

CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT
Regular Minutes January 14, 2015

Managers Present: Kristin Tuenge, Dave DeVault, Tom Polasik, Andy Weaver and Eric Lindberg

Managers Absent: Victoria Dupre and Steven Kronmiller

Others Present: Jim Shaver (administrator), Carl Almer (EOR), Susannah Torseth (Lawson Law), Steve McComas (Blue Water Science), John Bower (resident) and Dan Fabian (BWSR)

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

1. Approve Agenda—Board Action

Manager Lindberg moved to approve the agenda as presented. Seconded by Manager Polasik. Motion carried 5-0.

2. Approve December 10 and 23 Minutes—Board Action

Manager Tuenge moved to approve the December 10, 2014 minutes as presented. Seconded by Manager Polasik. Motion carried 5-0.

Manager Weaver moved to approve the December 23, 2014 minutes as presented. Seconded by Manager Lindberg. Motion carried 5-0.

3. Treasurer's Report—Board Action

Manager Weaver and Administrator Shaver presented the Treasurer's Report.

Manager DeVault moved to approve the Treasurer's Report. Seconded by Manager Lindberg. Motion carried 5-0.

4. Public Comments

Mr. Bower stated that he could not find the agenda on the website and requested that it be posted. As a former manager, he attended to provide an historical perspective on the Gravity Pipe Fund (now called the Security CD). (Tax increment financing (TIF) is a development tool used by tax authorities (TA) to finance the costs of certain developments that the TA has determined would not have occurred without the use of public assistance. Tax increment takes a portion of the property tax that would otherwise go to the TA and instead sends it to the Tax Increment district to fund project development costs.) When there was TIF in the District, Washington County thought it would be good to freeze the amount of taxes going into the general fund. Above a certain level, tax revenue was put into a separate fund that TAs could use to improve water related issues. At some point the County discontinued the TIF. The District, then, requested the balance of the fund be set aside as reserve for maintenance of the gravity pipe. The District was able to secure about \$50,000-\$60,000 of the \$200,000 TIF. The District Board passed a resolution requiring a unanimous vote of the managers to use the funds for anything other than pipe improvements or inspections. Mr. Fabian recommended reviewing the minutes to find the resolution. He also recommended prohibiting developers tying into the pipe for sewer connection, because this is an outlet pipe.

Mr. Bower, in reply to a question, stated that funding a hydrology study with the designated funds would require a resolution. He recommended considering surfacing the pipe, if repairs are needed.

Administrator Shaver stated that a resident on Big Marine Lake contacted the District and the Minnesota Department of Natural Resources (DNR) about setting and revising the lake's ordinary high water mark and outlet. The DNR sets the high water mark, with input from the District.

5. New Business

a. Permits

i. County Rd 55-Washington County Applicability Discussion

Mr. Almer stated that Washington County applied for a District permit to pave the shoulder of County Rd 55 from County Rd 61 to Hwy 7 to accommodate bike traffic. The project adds a little over three acres of bituminous paving. Although the size of the project would require a District stormwater permit, the definition of impervious in the District stormwater rules is ambiguous. According to the rules, adding an impervious surface—whether or not it is paved—requires a permit. While it is possible to argue the existing gravel shoulder is not likely to be compacted because it has not been driven on, after looking at precedent and other watershed district rules and requirements, Mr. Almer and Administrator Shaver are recommending that the gravel shoulder be considered compacted and, thus, does not require a stormwater permit. While traversing the project corridor, there is only one short length that might runoff into Loon Lake or lower quality wetlands. The rest of the project area is flat or runs off to woods or turf ditches. Mr. Almer further recommended considering a rule revision to clarify the definition of impervious. The county does need a permit for erosion and sediment control. Discussion focused on the implication for the Log House Landing project, if gravel is considered to be impervious. Mr. Almer stated that because this is a cost-share project, a permit is not required.

Manager Polasik moved to clarify the existing rules to define what is and is not impervious. Seconded by Manager DeVault. Motion carried 5-0.

Manager DeVault moved to not require a stormwater permit for the County Rd 55 shoulder-paving project. Seconded by Manager Polasik. Motion carried 5-0.

ii. Other Permits

Administrator Shaver reported that these are standard permits for new residences. **Manager Polasik moved to issue permit numbers P14-017, 018, 019 and 020 subject to the Engineer's review. Seconded by Manager Lindberg. Motion carried 5-0.**

b. Steve McComas – Blue Water Science, AIS Action Plan

Administrator Shaver introduced Mr. McComas. The Big Marine Lake Homeowners Association has been talking with Mr. McComas about an aquatic invasive species (AIS) study. The Association plans to apply for a County grant to fund the study and asked the

District to be a partner. Administrator Shaver invited Mr. McComas to discuss expanding the study to add Big Carnelian and Square lakes. Mr. McComas stated that he calls the study an invasive species action plan. The plan will include research of habitat suitability for the most serious AIS found in Minnesota including curly leaf pondweed, Eurasian watermilfoil, zebra mussels, flowering rush, Chinese mystery snails and common carp. The AIS plans include review of existing data, collection of lake sediment samples for analysis (a minimum of phosphorus, iron, sulfate, pH, organic matter and bulk density) and AIS informational material for each lake. Each invasive species is assessed in terms of its growth potential for a specific lake, which will enable lake users and managers to allocate resources to the most vulnerable areas within a lake. Forest Lake and Christmas lakes in the Comfort Lake-Forest Lake Watershed District were used as examples of AIS assessment and management. Mr. McComas concurred that the primary source of AIS infestation is from boats and boat trailers.

c. Board Membership – 5 or 7

Administrator Shaver asked what is the optimal number of board members. To engage a seven-member board, it might be best to set up committees. Manager Kronmiller submitted a letter of resignation effective on June 1. Administrator Shaver and Manager Tuenge talked with BWSR staff about changing back to a five-member board. BWSR will not oppose the change, but strongly recommended the District managers talk to the local government units (LGUs) and get their support. BWSR also recommended the petition for a change be made by Washington County, with letters of support from the other LGUs. Manager Tuenge suggested that the major focus, when talking with LGUs, should be the difficulty of getting committed managers. The managers agreed with the talking point, but also agreed this should not be a priority issue. Manager Polasik stated that a seven-member board provides broader representation and suggested more committee assignments to make more use of board members. Mr. Fabian stated that with the petition, it is useful to include the method of reducing the number of members, which now could be through two resignations. Ms. Torseth stated that, according to state statute, a manager's term continues until a successor is appointed. There is another section for vacancies that she will review related to the quorum and report back.

6. Old Business

a. Log House Landing (LHL)

Manager Tuenge reported that at the last LHL meeting, Washington County presented four design options. The committee reached a consensus for a one-lane, paved road that is 13 feet wide. Two gravel pullouts will be located on the lower section to the north. Although the majority of the committee would have preferred a one-lane gravel road, this option requires a channel that removes more trees and takes more space and so was deemed less desirable. Scandia's fire chief opposed the consensus option because, according to his handbook, the paved road should be 23 feet wide. Final LHL Committee recommendations will be made at the January 15 committee meeting. The Planning Committee will meet on the 16th and the City Council will meet on the 20th to make a final recommendation and decision respectively. The District will review the city's proposal at the January 28 meeting. LHL Committee member Pam Smith requested as many managers as possible respond to the proposal and suggested the District wait until

its February meeting to respond. Administrator Shaver stated that a budget for the project is needed before the District can evaluate the cost share request and it is preferable to have more than one week to review the project and respond.

b. Plan Amendment

i. CIP/Implementation Plan Amounts

Administrator Shaver Jim asked to defer the budget discussion until Manager Kronmiller is in attendance at the January 28 meeting.

ii. Other Points

Administrator Shaver distributed the draft plan sections and provided an overview of the format and changes. Mr. Almer reviewed the new Section III that includes a new approach to impaired waters and a strategy to prioritize District resources and target implementation activities on a watershed scale. He reviewed the new Section V that outlines how the District will manage each of its water-related resources. Manager Tuenge stated that more time is needed to review the plan, but the changes make more sense, pull our discussions together and move beyond planning. She asked managers to be prepared to weigh-in on the 28th. Discussion continued on linking the plan to the budget. Administrator Shaver stated that he intends to have other watershed district plans and budgets for comparison at the January 28 meeting. He, Mr. Almer and Manager Tuenge reviewed the District budget compared to potential grants. Mr. Fabian stated that grants can be considered in the work plan mix, but the District should commit to implementing projects and addressing why projects are not getting done.

7. Reports

a. Operations- Website and 2014 Work Plan

Administrator Shaver distributed a draft assessment of the 2014 work plan. Overall, the main concentration was developing and hosting the summer Minnesota Association of Watershed Districts tour and working on the management plan and the Log House Landing project.

b. Cost Share

Administrator Shaver reported that eight projects were targeted for 2014 and nine have already been approved. The Boy Scout Camp has also agreed to work with the District on a cost share.

c. Projects

Administrator Shaver reported on the following:

i. Long Lake Implementation

The Long Lake area has finally been surveyed for potential iron-sand project sites. A discussion of the potential projects and budget will be on the March agenda.

ii. 197th St. Ravine

Roger Rydeen, after reviewing the site, reported that the site is too steep for winter construction work. He also suggested horizontal boring to place new pipe, which

negates cutting down trees. However, repairing the existing ravine still requires removing trees. The project should be able to be completed this year.

iii. St. Croix Ravine in Stillwater Township

The project was started and completed in 2014.

iv. Goose, South, Twin Lakes

Administrator Shaver reported that Washington Conservation District (WCD) evaluated sites on the lakes for iron-sand projects. A group of property owners on Goose Lake is interested in participating. The District has been waiting for grant funding to move forward with iron-sand implementation, but now that property owners are interested, if grants are not received the Board might want to consider budget funds. BWSR will announce recipients of grant funds in the next few weeks. Mr. Fabian stated that having project locations is a key factor when he reviews grant proposals. The current grant cycle has \$9 million in funds and \$37 million in requests.

v. 133rd St. - Big Carnelian

Mr. Almer submitted a grant application to the University of Minnesota for project design by a graduate engineering class. It was noted that residents on Moonlight Bay were going to get bids for a project. Manager Polasik recommended calling them for an update.

8. Bills to be Paid

Manager Polasik moved bills to be paid in the amount \$43,254.72. Seconded by Manager Weaver. Motion carried 5-0.

9. Next Meeting

The next meeting is January 28, 2015 at 6:30 p.m. at Scandia Community Center.

10. Adjourn

Manager DeVault moved to adjourn at 9:10 p.m. Seconded by Manager Polasik. Motion carried 5-0.

Submitted by
Debbie Meister, MMC Associates