

CARNELIAN-MARINE-ST. CROIX WATERSHED DISTRICT
Regular Meeting Minutes September 13, 2017

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

Managers Absent: Dave De Vault

Others Present: Jim Shaver (administrator), Viet-Hanh Winchell (Galowitz • Olson), Carl Almer (EOR), Mike Isensee (WCD), Paul Richert (CAC) and Debbie Meister (MMC)

Manager Johnson called the meeting to order at 6:32 p.m.

1) Approve Agenda

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

2) Minutes from August 9, 2017

Manager Tuenge moved to approve the August 9, 2017 minutes as presented. Seconded by Manager Stedman. Motion carried 5-0.

3) Treasurer's Report

Manager Tuenge presented the Treasurer's Report.

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

4) Public Comments

There were no public comments.

Manager Stedman moved to suspend the regular meeting. Seconded by Manager Polasik. Motion carried 5-0. Manager Johnson opened the public hearing.

5) Public Hearing for Budget Review

There were no public comments. Manager Johnson stated that May Township Board Supervisor John Pazlar wanted to see administrator compensation broken out and in one place. Managers agreed compensation was divided between administration and implementation to conform with other districts' accounting and that a footnote on the budget should be added to report the aggregate compensation. Administrator Shaver will work with David McCord to bring as much clarity as possible.

Manager Johnson moved to close the public hearing. Seconded by Manager Lindberg. Motion carried 5-0.

Manager Johnson moved to reopen the regular meeting. Seconded by Manager Polasik. Motion carried 5-0.

6) Budget and Levy Resolution

Manager Polasik moved to adopt Resolution 9-13-17-1 approving the 2018 Operating and Capital Budget totaling \$706,689. Seconded by Manager Johnson. Motion carried 5-0.

Manager Johnson moved to adopt Resolution 09-13-17-02 approving the levy of \$574,943. Seconded by Manager Tuenge. Motion carried 5-0.

7) Project Updates

a) 197th Street

Administrator Shaver reported that the City of Scandia submitted a request for determination from the Wetland Conservation Act (WCA) for culvert replacement. He talked to Jay Riggs (WCD) about dovetailing wetland restoration with the culvert work, if residents agree. Wetland work is in the District's 2017 budget.

b) Marine Stormwater

Mr. Almer reported that according to the county foreman, the contractor is behind schedule and might miss the October 15 date for a substantial portion of the project to be completed. The contractor would like to defer all District work —iron-sand filter basin and rain gardens—until next year. Mr. Almer agrees to defer the rain gardens because the contractor is not required to plant the gardens until next spring and, if planted now, the vegetation might not weather over winter. The county intends to push for the basin less the plantings and all stabilization work to be completed by October 15. Mr. Almer clarified that one rain garden's water retention capacity will be reduced by about 10 percent because the elevation must be lowered to accommodate the pipe. Overall, the county has provided much more retention than required. This project will be featured on the District's BMP tour.

c) Sand/Long Implementation

Mr. Almer reported that the iron-sand filter went beyond the expected wet period and still provided 70 percent total phosphorus and ortho phosphorus removals. Only 60 percent of total suspended solids was removed due to water overflows by-passing the filter. This has been rectified so increased load reductions are expected in the future. Enhanced vegetation around the filter area is planned for next year. Monitoring will occur until about the third week in October. A monitoring report including load reductions for the season and an operation and maintenance manual will be prepared. Manager Polasik noted that a resident on Sand Lake mentioned that the lake looks clearer.

d) Goose, Hay and South Twin Implementation

Mr. Isensee reported that the next round of contacts with Goose and Hay Lakes residents is underway. There are at least three target locations for BMPs on Goose Lake plus the St. Sauver property, where monitoring outflows will be completed this fall. A wetland delineation is needed for the St. Sauver easement. If all BMPs are completed, the District should be close to meeting the TMDL reduction allocation.

e) 133rd Street

Administrator Shaver reported that a resident on Big Carnelian Lake purchased the lot on the low spot that had been going through foreclosure. The new property owner has no short-term building plans, understands the potential for flooding on the lot and is open to discussing BMPs. The neighborhood is against paving 133rd St.

f) Marine Ravine and Wetland Reconstruction

Administrator Shaver reported that he and Mr. Almer walked the ravine and were surprised at the amount of erosion since they were last there in 2010. They talked to Chuck Arneson about restoration, possibly with 319 grant funds.

g) Long/Terrapin Aquatic Invasive Species (AIS)

Mr. Almer presented background and AIS treatment options for Long Lake. During the macrophyte survey, Eurasian watermilfoil (EWM) was discovered on almost 17 acres of Long Lake. A Minnesota Department of Natural Resources (DNR) variance was obtained for herbicide treatment on just 10.5 acres for up to three years. Treatment Option 1: Ask the DNR for another variance for treatment of the entire 17 acres. This option requires developing a lake management plan. The cost is about \$14,000. Treatment Option 2: Treat a focused 10.5-acre area and stock native milfoil weevils for a possible self-sustaining, long-term control. The cost is \$13,000. The DNR and Washington County have grant programs for AIS control, with Option 2 being more likely to be funded. The landowners on the lake are active and could be asked for support.

In response to questions about treatment and control, Mr. Almer stated that although Long and Terrapin are focused lakes and are not impaired, both are near the impaired threshold. Long is upstream of Terrapin, which is upstream of Clear Lake, a pristine lake. It only takes one plant to float downstream. Treatment is to control milfoil not rid the lake of it. The science now indicates that treatment of curly leaf pondweed should be in spring, at the same time as EWM treatment. According to Mike Blehert, EWM has not come back in the treated areas of Big Marine Lake, the time of year of treatments matters and the lake association keeps learning from everything it does. The goal with using weevils is to eventually eliminate the chemical treatments. The weevils over winter best with a natural shoreline, which Long and Terrapin have. Mr. Isensee noted that Tara Kelly (WCD) thought she spotted EWM on Terrapin. Administrator Shaver stated that another criterion of a focused lake is a lake with an active and involved homeowner association.

Managers Tuenge and Johnson stated their preference for Option 2. Manager Johnson added that there is no harm in the board having an opinion and moving forward, while engaging with the lake landowners. Manager Weaver supported treatment because the upstream lakes flow into a pristine one and this provides corrective management. Manager Stedman stated that it is important to get the lake association involved early on. It was agreed to send the treatment options memo and invite lake landowners/lake association to next month's board meeting to share information and hear from the residents. Mr. Almer will investigate whether property owner permission is needed for chemical treatment. Manager Lindberg stated that he is representing a property owner on

the lake. It was agreed that he will not vote on a treatment decision, but is free to participate in discussions.

h) Lake Assessments

Mr. Almer reported that an aquatic plant survey was completed in August on German and Alice lakes. St. Mary's University will be doing a fish survey. German Lake was found to have a high-quality plant community, while Alice has a low floristic index dominated by EWM. Administrator Shaver stated that he will share survey results with and get input from the Alice Lake park supervisor. Mr. Almer responded that trying to drain and treat Alice Lake for AIS was not successful a few years ago. EWM was probably introduced by flooding, as there is no public access. Mechanical treatment is his recommendation for dealing with EWM. Manager Polasik suggested enhancing the vegetation for wildlife habitat.

8) New Business

a) Permits

i) Kavanagh-Burns Conditional Approval

Administrator Shaver reported that while on the site talking about erosion control, it occurred to him that requiring a rain garden next to a house that is in the middle of 20 acres and on a property between two impaired lakes is not the most effective BMP. He suggested waiving the infiltration requirement in exchange for a BMP somewhere else, such as on the shoreline. Manager Johnson stated that he is hesitant to waive the requirement because it sets a bad precedent. Instead he suggested modifying the permit requirements. Manager Polasik suggested targeting phosphorus loads. Mr. Almer stated that he thinks the District rules provide enough discretion to use total suspended solids removal. He suggested a BMP along the driveway as possibly a prime location. It was agreed that Administrator Shaver will talk to the property owners about a more effective BMP for the same cost.

Manager Johnson moved conditional approval of Permit 17-027 pending the District engineer's final review and approval. Seconded by Manager Polasik. Motion carried 6-0.

ii) Reinhardt Wetland Discussion/Violations

Administrator Shaver reported that the homeowner filled in a type-7 wetland to gain access to a shed. The District has never required wetland replacement under the Wetland Conservation Act (WCA) nor worked out how to implement this with local government units (LGUs). District rules state that a contribution should be made to the restoration fund so replacement remains within the District. Currently Jay Riggs (WCD) and Neil Soltis of Scandia are dealing with this. After discussion, it was agreed to work toward requiring a 2:1 credit in the Valley Branch wetland bank and a 1:1 contribution in the District restoration fund at the same monetary rate.

b) Cost Share

i) Lee Prairie Application

Mr. Isensee recommended approval of a one-acre prairie filter strip on the west side of Hay Lake. It is one of the best projects he has worked on because it is a large

buffer on an impaired lake. The original TMDL load was from row crops, which have been converted to pasture. Manager Weaver stated that the cost seems high for a one-acre restoration. Mr. Isensee replied that the costs reflect the current going rate because seeds are in short supply, pollinator friendly seeds are more expensive and maintenance is included for two years. When asked about alternatives to glyphosates for field preparation, Mr. Isensee replied that at a recent workshop the consensus from the state and non-profit organizations was that the short-term harm of using glyphosates versus the long-term benefit is small.

Manager Tuenge moved to approve the Daniel Lee native prairie buffer strip 50 percent cost share not to exceed \$4,725. Seconded by Manager Johnson. Motion carried 5-1.

ii) Keller Prairie Restoration

Mr. Isensee reported that Paul Keller converted 2.4 acres of turf to prairie in 2015 with a large grant from WCD and a \$1,800 cost share from the District. Mr. Keller is proposing to convert an additional 1.75 acres of turf to prairie in the Arcola Creek to Lake St. Croix drainage—a high impact area for stormwater. Of the estimated \$10,000 cost, WCD is seeking a cost share to cover \$7,500.

Manager Polasik moved to approve the Keller prairie restoration cost share not to exceed \$2,500. Seconded by Manager Weaver. Motion carried 6-0.

Administrator Shaver will investigate with WCD which entity gets load reduction credit for the St. Croix TMDL.

iii) Reimbursement Requests – VanEaton, Arcola Mills

Mr. Isensee reported that technical staff met with Mr. VanEaton to inspect the restoration and survey for native prairie seedlings. There is indication that the prairie is established.

Manager Weaver moved to approve reimbursement of the total cost share of \$951.81 for the VanEaton prairie restoration project. Seconded by manager Polasik. Motion carried 6-0.

c) CD Renewal

Administrator Shaver reported that he let the CD lapse because of cash flow and the opportunity to compare rates at different banks. After discussion, it was agreed to renew the CD at Marine Bank.

9) Old Business

a) Square Lake Stocking Moratorium Update

Administrator Shaver reported that he, Manager De Vault, Meghan Funke (EOR) met with DNR representatives TJ Debates, Brad Parsons and two agency biologists about an amendment to the Memorandum of Understanding (MOU). The DNR is performing the same monitoring done by Dr. Hembre, is continuing to consult with him and would like to present a modified spring stocking using the updated data to provide a model. The above group plans to meet in November to finalize the amendment and review the DNR's stocking proposal. Administrator Shaver will meet with the Square Lake Homeowners

Association to talk about the stocking proposal. Manager Weaver stated that the monitoring is a biomass study and the District is looking at how biomass impacts water clarity. Manager Polasik stated that one can buy trout in the grocery store for less than it costs the DNR to stock. Manager Johnson stated that the DNR wants to sell trout stamps and provide a Metro opportunity to fish for trout. This will be an on-going discussion and he would like to make it clear that the County, lake association, District and other stakeholders are opposed to stocking because it is a contributing factor to reduction of lake water clarity. The Board will have an open mind, but the DNR process is to find a way to stock. Mr. Richert noted that last spring Mr. DeBates said the DNR has a place to put the trout other than in Square Lake. Stocking in Square is a poor use of the trout stamp and tax payer dollars. Managers Tuenge, Polasik, Lindberg and Johnson agreed.

b) Channel Maintenance Update

Administrator Shaver reported:

i) Frattalone Property

Mr. Frattalone removed a portion of the beaver dam without using dynamite and trapped two or three beavers using DNR protocol.

ii) No Trespassing at 155th St at Outlet Channel

Administrator Shaver reported that the County will not consider creating an ordinance to prevent trespass onto the outlet channel at 155th St. and the Kelly Farm. Ms. Winchell stated that there is a Minnesota statute that allows LGUs to enact an ordinance to prevent or limit public access. Manager Weaver stated that he is absolutely opposed to denying public access. Manager Lindberg agreed. Discussion included: Boaters have the right to go on the water, but cannot be on the land, which includes using a decoy because it touches the ground. The Grogans (Kelly Farm) can limit access on their land by posting a no trespass sign and calling the sheriff for enforcement. They do not want the channel dredged because then hunters access their property. For the District there is the issue of property access to clean the channel versus hunting/boating rights. It was agreed to invite the Grogans to a board meeting. Ms. Winchell noted that she represents the Grogans on another matter, but Ms. Torseth does not.

iii) Bliss Channel

Administrator Shaver reported that he and Mr. Almer surveyed the Bliss Channel and determined that sand deposition is being caused by wave and boat action, not sloughing. He is talking to Jennifer Sorensen (DNR) about dredging permit options and meeting with property owners to discuss channel maintenance.

iv) Current Activities

Administrator Shaver reported that Roger Rydeen will need to pull vegetation out of Kelly Farm. Water has stopped flowing over the Big Marine weir so boards will be put in. Water is still eight inches up in the Little Carnelian weir.

c) Planning Updates

Administrator Shaver reported:

i) Town Hall Water Meeting on September 27 prior to Governor's 25 x 25 Meeting
Issues will lead into the District plan with the District focus on phosphorus reduction and the governor's to improve water quality.

ii) 1Watershed1Plan Preliminary Meeting Update

Each entity involved in the planning group will have one representative who commits to attend 13-14 policy meetings. There will also be a technical advisory group and a citizens group. The timeframe is less than two years. Board of Soil and Water Resources (BWSR) does not want to impose a structure on the process, but wants a system to distribute grant funds equitably.

iii) CMSCWD Plan Scheduling Update

After Administrator Shaver and Manager Johnson talked about the process to involve the board and not feel rushed, Administrator Shaver drafted a preliminary 18-19-month process for plan revisions. He will meet with Dan Fabian (BWSR) for input and review other watershed district plans.

10) Pay Bills

Manager Polasik moved to pay the bills in the amount of \$32,498.32. Seconded by Manager Johnson. Motion carried 6-0.

11) Next Meeting is October 11, 2017

12) Adjourn

Manager Polasik moved to adjourn at 9:20 p.m. Seconded by Manager Tuenge. Motion carried 6-0.

Submitted by
Debbie Meister, MMC Associates