

**Carnelian-Marine-St. Croix Watershed District
Regular Meeting November 1, 2010**

Managers Present: Steve Kronmiller, Richard Caldecott, John Lennes, Thomas Polasik, Victoria Dupre and Jason Husveth.

Managers Absent: Kristin Tuenge.

Others Present: Jim Shaver (Administrator), Carl Almer and Dan Fabian (EOR), Ray Marshall (Legal), Amy Carolan and Peter Young (WCD), Mike White, Gary Olson, Doug Salmela, Mike Blehert, Rich Burton, Tony DeGonda, Laurie Allmann and John Krueger (residents), Peter Mott (Big Marine Park) and Debbie Meister (MMC).

Manager Kronmiller called the meeting to order at 6:35 p.m.

1. Approve November Agenda

Administrator Shaver requested adding item 8e Insurance Liability Waiver.

Manager Caldecott moved to approve the November 1, 2010 agenda as amended.

Second by Manager Lennes. Motion carried 4-0.

2. Approve October 4 Minutes

Manager Polasik moved approval of the October 4, 2010 minutes as amended. Second by Manager Caldecott. Motion carried 4-0.

3. Treasurer's Report

Administrator Shaver presented the Treasurer's Report.

Manager Lennes moved approval of the November 1, 2010 Treasurer's Report. Second by Manager Caldecott. Motion carried 5-0.

4. Bills to be Paid

Administrator Shaver presented the bills to be paid.

Manager Dupre moved the November bills to be paid in the amount of \$48,172.55.

Second by Manager Polasik. Motion carried 5-0.

5. Public Comments

a. Big Marine Lake Owners

Administrator Shaver summarized past policy decisions related to the lake association. In 2010 the District approved expenses not to exceed \$6,000 for Eurasian watermilfoil treatment on Big Marine. Because the lake association received a DNR grant to cover the entire amount, the District's contribution was not needed. Previous discussion had proposed that the District's 2010 Management Plan established a District contribution of \$10,000 per lake as a life-time maximum contribution.

Mike Blehert spoke for the association, summarizing lake survey results, last season's treatment for watermilfoil and lake management recommendations. He thinks the association will get a DNR permit to treat 14-15 acres next year and a DNR grant to pay

for some of the treatment. The association would like to treat all infested areas, but the DNR is not likely to permit all areas such as the north end of the lake because it contains native lily pads. Manager Caldecott asked how this differs from killing native milfoil?

Mr. Blehert stated 90 residents have committed to contributing to the association. The goal is to get 130 homeowner contributions and support from the Vets and Girl Scout Camps. Fundraising is difficult because the association does not know how much the 2011 treatment will cost. The DNR will not check the association's survey work until plants begin to emerge in the spring. The association cannot apply for a treatment application permit until the survey has been completed. The permit specifies the areas that can be treated, which dictates the cost. The association estimates the treatment will cost \$8,000. It is requesting pre-funding of \$3,000 from the District and anticipates being able to raise the rest from the DNR and property owners. In 2012, the association hopes to raise all needed funds for treatment. Treatment is critical because once milfoil takes over it is hard to eradicate. To keep owners updated, the association publishes a monthly e-newsletter.

Manager discussion included acknowledgement that the infestation is primarily at the public launches, which suggests that the County and DNR should be paying for the treatment; one third of the property on the lake is owned by tax-exempt organizations; funding this request sets a precedent to fund other lake associations/organizations including lakes without public access; the District has limited funds due to a reduction in its levy; other funding options for treatments should be considered at all levels of government such as a treatment fee on fishing licenses and a District policy is needed. Managers encouraged the association to lobby/educate elected officials at the state and local levels about this issue and its impact on fishing and tourism.

Peter Mott (Big Marine Park) clarified that Eurasian watermilfoil was found in the lake at the DNR access point in 2004, before the County park was opened. Residents suggested that the District consider a contribution cap for ten years, rather than a life-time and allocate funding based on the size of the lake. Mike White reported that he thinks he found zebra mussels in the lake. The Managers agreed a policy should be adopted to address invasives in District water bodies and anticipate making a decision about the association's request by February. Administrator Shaver will notify Mr. Belhert when this issue is on the District agenda.

b. Laurie Allmann-Zavoral Mining Request

Administrator Shaver introduced Ms. Allmann and stated that she is involved in a citizens group working on the Zavoral mining permit. Ms. Allmann stated that she is attending the District meeting as a resident concerned about the potential impact of expanded mining on the St. Croix River and Zavoral Stream, which has just been found to contain trout. She requested that the District do an official environmental impact statement (EIS) review, using its expertise and/or convene an outside technical team to address the question: can mining under this permit be done while still protecting the resource? The EIS process was clarified: The District provided comments on the environmental assessment worksheet in relation to its rules and is a member of Scandia's Project

Advisory Council. The EIS will be released next year at which time the public, including watershed districts, government agencies and LGUs, have the opportunity to provide comments. EOR, as an engineering consultant, often reviews EISs on behalf of watershed districts. If Scandia issues a mining permit, the District still has the right to review the application under its permit application program. Following this discussion, **Managers Lennes moved to authorize the Administrator and/or the Engineer and, if necessary, to retain a groundwater or appropriate specialist to review and provide comments on the draft and final EIS, in accordance with the formal Environmental Quality Board review process. Second by Manager Polasik. Motion carried 5-0-1, with Manager Husveth abstaining from discussion and voting to avoid any potential conflict of interest.**

6. Engineer's Report, Permits / Violations

a. Permit 08-001: BTG and BTG-II

Carl Almer reported that there has been no response to Administrator Shaver's letter requesting outstanding permit materials. Manager Lennes moved to direct Attorney Marshall to send a letter to BTG and BTG-II. Second by Manager Caldecott. Motion carried 6-0.

b. Project Status Update

Mr. Almer presented a new format for updating the Board on the status of projects and programs. It was agreed that Mr. Almer would provide this update along with the Engineer's Memo. Manager Kronmiller asked about outstanding permits, such as Big Marine Store dating from 2003 and the Matt Property violation. According to District rules, permits are valid for one year. Mr. Marshall stated that in theory the District can keep the surety and close out a permit account after one year. With incomplete permits, a letter can be sent indicating the permit is expired and inviting the applicant to renew or reapply. It was agreed that Administrator Shaver and Mr. Almer would review the permits and determine the status of each. Administrator Shaver will also follow up with the Big Marine Store wetland fill violation.

c. Tii-Gavo Update

Administrator Shaver reported that he met with Roger Tomten of Tii-Gavo, who is working to address outstanding Phase 1 issues.

d. Other Issues

Manager Kronmiller reported that a resident on Big Marine Lake is building a retaining wall on the east bay without a District permit. In order for adequate time to review meeting packets, it was agreed that permit and agenda items must be submitted by end of business on the Wednesday prior to the board meeting so packets can be sent on Thursday.

7. Cost Share Program

Amy Carolan reported that plantings at Bliss Pond and stream restoration work at Jan Algren's on Carnelian Creek are completed. Manager Dupre suggested that the District might

want to reconsider the Rydeen Farm project. It was agreed that if Mr. Rydeen wants to continue with a project, he should send the District a check for his portion of the cost share.

8. New Business

a. WCD Contract

Attorney Marshall approved the form. Managers approved the costs, but questioned the language concerning “technical assistance” and wanted clarification on items such as volunteer monitoring and secchi disk only readings on some lakes. Managers also discussed Metropolitan Council protocol and some District lakes being excluded from the Council’s executive summary on lake grades because of secchi only readings. Although all lakes will be included in the full report, concern was raised about the negative perception of being omitted from the executive summary due to “insufficient data.” Current Met Council protocol is not answering necessary water quality questions and not being followed since chemical analysis was omitted on some lakes and the District chose to use funds to monitor streams rather than to continue fully monitoring high quality, stable lakes. Citizen Assisted Monitoring Protocol was discussed. Manager Dupre stated that neighbors talking to neighbors about water quality is the best environmental education approach. It was agreed that Administrator Shaver would rework the contract language for approval next month and he and Mr. Almer would prepare a volunteer plan in conjunction with the WCD for the Board’s consideration.

b. Hugo Grant Participation

Administrator Shaver reported that the City of Hugo asked the District to contribute \$500 to the Eastern Hugo Natural Resource Model, as the city looks to extend utilities to the east. Brown’s Creek and Rice Creek Watershed Districts were also asked to contribute. Manager Husveth stated that there are exceptional resources on the eastern edge of the City. Mr. Fabian stated that he did not see the District’s NRI report listed on the City’s references. WCD just completed an ecological model that should be available next month. **Manager Lennes moved to table the motion to direct the Administrator to send a letter to Bryan Bear stating that the District’s contribution will be providing the NRI and other data updates. Second by Caldecott. Motion carried 6-0.**

Administrator Shaver will call Mr. Bear to tell him that the motion was tabled and Manager Husveth will be calling him to get additional information.

c. MAWD Resolutions

Manager Lennes reviewed the packet of resolutions and raised issues with several of them. He prepared another resolution regarding budget comparisons. Although it is too late for a formal presentation of this resolution, he suggested that it might be appropriate for a group to be formed to work out a systematic way to report budgets so watershed districts are comparing apples to apples.

Manager Dupre moved to direct Manager Lennes to advise the Administrator on how to vote on the MAWD resolutions. Second by Manager Caldecott. Motion passed 6-0.

d. Board Appointments/Reappointments

Administrator Shaver reported that Washington County is now giving LGUs more notice of upcoming watershed term expirations. By law, LGUs need to supply three names for nomination. If there are three recommendations, the County must select one from the list.

e. Insurance Waiver

Manager Caldecott moved to direct the Administrator to sign the insurance waiver. Second by Polasik. Motion carried 6-0.

9. Old/Other Business-

Manager Caldecott reported that the Sustainable Water Resources Roundtable, held at the Gray Freshwater Center in October, was probably the best conference he attended in a very long time. He anticipates a follow-up conference drawing active participants from Canada and Mexico.

10. Administrator's Report

Administrator Shaver reported the following:

- Washington County Groundwater Committee will meet on November 10.
- The District, NRCS and WCD hosted a breakfast for ag property owners. Fifteen to 20 people attended.
- Metro Watershed Partners Roundtable will be held at Hamline University on November 3 from 8:30 to 11:30 a.m.
- A meeting with Washington County Commissioners will be held on November 2.

Manager Kronmiller mentioned *Troubled Waters*—a documentary that recently aired on public television.

11. Next Meeting, Adjourn

The next board meeting will be held on Monday, December 6, 2010.

Manager Caldecott moved to adjourn. Second by Manager Polasik. Motion carried 6-0. The meeting was adjourned at 9:38 p.m.

Submitted by
Debbie Meister, MMC Associates, LLP