 2 years prior to scheduled work completion, prepare a Repair Report. Repair report shall include:
 - a. Conceptualization and evaluation of multiple alternatives for repair;
 - b. Quantification of the benefits of repair;
 - c. Description of potential damages from repair and how they may be mitigated;
 - d. Opinion of probable construction cost; and
 - e. Summary of likely regulatory engagement requirement including permitting. Early coordination with regulating entities may be necessary at this step.
- e) Present the repair report to the VLAWMO Board and confirm prioritization, schedule, and budgeting with regard to VLAWMOs current CIP plan and yearly budget.
- f) Complete a public meeting with landowner to inform them of planned activities and receive input on specific preferences and interests on their property.
- g) Develop preliminary and final construction plans and specifications.
- h) Obtain any additional approvals required for the project from the Board.

- i) Contract with a contractor to complete the work. This will require a receipt of quotes from multiple contractors, or use of a public bid process, as may be required by law.
- j) Execute the work and observe construction. Observation generally to be completed by the project engineer.
- k) Complete an as-built survey.
- l) File project documentation in the VLAWMO file system

Note that the above process does not specify coordination with VLAWMO's local government partners. Such coordination is a critical component throughout the repair process.

PARTNER COMMUNITY REQUEST FOR A DRAINAGE SYSTEM PROJECT

A local government may determine it has a direct interest in undertaking a project within the public drainage system. Without limiting the potential scope of such projects, they may include:

- Realignment;
- Partial abandonment;
- Impoundment;
- Improvement (making the cross-section larger or deeper); or
- Constructing a new outlet to the system.

Local governments are encouraged to discuss proposed projects with VLAWMO staff before formally proposing a project to VLAWMO. If a local government determines to proceed with a formal request for a project, it must submit it in writing to the Board that describes the specifics of the proposed project.

The Board will consider any such requests as part of its policy setting process to update its CIP plan and priorities. Whether the proposed modification is added to the CIP plan and, if so, how it is prioritized will depend, in part, on the level of the partner community's proposed involvement in the proposed project.

As part of the process to consider a request, VLAWMO may require from the requesting local government that it supply the following information regarding the proposed project:

- a) The scope and nature of the proposed modification, including alignment, grade, cross-section, and right-of-way;
- b) A statement of the overall need and benefit of the modification;
- c) A hydrology and hydraulic model of existing and proposed conditions;
- d) A summary of the upstream and downstream effects of the modification for the 2-, 10-, and 100-year rainfall events;
- e) Low opening elevations for structures adjacent to portions of the current or proposed system that may be potentially impacted by the modification;
- f) A summary of potential impacts (flooding, water quality and ecological habitat) potentially resulting from the modification and how they are to be mitigated;
- g) A description of permits required for the proposed change and status of permit acquisition; and
- h) Identification of long-term maintenance responsibilities for the modified portions of the system.

ROLE OF VLAWMO PARTNER COMMUNITIES IN PUBLIC DRAINAGE SYSTEM MANAGEMENT

The local governments that formed VLAWMO are a critical partner in managing the public drainage systems. While they are engaged in many aspects of the public drainage system, their primary role with the systems consists of four primary aspects: 1) management of roadway culverts; 2) point of contact with landowners; 3) acceleration of capital projects; and 4) transferee of portions of the drainage system. The following paragraphs describe each in greater detail.

Management of Roadway Culverts

While roadway culverts are integral to the function and management of the public drainage system, they are not components of the system managed by the drainage authority. Rather, management and maintenance of the roadway culverts are solely the responsibility of the roadway authority. Given the culverts' ability to affect the function of the drainage system, VLAWMO and the road authorities (primarily cities) work closely to monitor conditions, identify efficiencies, and plan for repairs and modifications of the culverts to maintain and enhance efficiency in the system.

Point of Contact with Landowners

Local governments by their nature are most often the first point of contact for landowners regarding any public project, regardless of whether the project is initiated by the local government. For this reason, VLAWMO relies upon its member local governments to assist in landowner engagement at all stages of public drainage management, particularly with landowners most affected by drainage management activities.

Acceleration of Capital Projects

Based on their engagement with their constituents, local governments may have an interest in accelerating the implementation of capital projects to restore drainage function on portions of the public drainage system, beyond the timeframes feasible for VLAWMO within their prioritization and budget. In such cases, a local government may seek consent from VLAWMO to undertake the proposed project. If VLAWMO determines the proposed work is of benefit to the public drainage system and will not unreasonably interfere with any other portion of the public drainage system, it will enter into an agreement setting out the terms and conditions of the project to be constructed by the local government. Generally, the procedure is similar to the process described under *Major Repair Implementation* above, with the following modifications/inclusions:

- Prior to repair report development, the local government shall make a written request to VLAWMO to collaborate on the acceleration of drainage management restoration in the targeted area. VLAWMO will provide the local government with available documentation related to the public drainage system of interest, and provide for technical staff to assist in guidance on drainage management strategies and VLAWMO's drainage policy
- Development of the inspection and repair report will be the responsibility of the local government and its consultants;
- The local government and VLAWMO will enter into a joint powers agreement to set out the responsibilities of each regarding the project and its on-going maintenance;
- The local government will coordinate with VLAWMO during each phase of project development including repair report development, regulatory engagement, final plan development, construction initiation, and project closeout; and

- Recommended repair and final plans must be approved by VLAWMO prior to proceeding to subsequent phases.

Following the local government-led repair efforts, VLAWMO will retain its management authority and responsibility over all portions of the public drainage system, except where formally transferred to the local government (see below).

Transferee of Portions of the Public Drainage System

Although the public drainage system is in most cases best managed as a single system by a single entity (VLAWMO), there may be circumstances where it may be advantageous to transfer management and responsibility of the upper portion of the system branches to a local government. Such circumstances may include, but are not limited to, where the system is:

- Located entirely within local government's property interests (right-of-way, easement, or fee-title property);
- Located primarily under local government streets;
- Consisting of stormsewer; and/or
- Within local government-maintained ponds or other stormwater management features.

These circumstance most often are associated with a requested modification of the drainage system. Under no circumstances shall a portion of the public drainage system be transferred when upstream portions of the system remain the responsibility of VLAWMO.

Transference of any portion of the public drainage system must be initiated by the transferee, via a written request to VLAWMO. VLAWMO staff will review the request and provide a recommendation to the Board. If the Board determines that the transference of management of the portion of drainage system is in the best interests to the management of the system, it will enter into an agreement with the local government to accomplish the transfer. VLAWMO will then coordinate the delivery of available documentation related to that portion of the system to the transferee, including known easements.

INTERCONNECTION WITH VLAWMO WATERSHED MANAGEMENT PLAN

VLAWMO's Comprehensive Water Plan provides some description of its role as the drainage authority for CD 13 and 14, particularly in Section 3.5 of the plan (Regulatory Program). This section states:

VLAWMO plans to continue its Drainage Authority role and will actively look for opportunities to use its unique abilities and authorities under 103B and 103E to implement water quality improvement projects concurrently with ditch maintenance and repair projects.

However, the plan does not specify repair projects necessary to restore function to the drainage systems, nor does it specifically indicate funding for this purpose. Implementation of this policy will occur through an amendment to the VLAWMO watershed management plan. Such an amendment will include:

- Clarify VLAWMOs authorities over the drainage system are provided for under Minnesota Statutes, chapter 103B (and not Minnesota Statutes, chapter 103E);
- Identify dedicated funding toward annual inspection and maintenance of the systems;
- Identify future capital projects to restore function to the drainage system, including implementation budgeting; and
- Reference or attach this policy document.

To: VLAWMO Technical Commission

From: Lauren Sampedro, Watershed Technician & Program Coordinator

Date: May 31, 2022

Re: BWSR Watershed-based Implementation Funding FY '22-23 Introduction

Introduction

BWSR has allocated \$75,000 to VLAWMO through its fiscal year '22-23 Watershed-based Implementation Funding (WBIF) program. In order to secure the funding, VLAWMO and its partners need to begin BWSR's recommended "Convene Process".

Background

BWSR created the WBIF program in 2018, which makes additional funding available from the Clean Water Fund program. The current funding cycle for fiscal year 2022-2023 has allocated \$6.5 million to the metro area via smaller watersheds, including \$75,000 to VLAWMO, which will require a 10% match.

VLAWMO would like to introduce the WBIF process for choosing grant activities and submitting a budget request to BWSR, which will include holding at least one convening meeting with partners and BWSR staff (see attached PowerPoint). Prior to scheduling convening meetings, municipalities need to self-select two decision-making representatives for the convening meetings. These representatives will coordinate with the other municipalities on the selection of projects and activities for funding during the process. Partners must also select a local government entity or BWSR staff to coordinate and facilitate the convening meetings.

Staff Recommendation

VLAWMO staff recommend the TEC considers selecting VLAWMO as the WBIF convening meeting facilitator and designating two municipal decision-making representatives in order to begin the convening meeting process.

Attachments

- PowerPoint Slides

BWSR Watershed-based Implementation Funding (WBIF) Program Convene Process

FY '22-23

Lauren Sampedro
TEC Meeting
6/8/2022



Background on BWSR WBIF



- Funding made available from the Clean Water Fund



- ❖ Funds for advancing State's water resource goals through prioritized and targeted cost-effective actions with measurable water quality results.

- Purpose of WBIF is to enhance existing funding to implement clean water activities towards State's water resource goals

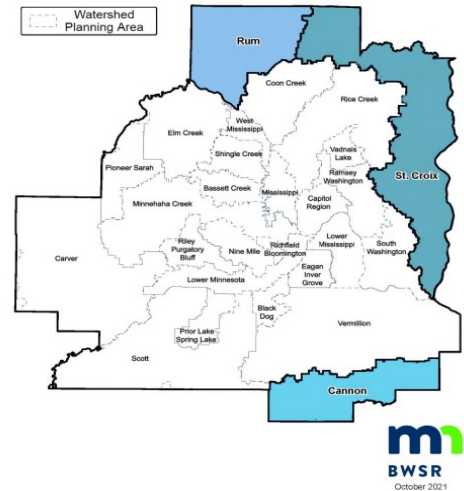
Vadnais Lake Area Water Management Organization

BWSR WBIF Fund Allocation



- WBIF funds allocated to statewide and metro
- \$6.5 million allocated to metro area this funding cycle by smaller watersheds
- Allows LGUs to pursue projects based on a specific watershed's local priorities
- VLAWMO allocated \$75,000
- Requires 10% match

Twin Cities Metro Area Allocation Map for the Watershed-based Implementation Funding Program



BWSR WBIF Eligibility



- Eligible entities for WBIF: counties, municipalities, SWCDs, WDs, and **WMOs** [only if have current approved & adopted plans]
 - ❖ One Watershed One Plan
 - ❖ Watershed Management Plan
 - ❖ County Groundwater Plan*
 - ❖ Metro SWCD Enhanced Plan

*Ramsey County doesn't currently have an approved groundwater plan

Vadnais Lake Area Water Management Organization

BWSR WBIF Eligible Grant Activities



- Projects and programs that protect, enhance, and restore surface water quality in lakes, rivers, and streams; protect groundwater from degradation & protect drinking water sources.
- Must be in implementation section of WMP
- Activities focused on prioritized, targeted, & measurable water quality benefits



Vadnais Lake Area Water Management Organization

Process Guidance from State



- Hold at least 1 “convening meeting” with partners to jointly coordinate a WBIF budget request and proposed grant activities to BWSR
- Choose decision-making representatives before begin convening meetings
- Choose convening meeting coordinator/facilitator



Vadnais Lake Area Water Management Organization

Choosing Decision-Making Representatives



- Requires a minimum of 1 representative from the WD/WMO, 1 from SWCD, 1 county with approved groundwater plan, and up to 2 municipal representatives

Select 2 people to serve as decision-making representatives

-Recommend involving municipal staff members

Vadnais Lake Area Water Management Organization

Choosing Convening Meeting Facilitator



Consider selecting VLAWMO staff as facilitator or coordinator of convening meetings

Vadnais Lake Area Water Management Organization

Current FY '21-22 WBIF Program in VLAWMO



- \$93,042 total awarded amount
 - ❖ \$60,000 cost share program implementation for BMPS in Lambert Creek, Goose Lake, Wilkinson Lake, and Gem Lake subwatersheds
 - Bridgewood Park in Vadnais Heights
 - Pursuing partnership projects with remaining funds
 - ❖ \$33,042 for subwatershed bmp implementation
 - Wilkinson biochar project

Vadnais Lake Area Water Management Organization

Proposed FY '22-23 WBIF VLAWMO Process



- Hold first convening meeting in July/August & host virtually
 - Invite municipal staff not currently on VLAWMO TEC
- Given success so far of FY '21-22 approach, VLAWMO initially proposes using FY'22-23 VLAWMO allocation of \$75,000 towards partnership projects through the existing LL2 Grant Program

Vadnais Lake Area Water Management Organization

Proposed Timeline



- June 2022 TEC meeting :
 - Start selection of decision-making representatives & convening meeting coordinator
- July-August 2022: Convening meeting/s to select activities for funding
- **July 1, 2022:** Funding becomes available
- July-Nov. 2022:
 - Send proposed grant activities Work Plan to BWSR
 - Submit Work Plan via eLINK budget request
- **March 30, 2023:** eLINK Work Plan approval deadline
- **Dec. 31, 2025:** Grant expiration

Vadnais Lake Area Water Management Organization

Applicant Landowner Information

Name:	Colleen O'Brien
Address of property where project will be implemented:	446 Bear Avenue South
City, State, Zip:	Vadnais Heights, MN 55127
Phone:	612-741-3284
Email address:	thebigd@hotmail.com

Grant Specifics

ESTIMATED TOTAL COST OF YOUR PROJECT:	\$ 560.00	AMOUNT OF GRANT REQUESTED: (\$750 MAXIMUM) (\$1,000 Maximum if within Targeted Priority Zone)	\$ 420
	\$ 1328.84 with Edging (if allowed)		\$ 750.00
	\$ 865.00 without Edging		

WHEN DO YOU PLAN TO COMPLETE YOUR PROJECT? _____

PROJECT TYPE:

Raingarden

Native Restoration/Pollinator Planting

Turf Replacement

Other

If other, please describe proposed project: _____

Project Background

Describe your property: Does your property connect to a lake, stream, ditch, or wetland in VLAWMO? What is the purpose of your project?

It is a residential property, with rainwater draining to sewer drain that empty in a pond in Bear Park. The purpose of this project is to cultivate a low maintenance bee lawn that can absorb more rain water.

Describe how your project will support the goals of the Soil Health Grant Program (see guidance page for more information). Does your proposed project directly reduce, capture, or treat stormwater?

The bee lawn has the ability to capture more rain water than a typical turf lawn. Bee lawns have been shown to promote deeper root growth, increase soil health, and reduce the need for additional fertilization (which is a contributing factor in water pollution).

Please briefly describe anticipated maintenance activities of your project:

The majority of lawn maintenance will be during the initial planting phase, while the seeds are taking root and becoming established. Maintenance will consist of daily watering. When the seeds are established, there will be minimal need for maintenance, with a limited need for mowing, and little to ~~none~~ no watering required.

Project Specifications

In order to determine the water quality benefit of your project (amount of stormwater and pollutants captured), specific information is required for VLAWMO staff to perform the calculations. If you are working with a professional landscaper, they should be able to provide you with this information.

TOTAL PROPERTY AREA
(Acres):

0.24 acres

TOTAL PROJECT
SIZE (SQ.FT.):

6445 sq ft

IMPERVIOUS AREA
DRAINING TO PROJECT
(SQ.FT.):

3287 sq ft

PERVIOUS AREA
DRAINING TO
PROJECT (SQ.FT.):

6445 sq ft

IF YOUR PROJECT INCLUDES INFILTRATION, PLEASE PROVIDE THE FOLLOWING INFORMATION

SOIL INFILTRATION
RATE (INCHES/HR):

0

DEPTH OF RAINGARDEN BASIN

(INCHES):

0

Additional Required Attachments

To complete your application, please include:

- Detailed drawing or plan of the proposed project, drafted by either the landowner or a contractor.
- Detailed project budget estimate with clear cost and material breakouts that equate to your total project cost estimate.

This information, along with the application, may be scanned and emailed to VLAWMO GIS Watershed Technician, Tyler Thompson (tyler.thompson@vlawmo.org)

Opting in to the education incentives would allow reapplying for Soil Health Grant funds the consecutive year after being awarded grant funding. Incentives entail committing to three of the following four options for 2 years:

1. Documenting seasonal photos, organizing them, and sending them to VLAWMO via jump drive or email, to show the progress and growth of the project.
2. Provide a neighborhood spotlight article featuring a photo of participants posing in front of the project, as well as a mini-interview 1-2 years after the project was installed to speak to their experience in install, maintenance, any problems, and enjoyment for others to learn from.
3. Participate as a host site for VLAWMO's annual neighborhood BMP tour working in conjunction with VLAWMO Master Water Stewards.
4. Help coordinate VLAWMO's annual native plant swap with Master Water Stewards. This entails saving seeds, dividing and potting mature plants for sharing with other residents or public raingardens, or taking plants from the plant swap for the home project as needed.

VLAWMO Soil Health Grant Operations & Maintenance Requirements:
2022 VLAWMO Soil Health Grant (SHG) Cost Share Grant Program

Projects must be maintained for a minimum of 5 years, and applicants must be willing to participate in VLAWMO's Education & Outreach and project sharing efforts. The applicant is responsible for Project maintenance items referenced in the Soil Health Grant Guidance document for a 5 year period, after Project completion. VLAWMO is not responsible for completing maintenance activities, but will assist with staff guidance. A project may be visited and inspected by VLAWMO staff during the 5 year maintenance period. Please inform VLAWMO if you move within the 5 years of project implementation so we may provide the new owners with information and guidance on the Project.

Are you willing to commit to the following Soil Health Grant requirements?

- Maintain the project for at least 5 years after its implementation? YES NO
- Participate in VLAWMO's outreach and project sharing efforts? YES NO
- Do you understand that your Project may be visited and inspected by a VLAWMO representative during the 5 year Project maintenance period? YES NO

Please print and sign below to indicate that the above information and attachments are accurate and complete, and constitute a complete and submitted grant application. If approved by the VLAWMO Technical Commission or Board, a VLAWMO staff signature will constitute an executed grant agreement between the grantee and the Vadnais Lake Area Water Management Organization (VLAWMO).

APPLICANT/GRANTEE

Print Name Colleen O'Brien
Signature Colleen O'Brien Date 5/4/2022

VLAWMO STAFF

Signature _____ Date _____

ArcGIS Web Map




5/1/2022, 4:48:00 PM

 VLAWMO Boundary 2020

 Neighboring watershed organizations

 = Steel Landscape Edging

 = Bee Lawn Mix

 = Ervston Control Blanket & Bee Lawn Mix

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

ArcGIS Web AppBuilder
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Community Edition

VLAWMO Soil Health Cost Share Grant
Colleen O'Brien's Project Budget Estimate

MN Bee Lawn Mix – 1000 Sq.ft. : \$80 x 7 (7,000 Sq.ft.)= \$560

<https://mnlcorp.com/product/mnl-bee-lawn/>

Contains a mix of fine fescues, Dutch white clover, and self-heal.

JOINT POWERS AGREEMENT
Among
the BOARD OF WATER COMMISSIONERS OF THE CITY OF SAINT PAUL,
RAMSEY COUNTY,
and
the VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION
for the
VADNAIS-SUCKER LAKE REGIONAL PARK/GREAT RIVER GREENING
RESTORATION PROJECT

THIS JOINT POWERS AGREEMENT (“**Agreement**”) is made and entered into this 12th day of April 2022, by and among the Board of Water Commissioners of the City of Saint Paul (“**Board of Water**”), Ramsey County on behalf of its Parks & Recreation Department (“**Ramsey County**”), and the Vadnais Lake Area Water Management Organization (“**VLAWMO**”), a Minnesota joint powers organization. The Board of Water, Ramsey County, and VLAWMO may hereinafter be referred to individually as a “party” or collectively as the “parties.”

RECITALS

- A. Vadnais-Sucker Lake Regional Park (“**Park**”) is an integral protected area in the Vadnais Lake Area Watershed, which is part of the Water Board’s system of lakes and land area that deliver raw water to the McCarron’s Treatment Facility. Ramsey County has a prior maintenance agreement to support and maintain the Park.
- B. VLAWMO worked with the parties to propose restoration work within the Park (“**Project**”) as part of the suite of projects proposed for funding to the State of Minnesota by Great River Greening. Proposal work began in 2019, funding was allocated in 2020, and the landowner agreement was completed in 2021.
- C. The parties agreed to work toward an agreement to support the Project by providing maintenance services for 3-5 years following completion of the landowner agreement between Great River Greening and the Board of Water. The parties may agree to continue some level of maintenance activities beyond 5 years pursuant to the terms and conditions of a separate agreement entered into at that time.
- D. VLAWMO has requested contributions from the parties, and the parties are willing to contribute work crews and supplies toward maintenance of the restoration as detailed below.
- E. Each of the parties are authorized to perform the activities identified in the Agreement and, in such cases of shared powers, Minnesota Statutes, section 471.59 authorizes the parties to exercise those powers jointly through a joint powers agreement.
- F. This Agreement provides additional details regarding maintenance contributions of each party, following restoration of 45 effective acres in the Park as part of the Project. The 45-acre restoration effort is being led by Great River Greening, in accordance with the Great River Greening Cooperative Agreement signed on September 20, 2021, between Great River Greening and the Board of Water.

- G. Restoration work is expected to begin during fall 2022 and be completed in 2023-2024. Maintenance needs will be determined each year through coordination and collaboration among the parties. Maintenance will be conducted as needed for 3-5 years (note that the full level of partner contributions may not be needed during each year of maintenance). After that time, the parties will collaborate to determine ongoing, likely lower, maintenance needs going forward.

AGREEMENT

In consideration of the mutual promises and agreements contained herein, the receipt and sufficiency of which is acknowledged, the parties hereby agree as follows:

1. **Maintenance activities and In-Kind Contributions.** Each party agrees to make its work crews and/or supplies available to contribute to the maintenance effort as needed as provided in this section. Each party is responsible for the costs of the labor and supplies it provides under this Agreement.
 - a. **Board of Water.** The Board of Water shall provide a crew of 3 laborers for a week in the spring or summer for follow up clearing/grubbing/spraying. This translates to $3 \times 40 = 120$ person hours. The Board of Water shall also pay for the chemicals if needed for follow-up herbicide treatments.
 - b. **Ramsey County.** Ramsey County shall provide a Conservation Corps crew of 4 laborers for 2-5 days for follow-up clearing/grubbing/spraying in spring or fall. This translates to $4 \times 20 = 80$ up to $4 \times 40 = 160$ person hours. This contribution is dependent upon a Conservation Corps crew that is in place and working with Ramsey County for a given year, as has been done and is consistent with recent years. Ramsey County is also willing to contribute staff time to visit the site and coordinate with VLAWMO to determine specific maintenance needs up to 2x per year.
 - c. **VLAWMO.** VLAWMO shall provide a corrections crew of 6-12 laborers for 1 day for follow-up clearing/grubbing/spraying in spring or fall. Normal crew size is 12 laborers; crew size has been reduced during the COVID pandemic so that crews are currently running at 6 laborers (in 2020 and 2021). This translates to $6 \times 8 = 48$ up to $12 \times 8 = 96$ person hours. Additionally, VLAWMO will promote and host volunteer workdays in this restoration area with their current program for University of Minnesota Community-engaged Learners and community volunteers. VLAWMO is also willing to contribute staff time to visit the site and coordinate with Ramsey County to determine specific maintenance needs up to 2x per year.
2. **Level of Maintenance.** Each year during the term of this Agreement the parties agree to discuss and determine the level of maintenance needed in the upcoming season. The agreed upon maintenance activities shall be carried out pursuant to this Agreement without the need to formally act to amend it each year. Any such written understandings reached as to the annual maintenance activities shall be incorporated in and made part of this Agreement.
3. **Park Access.** Ramsey County grants the other parties and their employees, agents, and contractors a temporary nonexclusive license to enter the Park as may reasonably be needed to perform the

agreed upon maintenance services. The maintenance activities shall be carried out in a way that does not unreasonably interfere with the other uses occurring in the Park. The license shall terminate upon the termination of this Agreement.

4. **Term and Termination.** This Agreement shall be effective as of the date of the last party to execute it and it shall continue in effect until the agreed upon termination of maintenance activities, but in no case later than five years after the start of maintenance activities performed pursuant to this Agreement (which are to begin after completion of the Project). This Agreement may be terminated by either party at any time, and for any reason, on 30 days' written notice of termination provided to the other parties.
5. **Employees; Worker's Compensation.** Any and all employees of each party, and all other persons engaged by that party in the performance of the maintenance work or any other work or services required or contemplated by this Agreement, shall not be considered employees of the other parties. Any and all claims that might arise under the Worker's Compensation Act or the Unemployment Compensation Act of the State of Minnesota on behalf of said employees while so engaged, and any and all claims made by any third parties as a consequence of any act or omission on the part of said employees while so engaged, shall in no way be the obligation or responsibility of the other parties.
6. **Entire Agreement; Amendments.** This Agreement, together with the recitals, which are incorporated herein, constitutes the entire agreement between the parties and no modifications of its terms shall be valid unless reduced to writing and signed by both parties.
7. **Cooperative Activity.** To the fullest extent permitted by law, all activities by the parties under this Agreement are intended to be and shall be construed as a "cooperative activity," and it is the intent of the parties that they shall be deemed a "single governmental unit" for the purposes of determining total liability, as set forth in Minnesota Statutes, section 471.59, subd. 1a. Nothing in this Agreement is intended to alter, or shall be interpreted as altering, the treatment of the parties as a single governmental unit. For purposes of Minnesota Statutes, section 471.59, subd. 1a, each party expressly declines responsibility for the acts or omissions of the other parties.
8. **Insurance & Indemnity.** Each party agrees that it is solely responsible for its own acts and omissions, and those of its agents and employees or contractors. Each party agrees to carry liability insurance to the extent of liability limits under Minnesota statutes Section 466.04, as amended, unless is a duly authorized self-insured entity as allowed under applicable state law. No party shall be required to pay to the other parties any amount as indemnification under this Agreement, whether arising pursuant to this Agreement, expressly, by operation of law, or otherwise.
9. **Data Practices and Records.** The parties shall manage all data created, collected, received, stored, used, maintained, or disseminated pursuant to this Agreement in accordance with, and subject to the requirements of, the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.
10. **Liability.** Each party is responsible for its own acts and the results thereof to the extent authorized by law and a party is not responsible for the acts of the other party or the results thereof. Nothing

in this Agreement shall constitute a waiver of any limits on or exclusions from liability available to it under Minnesota Statutes, chapter 466 or other law.

11. **No Third-Party Rights.** This Agreement is solely for the benefit of the parties. This Agreement shall not create or establish any rights in or for the benefit of any third party.
12. **Compliance.** Each party shall comply with all applicable federal, state, and local laws, rules, regulations, and ordinances in carrying out their respective duties under this Agreement.
13. **Applicable Law.** The law of the State of Minnesota shall govern all interpretations of this Agreement, and the appropriate venue and jurisdiction for any litigation that may arise under this Agreement will be in and under those courts located within the County of Ramsey, State of Minnesota, regardless of the place of business, residence, or incorporation of Contractor.
14. **Notices.** A notice, demand, or other communication under this Agreement by either party to the other will be sufficiently given if it is dispatched by registered or certified mail, postage pre-paid, return receipt requested, and addressed to the party at the addresses listed below with receipt thereof presumed on the third business day thereafter. Either party may designate another address, or attorney for receipt of notices pursuant to this Agreement by designating in writing and forwarding such writing to the other party as provided in this section.

If to the Board of Water Commissioners:

Saint Paul Regional Water Services
ATTN: Justine Roe
1900 Rice St.
St. Paul, MN 55113
651-266-1628
justine.roe@ci.stpaul.mn.us

If to VLAWMO:

Vadnais Lake Area Water Management Organization
ATTN: Dawn Tanner
800 County Rd E
Vadnais Heights, MN 55127
651-204-6074
dawn.tanner@vlawmo.org

If to the County:

Ramsey County Parks and Recreation Department
ATTN: Michael Goodnature
2015 North Van Dyke St.
Maplewood, MN 55109
651-363-3770
mike.goodnature@co.ramsey.mn.us

15. **Incorporation of Recitals.** The parties agree that the Recitals are true and correct, and are incorporated herein.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date of the last party to execute it.

<p>Board of Water Commissioners of the City of Saint Paul</p> <p>By: <u>Mara Humphrey</u> <small>Mara Humphrey (May 12, 2022 14:16 CDT)</small> Mara Humphrey, President</p> <p>Date: <u>May 12, 2022</u></p> <p>By: <u>Mollie Gagnelius</u> Mollie Gagnelius, Secretary</p> <p>Date: <u>May 12, 2022</u></p> <p>By: <u>John McCarthy</u> <small>John McCarthy (May 13, 2022 08:40 CDT)</small> John McCarthy, Director, Office of Financial Services</p> <p>Date: <u>May 13, 2022</u></p> <p>By: <u>Patrick Shea</u> Patrick Shea, SPRWS General Manager</p> <p>Date: <u>May 13, 2022</u></p> <p><i>Approved as to form:</i> <u>Lisa Veith</u> Assistant Saint Paul City Attorney</p>	<p>Ramsey County</p> <p>By: <u>Trista MatasCastillo</u> Trista MatasCastillo, Chair Ramsey County Board of Commissioners</p> <p>Date: <u>4/6/2022</u></p> <p>By: <u>Mee Cheng</u> Mee Cheng, Chief Clerk Ramsey County Board of Commissioners</p> <p>Date: <u>04/05/2022</u></p> <p>By: <u>Mark McCabe</u> Mark McCabe, Director, Parks and Recreation</p> <p>Date: <u>03/16/2022</u></p> <p><i>Approved as to form:</i> <u>Amy K. St. Louis</u> Assistant Ramsey County Attorney</p> <p>Date: <u>3/16/2022</u></p>
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**Vadnais Lake Area Water Management
Organization**

By: _____

(Printed Name)

Its: _____

Date: _____



City of Saint Paul

Signature Copy

Resolution: RES 22-565

City Hall and Court
House
15 West Kellogg
Boulevard
Phone: 651-266-8560

File Number: RES 22-565

Pertaining to a Joint Powers Agreement with Ramsey County and VLAWMO regarding maintenance contributions of each party following the removal of invasive buckthorn vegetation at Vadnais-Sucker Lakes Regional Park.

WHEREAS, the Board of Water Commissioners of the City of Saint Paul ("Board") is the owner of real property commonly known as the Vadnais-Sucker Lakes Regional Park ("Park"); and **WHEREAS**, Great River Greening ("GRG") is a non-profit 501(c)(3) conservation organization based in Saint Paul, MN organized for the purpose of restoring natural areas and open spaces through community engagement; and

WHEREAS, at its September 2021 meeting, the Board approved a Cooperative Agreement with GRG for the removal of invasive buckthorn vegetation from a 45-acre area of the Park including the seeding of ecologically appropriate native species and such work is to be accomplished in 2022; and

WHEREAS, Ramsey County manages and maintains the Park as an extension of its Snail Lake Regional Park through a Joint Powers Agreement with the Board dated September 24, 1996; and

WHEREAS, under State Law, the Vadnais Lake Area Watershed Management Organization ("VLAWMO") is responsible for the preparation and implementation of a comprehensive surface water management plan for an area that includes the Park; and

WHEREAS, the Board, Ramsey County, and VLAWMO wish to enter into an agreement that defines the ongoing maintenance of the 45-acre area that GRG will remove invasive buckthorn vegetation and seed native species as per the Cooperative Agreement between GRG and the Board dated September 14, 2021; and

WHEREAS, staff has worked with Ramsey County and VLAWMO to draft an agreement providing for the ongoing shared maintenance of the 45-acre area and the Assistant City Attorney has approved the agreement as to form; now, therefore, be it

RESOLVED, that the Board of Water Commissioners of the City of Saint Paul does hereby approve the Joint Powers Agreement dated April 12, 2022 between the Board, Ramsey County, and VLAWMO which defines the ongoing maintenance of the area to be improved by GRG and authorizes and directs the proper officers of the Board to execute said agreement on behalf of the Board.

At a meeting of the Board of Water Commissioners on 5/10/2022, this Resolution was Adopted.

Yea: 5 Commissioner Tolbert, Commissioner Humphrey, Commissioner Abrams,
Commissioner Bykowski, and Commissioner Tchourumoff

Nay: 0

Absent: 2 Commissioner Brendmoen, and Commissioner Yang

Board Secretary *mollie gagnelius*

Date 5/10/2022










VLAWMO and Ramsey County_Joint Powers Agreement_Vadnais-Sucker Lake Buckthorn Removal_04-12-22_prepped4sigs

Final Audit Report

2022-05-13


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