

**Carnelian-Marine-St. Croix Watershed District  
Regular Meeting December 11, 2013**

**Managers Present:** Kristin Tuenge, Thomas Polasik, Eric Lindberg, Andy Weaver, Dave DeVault and Victoria Dupre.

**Managers Absent:** Steve Kronmiller.

**Others Present:** Jim Shaver (Administrator), Kevin Biehn (EOR), Ray Marshall and Susannah Torseth (Lawson Law), Todd Shoemaker (Wenck), Jeff Dahlberg, Rich Burton, Doug Salmela, Mark and Linda Marotzke, Gary Olson, Craig Johnson, Mike Blehert (Big Marine Lake Association), John Bower and Pam Arnold (residents) and Debbie Meister (MMC).

Manager Tuenge called the meeting to order at 6:33 p.m.

**1. Approve December Agenda—Board Action**

**Manager Weaver moved to approve the December 11, 2013 agenda as amended. Second by Manager DeVault. Motion carried 6-0.**

**2. Approve November Minutes—Board Action**

**Manager Dupre moved to approve the November 13, 2013 minutes as amended. Second by Manager DeVault. Motion carried 6-0.**

**3. Treasurer's Report—Board Action**

Administrator Shaver presented the Treasurer's Report.

**Manager Dupre moved to approve the Treasurer's Report. Second by Manager DeVault. Motion carried 6-0.**

**4. Public Comments**

**a. Big Marine Lake Association (BMLA) Report**

Mr. Blehert, president of BMLA, introduced the members. The association was formed in 2009 with a mission to handle and control Eurasian watermilfoil and educate lakeshore owners. In 2013, around 50% of lake residents are members of the association and 12 are active board members. Mr. Blehert thanked the District for past support.

Mr. Dahlberg presented lake survey results for milfoil and curly leaf pondweed. Surveys, using GPS, are conducted in early spring. Results are provided to the Department of Natural Resources (DNR) with a request to spot treat and help fund the treatment. A second survey was conducted this year to assess the effectiveness of the treatment. The association found that the milfoil plants die from the bottom up and in about 20% of the cases the top of the plant continues to grow and sprouts roots. Because of this, the association received DNR permission for a second spot treatment. The association would like to treat curly leaf too. BMLA is one of the only lake associations with DNR permission to treat its lake, spends many hours spot treating milfoil, has developed an effective procedure that uses much less chemical than professionals and is successful because of volunteer dedication.

Mr. Burton presented the budget. There is a \$5,000-\$6,000 carry-over in 2013. About \$2,700 is from members. The District provided \$5,000 for milfoil and \$500 for curly leaf treatment and the DNR provided \$3,000 in 2013. In 2014, primary and secondary treatments of 45 acres will cost about \$12,500-\$15,000, printing and postage is about \$500 and Conservation MN dues are \$600. The DNR contribution has been decreasing because requests are increasing. Legacy funds are not available for treating aquatic invasive species. Mr. Dahlberg asked for District funding.

Manager Tuenge stated that the District will be doing a major Comprehensive Plan amendment that will include adding aquatic invasive species (AIS) and will look to BMLA for support. Suggestions to BMLA included seeking additional funders such as the County, the City of Scandia and the camps on the lake; keeping track of volunteer in-kind hours for funding leverage and highlighting the three public access sites as being a key justification for public contributions. Administrator Shaver noted that the District had discussed a \$10,000 maximum total contribution to a lake association because of the potential for increasing requests and because no formal program is established. He also stated that the District will host a seminar on AIS on March 15 and invited BMLA to participate in planning and presenting. He clarified that District water quality funds are available for treating curly leaf pondweed.

**Manager Weaver moved to fund the Big Marine Lake Association at the same level of \$5000 as last year for treatment of Eurasian watermilfoil. Second by Manager Polasik. Motion carried 6-0.**

Mr. Bower stated that BMLA is so successful and encouraged the District to work with them to target residents on Big Carnelian Lake, especially for the March seminar.

**b. Salt-n-Pepper Farm— Pam Arnold**

Administrator Shaver introduced Ms. Arnold. She and Ann Bancroft entered into an agreement with the District for a cover crop grant. The first year is completed. Ms. Arnold attended the meeting to thank and update the Board. She and her partner consider themselves stewards of the St. Croix River. Ms. Arnold attended the District's Cover Crop Workshop and continues to learn about and implement organic farming. A goal is pollinator habitat preservation and educating and involving others in this preservation. Ms. Arnold is monitoring her fields to assess the effects of cover crops on water retention in and temperature of the soil. She invited and encouraged the District to use her practices as an example. She also suggested the District get involved at the state level with policies that affect water quality such as banning neonicotinoid, a pesticide that is highly toxic and persistent. Manager Tuenge suggested this project and the BMLA as good articles for the next newsletter.

**5. Permit Status Update / Violations**

**a. Gombold and Gruber Violations —Legal Action**

Mr. Marshall recommended this be discussed in a closed session after the regular meeting, because of privileged information.

**b. Hanson and Owczarzak Permits**

**Manager Weaver moved to approve Hanson Permit 13-008 and Owczarzak Permit 13-009 subject to approval from the District engineer. Second by Manager Polasik. Motion carried 6-0.**

**c. Closing Permits**

Administrator Shaver reported that he and Dan Fabian have reviewed old, open permits and recommend closing out 32. He anticipates closing out all old permits next year.

**Manager DeVault moved to close permits 01-021, 01-034, 02-002, 02-003, 02-021, 02-032, 02-036, -045, 02-053, 02-054, 02-058, 02-059, 03-003, 03-007, 03-012, 03-018, 03-020, 03-041, 03-049, 03-050, 04-011, 04-015, 04-016, 04-038, 05-006, 05-010, 05-020, 06-003, 06-006, 06-010, 06-011, 06-015 and return sureties as required. Second by Manager Weaver. Motion carried 6-0.**

**d. Etwiler Violation**

Administrator Shaver reported that work on a teardown and rebuild on land that is controlled by a National Park Service Conservation Easement along the St. Croix River in Scandia commenced without permits from the District, City of Scandia, DNR and National Park Service. Construction was red tagged by Scandia. Representatives of the government agencies met to discuss next steps. Mr. Marshall stated that the Etwilers are subject to multiple penalties. Each entity can pursue a charge or one entity could enjoin.

**6. Project Status Update**

**a. Engineer's Report**

Administrator Shaver provided project updates on behalf of Carl Almer.

**b. Fairy Falls —Kevin Biehn**

Administrator Shaver stated that the Board authorized EOR to prepare a stabilization and restoration concept plan as a potential cost share with the NPS in accordance with the District's Silver Creek Management Plan. Mr. Biehn stated that the site is a high traffic area with erosion, tagging and garbage. He presented lower-cost rehabilitation projects including trail armoring, understory vegetation establishment, erosion control, canopy thinning and invasive species control for \$18,000. More substantial rehabilitation could include barriers with an overlook and seating and formalizing an entrance for an additional \$70,000. A larger project could consider access to the gorge and a circulatory trail system. Discussion included: adding a place to park but with time limits, seeking grants and supporting but not funding the amenities beyond erosion control. Input from Managers will be incorporated into a revised plan for approval next month.

**c. 197<sup>th</sup> St. Ravine**

Todd Shoemaker provided background on the ravine and the two stabilization options Wenck presented to the Board in June. Both options include a rain garden at the top of the ravine. In Option 1 the rain garden is on private property, while in Option 2 it is in the City of Scandia right-of-way. Since June, Wenck completed a topographic study and tree survey and received initial bids, which were higher than the estimates in June. Estimates are now: Option 1 at \$55,000, Option 2 at \$68,250, the rain garden at \$8,000 and the

secondary gully at \$10,400. Property owners received draft easements from Lawson Law for erosion remediation and maintenance and seem cooperative.

Despite the increased cost of Option 2, Wenck still recommends the rain garden and Option 2 because the new pipe and overflow channel are in the City right-of-way. City maintenance also prefers this option because maintenance will be easier. Mr. Shoemaker noted that the cost estimate does not include stabilization of the secondary gully. Though the gully does not appear to be a significant source of sedimentation to the wetland or the St. Croix River, it could further erode and stabilization might make sense now because a contractor will be on site. Administrator Shaver added reducing sediments to the river is consistent with the District Management Plan.

Discussion included: the cost of this project represents 10% of District budget, Scandia's local surface water plan is required to identify water problems such as this and propose solutions, this problem was caused when the city installed a pipe in 2007 to funnel runoff under the road onto private property and will the city contribute to this project. Mr. Marshall stated that there is precedent for cities installing structures that divert water onto private property and the property owners affected by this pipe do not appear to be upset. He suggested careful negotiations with the City about a cost share. Administrator Shaver noted that the District has spent several years debating these types of issues and the relative responsibilities of local government agencies, regional authorities and the watershed district. With a high quality wetland at stake, do we debate this issue or get something done. He also stated that next month he will provide finalized 2013 budget carryovers that could be used here.

**Manager Polasik moved to approve proceeding with the final design for the rain garden and Option 2. Second by Manager Weaver. Motion carried 6-0.**

## **7. New Business**

### **a. Marine on St. Croix Memorandum of Understanding—Board Action**

Administrator Shaver reported that he and Mr. Almer will meet with Marine on Tuesday. There is a concern that Marine removed most stormwater improvements from its budget. This could affect its participation in future projects. The City would like the MOU as an addendum to the plan.

**Manager DeVault moved to approve and sign a Memorandum of Understanding between the CMSCWD and the City of Marine on St. Croix for the Local Water Planning and Regulation dated October 10, 2013. Second by Manager Polasik. Motion carried 6-0.**

### **b. Plan Amendment Resolution 12-11-13-2—Board Action**

Administrator Shaver reported that the Board of Water and Soil Resources has ruled that the proposed changes to the Water Management Plan constitute a major plan amendment. Amending the plan is ambitious, but can be done next year with minimal cost and with some engineering assistance. There are procedures that need to be followed. A kick-off meeting is planned for the end of January.

**Manager DeVault moved to approve resolution 12-11-13-2 to start the process to amend the Water Management Plan. Second by Manager Weaver. Motion carried 6-0.**

**c. Employee handbook**

This was tabled until January.

**d. Scandia Memorandum of Understanding—Board Action**

Administrator Shaver reported that Scandia engineer Sherri Buss was notified that the City plan does not include Wetland Conservation Act requirements. She agreed to meet with Jed Chesnut (WCD) and EOR in January to discuss this.

**Manager Polasik moved to adopt and sign Resolution 05-21-13: the Memorandum of Understanding between CMSCWD and the City of Scandia. Second by Manager Dupre. Motion carried 6-0.**

**10. Discussion Points**

**a. Future meetings**

The December 25<sup>th</sup> meeting is canceled. On January 8<sup>th</sup>, Manager DeVault and possibly Manager Polasik will be absent. Carmon Simonet will take minutes. In February the meeting will be held on the 19<sup>th</sup> and Manager Polasik might be absent. Following meetings are March 12<sup>th</sup> and April 9<sup>th</sup>. Manager Dupre anticipates missing the May 14<sup>th</sup> meeting.

**b. Minnesota Association of Watershed Districts Summer Tour**

Administrator Shaver reported that the Washington County watershed districts volunteered to host the summer tour in June.

**c. Administrator's Health Care**

Administrator Shaver reported that he will enroll in a new plan that is similar to the current plan, but will save money. Details will be provided in January.

**11. Bills to Be Paid—Board Action**

**Manager DeVault moved bills to be paid in amount of \$19,947.13. Second by Manager Polasik. Motion carried 6-0.**

**12. Administrator's Report**

**a. Minnesota Association of Watershed Districts Conference**

Managers Lindberg, DeVault and Weaver reported that the new manager training was excellent.

**b. East Metro Water Resource Education Program (EMREP)**

Administrator Shaver reported that he met with Angie Hong for an annual review of the program. Information will be included in the EMWREP annual report.

**c. County Septic System**

The County is moving toward a septic system replacement loan program. Administrator Shaver will draft a proposal to enhance this program by addressing impaired waters.

**d. Groundwater Symposium**

A Program will be held on December 17 in Shoreview and the Administrator will be attending with Manager Tuenge.

**e. Scandia-Marines Lions Club**

Administrator Shaver will speak to the club on December 26.

**f. Aquatic Invasive Species Workshop**

The workshop will be held on March 15.

**14. Adjourn**

**Manager DeVault moved to adjourn. Second by Manager Polasik. Motion carried 6-0.**

The meeting was adjourned at 10 p.m.