

**CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT**  
**Regular Meeting Minutes May 11, 2016**

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

**Others Present:** Jim Shaver (administrator), Susannah Torseth (Lawson Law), Carl Almer (EOR), Harold and Cindy Johnson, Jim and Denise Krummi, Jeff Dahlberg, Tony Javovlis and Mark Marotzke (residents), Erik Anderson (WCD), Stu Grubb (Northeast Technical Services) and Debbie Meister (MMC)

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

**1) Approve Agenda**

**Manager Tuenge moved to approve the agenda as presented. Seconded by Manager Polasik. Motion carried 6-0.**

**2) Minutes from April 13 and April 20, 2016**

**Manager Tuenge moved to approve the April 13, 2016 minutes as presented. Seconded by Manager Polasik. Motion carried 6-0.**

**Manager Stedman moved to approve the April 20, 2016 minutes as presented. Seconded by Manager Johnson. Motion carried 6-0.**

**3) Treasurer's Report**

Manager Johnson presented the Treasurer's Report and noted that he will be reviewing the District's Fund Policy for next meeting.

**Manager Tuenge moved to accept the Treasurer's Report. Seconded by Manager De Vault. Motion carried 6-0.**

**4) Big Marine and Outlet Channel Update**

Administrator Shaver reported that he directed EOR to compile historical elevations from their documents and he and Kyle Crawford of EOR recorded channel bottom elevations at various points. Mr. Almer reported that there is not a lot of elevation drop at the weir structures. It is 940 feet at Big Marine and 939 feet at Turtle Lake, which is the lowest elevation. The management plan, that was approved by the Department of Natural Resources (DNR) in 2004 calls for looking for regular changes and maintaining the Turtle Lake weir at 939 feet. Based on this, Mr. Almer would not recommend operational changes as a first order of business. He presented an in-lake elevation survey from 1995 to the present indicating the elevation has not moved. There may be some settling at the control structure but there is no concern for flow restriction. He also presented a survey of the capacity of the channel system. Key findings:

- Areas needing maintenance were identified and a DNR permit application has been submitted for removal of vegetation.

- Excavation should be focused on the narrows, with total excavation being about ½ foot.
- The elevation at the cattle crossing culvert is immaterial because of the downstream capacity.

In response to questions Mr. Almer and Administrator Shaver answered:

- The DNR permit request does not currently include excavation.
- Roger Rydeen will be contacted about vegetation removal. Some landowner issues (trespassing/right-of-way related to duck hunting) south of the Turtle Lake weir need to be resolved.
- The channel area surveyed went from the Big Marine outflow to south of 155<sup>th</sup> St. Vegetation to the channel is the issue, not the elevation. Mr. Almer recommended taking the high point down just at the narrows channel cut. In 1995, dredging was only at the narrows.
- Regarding lake levels staying above the weir for the last year or two, it is not due to downstream factors. There is enough elevation drop (70 feet from Big Marine Lake to Big Carnelian Lake) throughout the system so downstream is not affecting the system. Redesigning the outflow through 155<sup>th</sup> St. would entail redesigning the system all the way to the St Croix River. This would require issuing bonds. The cost of the system in 1984 was \$4 million.

Mr. Grubb, a hydrogeologist, presented information on how groundwater levels affect the lake, based on a review of reports including a 1985 USGS report, a 2000-01 Setterholm- Alexander report and an EOR 2002 study. Big Marine is a flow-thru lake. He identified the areas where groundwater flows into and out of the lake. The source of the inflow is a glacial aquifer below the surface. Using (spotty) data from DNR monitoring wells, he highlighted one well where the groundwater level bounces around but the lake level is constant. In 1990 there were low levels, but then the levels bounced back. In a historical sense the levels are relatively low. Mr. Grubb highlighted another observation well where the groundwater is bouncing around, but not the lake levels. He concluded that the groundwater levels are not causing the high lake levels now. He also noted that the lake is spring fed and the groundwater would need to be higher to push water into the springs. Discussion included:

- Several managers stated that the lakes levels do not look high and Mr. Grubb added not like in the 1980s.
- Causes of the lake level could be rain, fast runoff, climate change and a system that was not designed for current rain events.
- Residents are most concerned with how to get water off the lake with the current infrastructure. Mr. Almer referred to the lake elevation survey indicating that that the structure has kept levels at or below 941.5 feet.
- Mr. Dahlberg stated that he has been paying to maintain his shoreline for 30 years and believes Kelly Farms weir dam is the culprit. Administrator Shaver responded that it is not the District's job to reduce water flow at the weir at Kelly Farms faster than nature. Pulling stoplogs would require a Board resolution to get DNR approval. Mr. Almer stated that at County Rd. 4 the system is at maximum capacity.

- Referring to fluctuation points at the Big Marine outlet, Manager Lindberg noted that except for a few times in 2014 when water overflowed and reached it's highest point, the weir is keeping the lake at a natural fluctuation point.
- Managers requested getting base elevations and historic highs.
- Is the system losing capacity to handle storms? There is a sense that the area below the weir is filling and an extended wet period is a concern.

Residents stated that they would like:

- Control of the water through the entire system.
- Posting of the lake elevations on the District website.
- Posting when stoplogs are added or removed.
- Clearing the vegetation.

The Managers agreed to look at the requests from a scientific basis including stoplog management, do what is possible without redesigning the system, take out choke points where elevation is high and work with the DNR on the hydrology and management plan. Administrator Shaver stated that he will get as much information as possible on the website. It was noted that people built homes on historic lake beds, though the county platted and allowed people to do so.

**Manager Weaver moved to work with the Department of Natural Resources on discovery and direct the Administrator to set up a meeting with the DNR, the Board and the public. Seconded by Manager Tuenge. Motion carried 7-0.**

## 5) New Business

### a) Monitoring 2015 Draft Report

Erik Anderson presented a summary of the draft 2015 Water Monitoring Report. Nineteen of the 20 lakes were monitored by WCD. Leif Hembre of Hamline University monitored Square Lake. Three streams were monitored. Monitoring focuses on long-term trends.

In response to questions: Mr. Anderson will ask the Met Council about monitoring points on creeks; historic annual discharge loads indicate sediment loads on creeks and streams are increasing during storm events; lake grades reflect water quality trends; if lake water quality is decreasing, Mr. Anderson recommends looking at biological factors; District lakes are monitored on a rotating basis and Mr. Anderson thinks this is effective; there are no protocols for wetland monitoring; chlorophyll a is a biological indicator; secchi disk is a physical indicator and total suspended phosphorus is a limiting component.

### b) Permits—P15-006 Mike White

Ms. Torseth reported that certified District and District attorney letters requesting a shoreline restoration plan and other required information by May 10 were delivered but the signature receipt was returned unsigned. The estimated cost to complete the work is no more than \$1,000. The point of the surety is to ensure funds are available to complete unfinished work. Ms. Torseth recommended

approaching Mr. White and getting his signed approval for the District to use the surety to complete the restoration. This eliminates issues about trespassing. Manager De Vault noted that at a past Board meeting, Mr. White stated that he wanted to get this done and have it be behind him. Discussion focused on what is a surety and what is a fee? Administrator Shaver stated that he will include his time at \$50/hour.

**Manager Lindberg moved to direct Ms. Torseth to negotiate with Mike White to sign off on using his surety to complete the restoration project. Seconded by Manager De Vault. Motion carried 7-0.**

Ms. Torseth stated that the permit application and contract should include language about using a surety to complete a project with the permittee allowing the District and its contractors to access the site. To enable collecting attorneys' fees, the District would have to amend its rules.

**Manager Tuenge moved to direct Ms. Torseth to develop language for the application and permit that authorizes the District to use surety money to complete a project including authorizing the District and/or its contractor to access the permittees' property. Seconded by Manager De Vault. Motion carried 7-0.**

c) **Cost Share Reimbursement—John and Vicki Dotolo**  
**Manager Tuenge moved to approve the Dotolo cost share reimbursement of \$2,500. Seconded by Manager De Vault. Motion carried 7-0.**

d) **Renew Lease for 2016**  
**Manager Polasik moved to authorize the Administrator to sign the one-year lease extension with Scandia Four. Seconded by Manager Stedman. Motion carried 7-0.**

e) **Authorize \$1, 500 for Carnelian Creek Cleanup Project**  
Administrator Shaver noted that the brush has already been removed by volunteers and this is an after-the-fact request. Manager Weaver stated that mostly buckthorn was cleared and there are no plans to treat the stumps. Administrator Shaver stated that it was a high water situation with hanging brush that could block the creek. He and Bill Voedisch did not realize how much brush was there. **Manager De Vault moved to reimburse May Township up to \$1,500 for brush removal from the Carnelian Creek cleanup project. Seconded by Manager Tuenge Motion carried 6-1.**

Manager De Vault stated that in the future, these project need to be approved before the fact.

- 6) **Old Business**  
a) **By-laws Update**

Ms. Torseth provided updated language for the by-laws and the resolution to adopt the by-laws. Discussion focused on use of gravity pipe funds. Former manager John Bower stated that a prior board resolution requires a unanimous vote to use the funds. It was agreed that Ms. Torseth would draft a resolution clarifying that it will take a unanimous vote of the board to use the funds for purposes other than gravity pipe repair.

**7) Bills to be Paid**

**Manager Polasik moved to pay bills in the amount \$51,257.85. Seconded by Manager De Vault. Motion carried 7-0.**

**8) Administrator's Report**

**a) Warner Nature Center Questionnaire**

Manager De Vault stated that the Board does not know what all programs are and would like a proposal. He would answer no to providing bus scholarships for all students. Administrator Shaver stated that he will respond to the questionnaire for the Board and work with the watershed district administrators on a strategy to develop a program with WNC. Manager Polasik stated that he will meet with Jenny Makosky about helping with programming in a more holistic way.

**b) Mill Stream Day—May 15, noon-4pm in Marine**

**c) Dennis O'Donnell Farewell Party—May 19, 4:30 pm at Mallard's**

**d) MAWD Summer Tour—June 22-24 in Winona**

**e) BWSR Biennial Budget Review** was submitted

**f) Trail at Mill Stream—** Administrator Shaver and Mr. Chesnut met with a resident on April 29 about the trail.

**g) 2015 Annual Report** was submitted to BWSR

**h) Log House Landing—** joint meet with Scandia

The District and City Council reviewed the history of the project and the project plans and took comments from residents. Residents were concerned about the lack of sensitivity to kayakers and canoeists. It was agreed to modify the plans based on comments and get bids. The National Park Service will contribute to the project, with the District and city equally splitting the rest of the costs. Manager De Vault stated that it was a positive meeting. Manager Tuenge reported that it seemed as though the mayor was not interested in hearing from the public. The Administrator commented that he had received an apology from the Mayor for his behavior at the meeting.

**9) Next Regular Meeting is June 8, 2016**

**10) Adjourn**

**Manager Weaver moved to adjourn at 9:09 p.m. Seconded by Manager Polasik Motion carried 7-0.**

Submitted by  
Debbie Meister, MMC Associates