MEETING MINUTES
Riley-Purgatory-Bluff Creek Watershed District
August 19, 2019, RPBCWD Board of Managers Special Board Meeting

PRESENT:
Managers: Jill Crafton, Treasurer
Larry Koch
Dorothy Pedersen, Vice President
David Ziegler, Secretary

Staff: Claire Bleser, RPBCWD Administrator
Terry Jeffery, Watershed Planning Manager
Michael Welch, Attorney, Smith Partners
Scott Sobiech, Engineer, Barr Engineering Company

Other attendees: Amy Herbert, Recorder

1. Call to Order

Vice President Pedersen called to order the Monday, August 19, 2019, Board of Managers Special Board Meeting at 4:02 p.m. at the District Office, 18681 Lake Drive East, Chanhassen, MN 55317.

2. Approval of Agenda

Manager Ziegler moved to accept the agenda as presented. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0 [President Ward absent from vote].

3. Rules Workshop

Mr. Jeffery reminded the Board of the impetus for these proposed rules changes. He described feedback on existing rules and listed the sources, including comments from permit applicants, a joint meeting with the City of Eden Prairie City Council, the District’s listening session in April, and the online survey. Mr. Jeffery summarized that the purpose of these revisions to the rules are to make these rules less complicated while also offering the same level of protection to the watershed. He listed specific comments received.

The Board discussed the need for the watershed staff to be able to look at applicant’s data rather than a summary of the data, and how it would be helpful for the District to give applicants more framework, such as checklists and details such as what a monitoring program should entail.

Mr. Jeffery went through the proposed notable changes to the rules, explaining that this isn’t the exhaustive list of changes but the substantive ones, including the following:

- Exempt certain repairs from Rule B
- Existing impervious surfaces within a buffer can remain
- Remove the 50 cubic-yard threshold from Rule J
- Increase the linear project threshold from 5,000 square feet of new and/or reconstructed to: 10,000 square feet of new and 25,000 square feet of reconstructed (0.5 acres).

- Off-site stormwater management

- Revise narrative standard to “not reasonably likely to cause an adverse effect”

- Rescind Rule I regarding water appropriation

- Definitions: topsoil, site, pervious, sub-watershed.

Mr. Jeffery noted that the District will likely hear comments from cities to request the linear project threshold be increased to one acre. He also talked about how District staff weighed proposed rules changes regarding efficiencies gained. Mr. Jeffery described other changes staff considered but did not result in changes. He also said that District staff is creating a guidance document for this regulatory program and the document will be a RPBCWD-specific rules guidance document.

The managers offered their comments, and Manager Koch pointed out two places in which important information was placed in footnotes instead of the main body of the document.

Mr. Jeffery explained the proposed timeline for the rules revisions:

- August 23, 2019: Staff will distribute to the Board the draft revisions and supporting memo for review.
- September 4: Board to consider action to direct release of rules revisions for 45-day review
- October 2: District holds public hearing on proposed rules revisions
- October 21: 45-day public comments period ends
- November 6: Board to consider action to adopt the proposed rules revisions
- January 1, 2020: Revised rules go into effect (applicant can request as of November 6, 2019)

Manager Koch raised the issue of permit violators and asked staff to look at the issue and propose a fee that would allow the District to recoup expenses incurred due to its work time spent on violations. He asked staff to bring this proposal to the Board before the Board takes action to adopt the rules revisions. Manager Koch asked staff to look at whether the shoreline stabilization rules could be spelled out more clearly or be more streamlined.

4. Review MAWD Resolutions

Administrator Bleser reminded the Board that the Minnesota Association of Watershed Districts (MAWD) needs to receive resolutions by September 1.

Manager Koch moved to adopt and submit to MAWD by September 1 the Resolution to Limit Wake Boat Activities that Directly Cause Shoreline Erosion and Spread Aquatic Invasive Species. Manager Ziegler seconded the motion. Administrator Bleser recommended the District finds out if other Districts want to be co-authors on this resolution. Manager Koch moved to amend his motion and authorize the Administrator to distribute the resolution to other watersheds and see if they want to co-author the resolution. Manager Ziegler seconded the motion to amend. Upon a vote, the motion carried 4-0 [President Ward absent from vote]. Vice President Pedersen called the question on the amended motion. Upon a vote, the motion carried 4-0 [President Ward absent from vote].

Administrator Bleser summarized the proposed Resolution to ban the use of pesticides that are known net carcinogens on residential and commercial lawns. Manager Koch moved to adopt the resolution. Manager Ziegler
seconded the motion and suggested that Administrator Bleser reach out to other watersheds to see if they are interested in co-authoring this resolution. Manager Koch move to amend his motion and authorize the Administrator to distribute the resolution to other watersheds and see if they want to co-author the resolution. Manager Ziegler seconded the motion to amend. Upon a vote, the motion carried 4-0 [President Ward absent from vote]. Vice President Pedersen called the question on the amended motion. Upon a vote, the motion carried 4-0 [President Ward absent from vote].

### 5. Adjourn

Manager Crafton moved to adjourn the meeting. Manager Ziegler seconded the motion. Upon a vote, the motion carried 4-0 [President Ward absent from vote]. The meeting adjourned at 4:48 p.m.

Respectfully submitted,

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David Ziegler, Secretary