

Draft Minutes: May 17, 2021
RPBCWD Citizens' Advisory Committee Monthly Meeting
Virtual Via Zoom

Member Attendance (By each name, put a P=Present, E=Excused, not present but with notification or A=Absent with no notification)

Andrew Aller	P	Samuel Griffin	P	Terry Jorgenson	P	Jeff Weiss	E
Rodey Batiza	P	Heidi Groven	P	Sharon McCotter	P	Jessica Wiley	P
Kim Behrens	P	Michelle Frost	P	Jan Neville	P		
Jim Boettcher	P	Peter Iverson	E	Marilynn Torkelson	P		
Terry Jeffery	RPBCWD staff		P	Prof. C. Alexander	University of MN		P
Liz Forbes	RPBCWD staff		P	Rebecca Prochaska	Eden Prairie resident		P
Amy Bakkum	RPBCWD staff		P	Elaine Evans	U of MN Bee Lab		P
Jill Crafton	BOM		P				

Key CAC MOTIONS for the Board of Managers:

1. CAC recommends the BOM delays their decisions on the Nobel Hill Project permits as statutorily allowed, to give the citizen petition time to go through the appeal process to the district court.
2. CAC asks the BOM to Direct WD staff to compile spring and seep data for the lower valleys of RPB creeks to input into the MN DNR's Spring Inventory.

I. Opening

- A. **Call CAC meeting to Order: 6pm**
- B. **Attendance:** As noted above.
- C. Staff and Manager introductions
- D. **Matters of general public interest:** Elaine Evans, Assistant Extension Professor, U of M, spoke about concerns that the Noble Hill Project would directly or indirectly impact the Rusty Patched BumbleBee habitat, an endangered species with remaining populations found mostly in urban Minnesota.
- E. **Agenda Approved**
- F. **Approval of April 19, 2021 CAC Meeting Minutes:** Jim made the motion which was seconded by Terry J to approve the April CAC minutes.

II. Board Meeting Recap and Discussion -

- A. Highlights from the (monthly) managers meeting were presented by Heidi. The Duck Lake Road bridge project was approved by BOM after discussion, St. Huberts School project was approved. Terry Jeffery gave an overview of the Nobel Hill development. Dorothy Pederson suggested working with Pulte to develop a CIP for Chloride Reduction in the Nobel Hill Development Project.
- B. Board Response to CAC recommendations: Dorothy Pederson suggested WD staff work with Pulte to develop a CIP for Chloride Reduction in the Nobel Hill Development Project.
- C. New Advisory Topics from the Board (none)
- D. Questions from CAC and/or highlights (if needed)

III. Program and Project Updates;

A. Nobel Hill, Citizen Environmental Protection Update:

- 1. Rebecca Prochaska (10 minutes) Eden Prairie resident, representing a citizen's group with the Goal to protect the Lower Riley Creek watershed area from negative environmental impacts. This proposed development area has Prairie Bluff Conservation area to the east and south as well as the Minnesota River Valley National Wildlife Refuge to the southeast. The EQB approved the citizen petition for Environmental Assessment Worksheet (EAW) signed by over 3,000 people, but the City of Eden Prairie denied the citizen petition. The citizens group wants the city to re-consider the proposed development impact on this unique environment, topography and the effect on water quality by removing forest cover including heritage trees and adding hardscape. Concerns include:
 - a) The existing Hennepin Village housing community includes 360 homes and these additional 50 would exceed 400 which exceeds the zone limit. (although done in stages) an EAW should be completed.
 - b) This area is an important fly zone for migratory birds
 - c) An adequate survey for the Rusty Patched Bumble Bee, which is listed as endangered under the Endangered Species Act and may nest in this area, has not been completed. (the queen bees hadn't yet emerged from their winter hibernation underground when assessed).
 - d) \$2 million + engineering and administration fees have been spent on Lower Riley Creek Ecological Restoration. This project is not aligned with the goals and assessing the potential to increase erosion and pollution is warranted.
 - e) There are erosion concerns and a slope stability assessment is requested. Grading and tree removal may increase the likelihood of landslides, 15 foot retaining walls may fail raising safety concerns.

Interim Administrator Terry Jeffrey asked whether an Alternative Urban Area Review (AUAR) assessment has been requested. An AUAR looks at the cumulative effects of development which better matches concerns.

2. Professor Calvin Alexander, University of Minnesota, Professor Emeritus, who has studied the groundwater of this area for decades presented the following. He walked this area and identified more than a dozen springs which he added to the MN DNR Spring Inventory System. He noted this area is very unstable.
 - a) There's been a recent collapse at Richard T. Anderson Conservation Area as seen from the parking lot and another collapse behind the homes on Vogel Farm Road as visible on Google Earth.
 - b) He stated Pulte Engineers used decades old MN Geologic Survey maps which have been replaced in 2018 by more detailed maps.
 - c) Prof. Alexander has not been able to access water quality data for Frederick Miller Spring which the city says they are monitoring. Coliform bacteria levels are increasing in the Creek. Interim Administer Terry Jeffrey asked if the Department of Health has been monitoring Spring. No. Terry J. asked Prof. Alexander to define spring versus seep. Seep is less than a gallon per minute and spring is more than a gallon per minute.
Interim
 - d) Admin Terry noted that the EAW consists of 34 questions but does not look at stability of slopes. The EAW is a precursor to an EIS. The WD has to respond to permit applications within 60 days but they can ask for a 60 day extension as well. Says initial review of Pulte development plan shows it meets WD rules.
 - e) Links to PowerPoint slides are here:
[Watershed RP.pptx](#)
[Prof. Alexander's slides](#)
Elaine Evans, Assistant Extension Professor, PhD, Entomology, U of M,
Bee Lab email: Evan0155@umn.edu
3. Ms Prochaska requests the CAC recommend the BOM pause Nobel Hill development permits until the appeal for an EAW has been made by the citizens group.

Kim made a motion that the CAC recommends the BOM delay the decision on Nobel Hill Project permits as statutorily allowed to give the citizen petition time to go through the appeal process to the district court. Terry J. seconds: 11 voted yes, 1 abstained.

Sharon made a 2nd motion, which Jan seconded to Direct WD staff to compile spring and seep data for lower valleys of Riley Purgatory and Bluff Creeks to input into the MN DNR's Spring Inventory. 12 members voted in favor.

The question was raised about collecting slope data. Interim Administrator Terry Jeffrey noted that it is not in WD's current purview to collect slope stability data. This is something that could be added to the watershed's rules in the future. Plan for discussion at a future CAC meeting.

B. District Learning Presentation

1. WD Project Prioritization Presentation by Administrator Jeffery, Chapter 4 of the WD's 10 year plan. 11 of 34 projects completed, others are underway or being studied.
2. Staff Update: Eleanor Mahon new E&O person for WD.
3. CAC district's website & Google Drive presented by Staff Forbes

IV. CAC Process and Function

- A. Member were asked to update their background Info on the website
- B. Discussion of possible CAC Recommendations for Board of Managers. Sharon asked if there was interest in joining the BOM workshops for upcoming strategic planning. Andrew is interested. Members were also asked of interest in participating in the annual district internal scorecard, especially about including the DEI section. No action indicated.
- C. CAC officer appointments: The chair indicated a desire for a person with deeper experience especially on advising BOM, to become chair. No one stepped forward, so will re-address at the June meeting. Heidi agreed to chair the June meeting and identify what would make it possible for her to continue as chair.
- D. In-person meeting re-entry: June will take place by Zoom
- E. Workgroups? Postponed due to lack of time
 1. CAC to BOM Communication Process-how to get info earlier (find document
 2. Develop Process to Identify Citizen concern for the CAC

V. 2021 Calendar

- A. Board meeting volunteer needed to cover July 7th. Terry J. would prefer to cover August 4th meeting instead of July.

VI. Planning Next Meeting

- A. Interest in forming a sub-committee to plan Learning and Project Planning topics
- B. Define discussion topic for health ecosystem/wetland

VII. Upcoming Events and Meeting Close.

- A. RPBCWD Board of Managers June 2nd , 2021; 7:00 PM Regular board meeting – virtual Zoom meeting - Kim to attend on behalf of the CAC
- B. RPBCWD CAC Meeting June 21st, 2021; 6:00 PM – virtual Zoom meeting; Manager Ward to attend on behalf of the Board
- C. Sharon made a motion and Terry J. seconded to adjourn the meeting. All were in favor. Mtg. adjourned at 8:06pm

