

**CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT**  
**Regular Meeting Minutes March 8, 2017**

**Managers Present:** Wade Johnson, Tom Polasik, Joel Stedman, Eric Lindberg and Andy Weaver

**Managers Absent:** Dave De Vault and Kristin Tuenge

**Others Present:** Jim Shaver (administrator), Susannah Torseth (Lawson Law), Carl Almer and Meghan Funke (EOR), Angie Hong (WCD), T.J. DeBates and Harland Hiemstra (DNR), Dan MacSwain (Washington County), Rich Cummings, Sandra Lavin, Rick Gessler, Rick and Pat Markwardt, Carol Grilligun, Matt Mattson, Annette Glamos, Jennifer Mullenbach, Jessica Linz, Eric Hollen, Kristine Kopecky, Linda and Jerry Wohler and Kathy, Bob and Eric Iverson (Square Lake residents), John Bower and Paul Richert (residents and CAC) and Debbie Meister (MMC)

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

**1) Approve Agenda**

**Manager Stedman moved to approve the agenda as presented. Seconded by Manager Polasik. Motion carried 4-0.**

**2) Minutes from February 8, 2017**

**Manager Polasik moved to approve the February 8, 2017 minutes as amended. Seconded by Manager Lindberg. Motion carried 4-0.**

**3) Treasurer's Report**

Manager Johnson presented the Treasurer's Report.

**Manager Johnson moved to accept the Treasurer's Report. Seconded by Manager Polasik. Motion carried 4-0.**

**4) Public Comments**

John Bower stated that he is concerned with education/outreach about aquatic invasive species (AIS). He has volunteered to monitor for AIS, educate people at public boat accesses and get the public to do the right thing. He asked the Board to be more active in this realm.

**5) Square Lake Stocking Moratorium**

**a) Introduction and Summary**

Administrator Shaver thanked all for coming. He noted that the District has been discussing trout stocking since before 2000. After Marine Watershed Management Organization merged with CMSCWD, another water quality study was undertaken with Dr. Leif Hembre of Hamline University.

Dr. Meghan Funke summarized the study and research history triggered by the problem: a consistent decline in transparency in Square Lake without a change in phosphorus. The studies looked at the food web for what might be triggering a decline in clarity. Studies:

- 2002 Clean Water Partner (CWP) Diagnostic Study looked at the alteration of the food web structure due to stocking of rainbow trout (since 1980).
- 2004-2005 Legislative Commission on Minnesota Resources (LCMR) study examined the impact of rainbow trout predation on the *Daphnia* population by manipulating the trout-stocking schedule. Conclusions included: trout preferentially consume *Daphnia*; a more holistic exam of predators responsible for *Daphnia* mortality is needed; this is the first evidence that trout impact *Daphnia* that in turn impact water clarity.
- 2010 CWP Diagnostic Study monitored zooplankton and fish species to see what the fish are eating. Findings included: rainbow trout consume the most *Daphnia pulicaria* per capita of any of the fish species examined; *D. pulicaria* decline to very low levels by late July, and are less abundant than in 2004-2005; low oxygen levels in deep water began to restrict the habitat space for *D. pulicaria* in early June and severely limited their “refuge zone” later in the summer.

Based on the study findings, a three-year rainbow trout stocking moratorium was negotiated between the District and Minnesota Department of Natural Resources (DNR) in 2012. A memorandum of understanding (MOU) was signed with the deliverables:

1. Annual summary of zooplankton monitoring (2013-2015)
2. Final report to DNR (6-30-2016)
3. Third party review by Dr. Kyle Zimmer of University of St. Thomas (11-2-2016)
4. DNR decision regarding stocking (1-24-2017)
5. An amendment to this agreement to be developed after January 1, 2017, if further required based on deliverable 4.

Although three years is a relatively short time to see changes, the overall trends in means (averages) of the response variables in years when trout were stocked versus years when trout were not stocked found: when trout are not stocked the abundance of large-bodied *Daphnia* increased, phytoplankton decreased, water clarity increased and total phosphorus decreased.

#### **b) DNR Decision**

Supervisor T.J. DeBates of DNR east metro fisheries stated that this is a balance of science and our constituency. He reviewed the complex issue of what we know, what we don't know and what we want to know. We know the District and Square Lake Lake Owners Association (LOA) spent a lot of time, money and study on this issue. The water quality study conducted by Hamline University was good science and showed rainbow trout are playing a role in decreased clarity. But are rainbow trout the main driver in decreased clarity? For our constituents in the east metro, Cenaiko is now the only lake where trout are stocked. After the Square Lake stocking moratorium, trout were stocked in Lake Elmo, but were not successful. From there, rainbow trout were stocked in Vermillion River (and its tributaries) at Farmington under a special regulation. Brown's Creek is stocked yearly with brown trout. Without Square Lake, this is all we have.

Mr. DeBates responded to questions:

- There was not a lot of pressure from groups to start stocking again. He just heard from individual anglers.
- He does accept the science and it is great research.

He continued that the DNR found a peer reviewed study that looked at a lake in northern Minnesota with reduced stocking. In this lake, with only spring stocking, trout could coexist without compromising water clarity. If clarity in Square Lake declines with spring stocking, then the stocking will stop. DNR fisheries is in a tough budget time and is asking for an increase in fishing fees. If there is spring stocking in Square Lake, the DNR will take on lake monitoring work that Hamline and the District were doing. With spring stocking, we want people to catch and keep. Our fish hatchery will hold fish until we want to stock. We can stock just days before the May 14<sup>th</sup> opener. Mr. DeBates responded that generally trout are in streams, rainbow trout are not native to Minnesota and Valley Creek has the only sustaining rainbow trout population in Minnesota.

What we don't know: Is the decrease in water clarity a trend on other lakes, could it just be climate changes, environmental factors or just a natural variation in the population that is driving everything? Can one visually really tell the difference in clarity in Square Lake? What we hope to know: Can seasonal trout stocking co-exist with clean water and a healthy ecosystem in Square Lake? To determine this, the DNR proposes stocking 3,000 rainbow trout in late spring and continue three years of zooplankton and water quality sampling.

Questions asked and comments made:

- DNR generally does not stock walleye fry when blue gill are present. But this could be considered.
- Three years for spring stocking was proposed to follow the 2012 MOU.
- Square Lake is special because it is clear, cold and oxygenated, which are requirements for trout.
- Stocking is a DNR proposed plan and decision. Unless the issue goes to the commissioner level, Mr. DeBates will make the decision. The political climate and science are factors that will weigh on the decision. Administrator Shaver noted that 150 angry residents on Big Marine Lake were able to stop muskie stocking, because of an organized push back.
- Regarding protocol: It will remain the same as that followed by Dr. Hembre. The DNR will collect samples and Jodie Hirsch of the DNR will analyze the data. Water temperature readings will be taken to determine the thermal climb. At the end of three years, there will be a comparison of no fish data with spring stock data. A third party, like the University of St. Thomas, will review the study.
- Dan McSwain of Washington County stated that Fran Miron wanted to come. This is the first we heard of this. Our concerns are what type of angling pressure do you expect on Square Lake? What will you do to prevent AIS? 90,000-100,000 people visit the lake each year. This lake is one of our gems. Mr. DeBates stated that jet skis and other users also spread AIS and of the trout lakes only Christmas has AIS.

### **c) Square Lake LOA Comments**

Rich Cummings presented comments on behalf of LOA. The association wants the moratorium to continue. The science is clear and compelling. Water clarity has improved. The previous stocking reduced clarity. Using new research, the state of Minnesota has just designated outstanding parks for their special features. Square Lake was designate by the Met Council as outstanding for its water clarity. Trout fisheries are not sustainable. Square Lake Park is used by about 90,000 visitors a year for many activities (paddleboards, jet skiing yoga, scuba) compared to 25-50 trout fishers a year. The lake has a reputation as a scuba diver's heaven. Because of the decline in clarity, divers have been going to other lakes. We would like to see divers come back. Divers look for AIS. Trout fishers tend to fish in deep waters. On Square Lake this conflicts with other water users and is a safety issue. Trout fishers tend to travel to many lakes, which can spread AIS. The LOA and District have spent time and money on AIS monitoring. Through the county, we provide 10 hours per week of AIS inspections. Square Lake is a unique jewel in the state and seven county metro area. Trout do have a negative impact on water quality. It seems counter intuitive to put nonnative fish in the lake. Fishing in all areas of the lake is the best it has been. We caught a ton of crappies, natural pan fish and bass. When trout stocking happens in the spring, what do the other species eat when they don't eat the Daphnia. They eat the crappies. Keeping trout out of the lake will help native populations get back to the way they were.

Comments and questions included:

- A lot of fishermen in the 90s over fished the lake. We still catch crappies. We did very well this year. This year very few fishers were on the west end of the lake not because of trout but because of the fishing pressure.
- Responding to comments about water lilies and vegetation in the lake, Mr. DeBates stated that this provides good habitat.
- Manager Polasik stated that he respects the very professional way LOA approaches things.
- Manager Johnson stated that from his perspective and, based on the District management plan, he would oppose any stocking at any time of year if there is any evidence that this affects water clarity. It is against the management plan and the study results provide more clarity on this issue than on many.

**Manager Johnson moved to support continuation of a trout-stocking moratorium on Square Lake. Manager Lindberg seconded the motion.**

Discussion continued:

- Manager Polasik stated that we have science and politics. It looks like science indicates that we could stock trout for three years without an adverse impact to clarity. As a former fish manager for the DNR, I see how they work. The DNR has to deal with good science and good public input.
- Manager Stedman stated that it looks like the science is very clear: water is clear because of the moratorium. I have no interest in going beyond three years. But I am not prepared to come up with an official board position today. Where the District has been most successful with resources is when residents and agencies work together.
- Manager Weaver stated that we are mostly concerned about the health of the lakes. It is my perspective that we spent a lot of time, money and resources on our lakes.

Square Lake is an absolute gem and is unique. How to interpret the science is the issue. We made a positive impact on the lake by removing the trout. Why would we go back on this?

- Manager Lindberg agreed, but added that as a big fisherman, Square Lake is a unique place to trout fish. He further stated that he is not a proponent of putting nonnative fish into a lake and asked if it is worth doing this for a handful of fisherman and for the DNR budget. He further stated that he is not ready to make a decision yet.
- Manager Polasik further clarified that we have science, but we don't have all the science. We have some indication that we could do some spring stocking. If there is any negative impact, then we stop it. But he is not a proponent of stocking nonnative species. It is the DNR that has its feet held to the fire.
- Managers Stedman and Lindberg stated that they need more time to digest the new stocking study presented this evening and the comments from residents and would like to have a board discussion.

It was agreed to hold a regular meeting on March 22 to further discuss the issue. Administrator Shaver, Dr. Funke/EOR and Mr. DeBates agreed to continue to work together and draft a MOU for board discussion. There are two months before spring stocking. Ultimately, stocking is a DNR decision.

**After this discussion, the above motion failed 1-2-2.**

Manager Johnson thanked all for attending.

## **6) Education/Outreach Opportunities for 2017**

Angie Hong presented education and outreach opportunities. She highlighted professional training for city staff and contractors including turf, salt and stormwater management and public workshops, sales, nature events and community events. She and Administrator Shaver talked about the District having a bigger role in Mill Stream Day on May 21. Ms. Hong suggested setting up a tent and handing out ice cream as a way to engage the public, share aspects of District plans and projects and get public opinions on water management issues. Managers discussed other ways to interact such as leading a guided hike. The managers agreed this was the best opportunity to interact with the public because of the water focus of the event.

Other events:

- Boomsite cleanup on July 15. It was suggested that the Stillwater Township board be invited as a co-sponsor. National Parks Service has boats and should be asked to collect the trash bags.
- Master Water Stewards got a grant from Clean Water Funds to recruit and train stewards. With the grant, WCD is recruiting 10 stewards this year and 10 next year—hopefully two volunteers each year from each watershed district. Districts will be asked to identify capstone projects for stewards to complete after their training. WCD has matching funds for cost-share capstone projects.
- Host or co-host outings. Ms. Hong and Manager Johnson—because of the unique expertise of the Board—discussed more interesting, fun ways to engage the public such as macroinvertebrate sampling on a stream, falconry or a tree farm tour.

- Breakfast with a manager or the District. A sign-up for this and outings could be circulated at Mill Stream Day.
- AIS. WCD is doing AIS inspections on behalf of all watershed districts, with funding from Washington County. Three AIS identification workshops are scheduled including one in the Big Marine Lake area. Washington County, as part of its rapid response program, is funding 15 volunteers to attend the University of Minnesota AIS detectors program. After 16 hours of instruction, volunteers are expected to help identify new infestations. Administrator Shaver requested that the District be informed of infestation communications in the district.

## 7) New Business

### a) Permits 17-003 and 17-004

Mr. Almer presented the permits and recommended conditional approval. Permit 17-003 is a single family residence needing stormwater management.

**Manager Weaver moved to approve Permit 17-003 subject to the District engineer's review and approval. Seconded by Manager Polasik. Motion carried 5-0.**

Permit 17-004 for Washington County road reconstruction, of which the District's stormwater project with Marine on St. Croix has been incorporated into the construction bid. The county's revised plan meets the stormwater management and erosion control rules. But, because the county is impacting a highest quality wetland, it has an obligation to provide an additional .13 acres of wetland replacement credit above that provided by the BWSR Road Bank. The contractor wants to issue the construction bids next week.

**Manager Polasik moved to approve Permit 17-004 subject to the District engineer's review and approval. Seconded by Manager Stedman. Motion carried 5-0.**

### b) MAWD Bylaws

**Manager Polasik moved to authorize the administrator to send a letter requesting a special meeting of the MAWD Board to consider making changes to its Bylaws. Seconded by Manager Stedman. Motion carried 5-0.**

## 8) Old Business

### a) 2017 Budget Revision

Administrator Shaver reported that he talked to the auditor about budget revisions. A policy is being drafted to provide a process for budget revisions throughout the year.

**Manager Polasik moved to table the 2107 budget revision. Seconded by Manager Lindberg. Motion carried 5-0.**

### b) Shared Services with CLFLWD

Administrator Shaver reported that Comfort Lake-Forest Lake Watershed District administrator Mike Kinney proposed CMSCWD use some CLFLWD intern hours for AIS inspections. This is instead of using EOR entry-level engineers and is expected to save money. Administrator Shaver will continue to negotiate with CLFLWD and bring back price comparisons.

## 9) Bills to Be Paid

**Manager Johnson moved to pay the bills in the amount of \$17,858.21. Seconded by Manager Weaver. Motion carried 5-0.**

**10) Next Meeting is March 22, 2017**

Manager Polasik and Mr. Almer will not be able to attend.

**11) Adjourn**

**Manager Polasik moved to adjourn at 9:40 p.m. Seconded by Manager Weaver. Motion carried 5-0.**

Submitted by  
Debbie Meister, MMC Associates