

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

**Managers Present:** Kristin Tuenge, Joel Stedman, Dave De Vault, Eric Lindberg and Wade Johnson

**Managers Absent:** Tom Polasik and Andy Weaver

**Others Present:** Jim Shaver (administrator), Susannah Torseth (Galowitz•Olson), Carl Almer (EOR) and Paul Richert (CAC)

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

**1) Approve Agenda**

**Manager Stedman moved to approve the agenda as amended. Seconded by Manager De Vault. Motion carried 4-0.**

**2) Minutes from October 11, 2017**

**Manager Stedman moved to approve the October 11, 2017 minutes as amended. Seconded by Manager De Vault. Motion carried 5-0.**

**3) Amend September 13, 2017 Minutes**

Administrator Shaver reported that Mike Blehert of Big Marine Lake Association asked that a correction to the September 13 minutes be made.

**Manager Tuenge moved to amend the September 13, 2017 minutes. Seconded by Manager Stedman. Motion carried 5-0.**

**4) Treasurer's Report**

Manager Tuenge presented the Treasurer's Report.

**Manager De Vault moved to accept the Treasurer's Report. Seconded by Manager Stedman. Motion carried 5-0.**

**5) Public Comments**

There were no public comments.

**6) Project Updates**

**a) 197<sup>th</sup> Street**

Administrator Shaver reported that work is being done to remove sediment and fill from the wetland area. He showed a short video from the District's Facebook page of a backhoe removing two feet of historic sediment. New culverts have been installed so the hydrology in that area will work better and be more durable.

**b) Marine Stormwater**

Administrator Shaver showed photos—also on the District's Facebook page—of seeded erosion control blankets being laid over the loose dirt on the project area. More seeding and planting of plugs will be completed next spring. Five raingardens— none of which

was started this year—will be completed next spring. Engineer Almer reported that EOR will conduct one more inspection to confirm that the project is set for winter.

**c) Goose, Hay and South Twin Implementation**

**i) Goose Lake**

Administrator Shaver reported that Mike Insensee, who has been leading the St. Sauver project, recommends that WCD hand over the project to EOR. Administrator Shaver believes that is the right move. He and Engineer Almer will be meeting with Mr. Isensee to discuss the hand-over. Administrator Shaver and Attorney Torseth expressed concern that the iron-sand filter project will not occur because one of the two property owners is not responsive to the project and will not sign an easement agreement.

**ii) Hay Lake**

Administrator Shaver stated that the District is talking to agriculture property owners in the Hay Lake watershed. The prairie buffer is being installed.

**d) 133<sup>rd</sup> Street**

Administrator Shaver reported that a property on Big Carnelian Lake was foreclosed and purchased by a neighbor. May Township suggested that the new owner contact the District. Administrator Shaver and Engineer Almer discussed the idea of installing a stormwater infiltration basin on the property. The owner does not have any plans for the site at this time.

Engineer Almer presented a preliminary design for the basin, drafted by EOR, to treat about 30 acres from four subwatersheds before water drains to the lake. The project could help the new owner manage infiltration onsite and remove some fill. It was agreed that Administrator Shaver and Engineer Almer proceed with a meeting with the property owner and May Township to show them the proposed plan and seek grants to help cover costs. Administrator Shaver commented that if the project is approved, it would need to be added to the District plan.

**e) Marine Ravine and Wetland Reconstruction**

Engineer Almer reported that EOR is doing a topographical survey tomorrow. The Minnesota Pollution Control Agency (MPCA) has its funding sooner than anticipated and believes it may have a grant contract in place by the end of the year. Engineer Almer provided final revisions to the District's contract for \$162,000 in MPCA grant funds. Administrator Shaver commented that the Minnesota Department of Transportation (MnDOT) admitted that 37 percent of the water runoff is theirs and, because of this, Administrator Shaver believes MnDOT will contribute around 37 percent of the stormwater costs. This will allow scaling up of the project accordingly. Next steps would be meeting with MnDOT to discuss the grant and MnDOT's participation.

**f) Long/Terrapin AIS**

Engineer Almer reported that the draft design has been completed with only two items still needing to be priced out. He needs to confirm with the Minnesota Department of

Natural Resources (DNR) permitting requirements for installation. The only permitting concern he has is whether the stream provides fish passage between Long and Terrapin lakes. If so, it could be a barrier that needs opening up for spring spawning. EOR biologists do not think this is the case. Attorney Torseth reported that she provided the easement documents by mail to the property owner and will follow up with the property owner next week.

**g) Lake Assessments**

Engineer Almer reported that the Alice and German lakes macrophyte report was provided at previous meetings. He received the draft fisheries report from St. Mary's University today.

**7) New Business**

**a) Permits**

**i) Conditional Approvals**

**Manager Tuenge moved conditional approval of Permit Number 17-034 pending the District engineer's review and approval. Seconded by Manager De Vault. Motion carried 5-0.**

**ii) Surety Return--14-001 Larson**

**Manger De Vault moved to return the Larson surety for Permit Number 14-001. Seconded by Manager Stedman. Motion carried 5-0.**

Manager Tuenge reported that the concrete on the Quinnell Avenue culvert is all broken up and will go into stream. Administrator Shaver stated that he will talk with Scandia Engineer Ryan Goodman.

**iii) Zavoral Off-site Dewater Plan Update**

Manager Tuenge reported that one of her neighbors had seen pumping occurring on the Zavoral property. Administrator Shaver, having followed up, reported that the contractor stated that infiltration will occur onsite so a permit is not being sought.

**iv) Keller Permit**

Administrator Shaver reported that the project goes between the boundary of CMSCWD and Brown's Creek Watershed District (BCWD). BCWD Administrator Karen Kill requested that all permitting be completed by CMSCWD since CMSCWD is primarily impacted by the development. She also requested that the District pass a resolution supporting this. Engineer Almer provided more detail about the proposed project and noted that CMSCWD's Rules are stricter than BCWD's Rules. Because of this, Attorney Torseth recommended that BCWD recognize and accept/approve in writing that CMSCWD's Rules are stricter and will be applied, even in areas that are within the BCWD boundary. It was agreed Administrator Shaver and Attorney Torseth will draft a document recognizing the delegation of authority for review at the next meeting.

**b) MAWD Annual Meeting**

**Manager Tuenge moved to appoint Manager Johnson as the District delegate to the Minnesota Association of Watershed Districts Annual Meeting. Seconded by Manager De Vault. Motion carried 5-0.**

**c) Waiver of Liability Coverage**

Manager Stedman moved to waive liability limits. Seconded by Manager De Vault. After discussion and review of past motions, Managers Stedman and De Vault withdrew their motion and second respectively.

**Manager Tuenge moved that CMSCWD does NOT waive the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04. Seconded by Manager De Vault. Motion carried 5-0.**

**d) CMSCWD Holiday Party**

Administrator Shaver stated that he will send out information about a holiday party.

**e) Sand Lake IESF Annual Performance & Payment**

Engineer Almer highlighted the performance summary of the Sand Lake iron enhanced sand filter (IESF) for the 2017-monitoring season. The system removed a total of 36.3 pounds of phosphorus—a 92 percent effective rate. The results were very high and surprising. As part of the test year, the system was pushed. The water flow was not shut off and the system was not dried out between rain events. Despite this, the iron was never depleted. On the flip side, early in the season the capacity of the system was exceeded, leading to untreated water out letting to the lake. Adding bounce and water storage capacity on properties and in wetlands could increase capacity in the future. Additionally, monitoring indicated that water being delivered to Sand Lake is well below the in-lake concentration standard. Based on the District’s easement agreement with the property owners, the 2017 payment should be \$1,089 for the 36.3 pounds of phosphorus removed. The report summary is ready to be released to the Sand Lake Homeowners Association.

**8) Old Business**

**a) 2016 Monitoring Report**

Administrator Shaver reported that Paul Richert of the Citizen Advisory Council served as a peer reviewer of the 2016 Monitoring Report. Mr. Richert stated that the report was pretty well written. His only concern, which was too minor to include in the formal critique, was the definition of “littoral”. Administrator Shaver stated that he informed the Washington Conservation District that the District does not want a full monitoring report for 2017, it just wants the raw data. The estimated cost for the raw data is \$4,000, rather than approximately \$7,000 for the data and annual monitoring report. The data will be used for lake management plans and an overall spreadsheet for all the lakes. Monitoring information is posted on the District website.

Manager De Vault stated that he is interested in the trends and monitoring protocols. Manager Stedman questioned the value of collecting data that is too hard to understand and share. Manager Lindberg stated that a one-sheet summary instead of 30 pages of individual lake information is simpler to access. Manager Johnson asked if updating lake

plans will be done internally or by outsourcing. Administrator Shaver stated that he is requesting the raw data be provided in an Excel spreadsheet, so the information is usable. Managers discussed the cost-benefit of paying for a full report and whether members of the public are actually reviewing the information.

**Manager De Vault moved to approve the 2016 Lake and Stream Monitoring Report. Seconded by Manager Tuenge. Motion carried 5-0.**

**b) Square Lake Trout Stocking MOA Amendment**

Engineer Almer reported that once DNR policy level folks and scientists reviewed the moratorium data, they felt there was no reason to stock trout because monitoring never tracked the fish population. Administrator Shaver, Manager De Vault and Meghan Funke (EOR) will meet with DNR staff on November 28 to discuss the situation.

**c) CD Renewal and Penalty Update**

Administrator Shaver stated that the certificate of deposit was renewed at 1.6 percent for 60 months.

**d) Channel Maintenance Update**

**i) No Trespassing at 155<sup>th</sup> Street on Outlet Channel**

Attorney Torseth reported that she obtained a copy of the easement on the property and has started preparing the ordinance. She will be in contact with the May Township attorney and will provide documentation at next month's meeting.

**ii) Current Activities**

Administrator Shaver reported that one dam was removed and six beavers were trapped on the Frattalone property. The water level at the Big Marine weir is ½ inch down on the upstream side and six inches down on the downstream side.

**e) Planning Updates**

**i) 1Watershed1Plan Preliminary Meeting Update**

Administrator Shaver reported that he is on the planning committee. The Board of Water and Soil Resources (BWSR) received a grant to develop this plan including funds to defray costs of the committee. The committee is developing a timeline and plan.

**ii) CMSCWD Plan Scheduling Update**

Administrator Shaver stated that BWSR would like CMSCWD and Comfort Lake-Forest Lake Watershed District's plans to be developed concurrently with the 1Water1Plan (1W1P) because both district plans expire close to the completion time of 1W1P. This will accelerate the district timelines. Issues and priorities will be developed jointly between the district and 1W1P plans. Individual districts will then determine how those issues and priorities will be administered. Manager Johnson questioned the ability of the district to use 1W1P funds to pay for consultant preparation of the plan that corresponds with the 1W1P or BWSR requirements.

**9) Other Reports**

Administrator Shaver reported:

- Administrator Shaver and Manager Tuenge attended the St. Croix Research Rendezvous. Both were impressed with student presentations.
- Managers Tuenge and Johnson attended the District watershed tour. Administrator Shaver will send out a notice for another tour, most likely on November 18. Manager Johnson stated that it was good to see how projects are coming together.
- Administrator Shaver took Dan Fabian and Barb Peichel of BWSR on a district tour.
- Administrator Shaver met with Bill Voedisch and the May Township engineer.
- Scandia Administrator Neil Soltis and the City Council endorsed the District's setbacks for wetland buffers.
- 1 Watershed 1 Plan Planning Committee meets on November 9.
- Manager Johnson will serve on the 1WIP Policy Committee. There is some discussion of allowing alternates.
- Administrator Shaver, Engineer Almer and Mr. Isensee will meet on November 13 about the St. Sauver project on Goose Lake.
- Managers are encouraged to attend the Washington County meeting on November 14.
- A meeting with DNR is set for November 28 to discuss the Square Lake trout-stocking moratorium and amendment to the Memorandum of Understanding.
- Administrators Shaver and Kill will talk to Water Stewards about local water policy.
- MAWD Administrator Shaver and Manager Johnson will attend the MAWD Annual Meeting.

#### **10) Pay Bills**

**Manager De Vault moved to pay the bills in the amount of \$32,365.97. Seconded by Manager Tuenge. Motion carried 5-0.**

#### **11) Next Meeting is December 13, 2017**

Administrator Shaver stated that he will add discussion of lowering the levy to next month's agenda. He and Manager Tuenge will work on a spreadsheet to track grants.

#### **12) Adjourn**

**Manager Johnson moved to adjourn at 8:40 p.m. Seconded by Manager Stedman. Motion carried 5-0.**

Submitted by  
Debbie Meister, MMC Associates