

**MINUTES OF THE RULES WORKSHOP
OF THE
COMFORT LAKE -FOREST LAKE
WATERSHED DISTRICT**

TUESDAY, JUNE 19, 2007

1) **Call to Order**

The President called the rules workshop meeting to order at 6:00 p.m. at the Forest Lake City Offices, 220 North Lake Street, Forest Lake, Minnesota

Present: President Jackie Anderson, Secretary John Lynch, Treasurer Jon Spence, Manager Wayne Moe

Staff: Randy Anhorn, Brett Emmons (EOR), Dan Fabian (EOR), Cecilio Olivier (EOR), Lisa Tilman (EOR)

2) **Review Rule changes proposed from June 5, 2007 workshop**

Administrator Anhorn detailed areas where new language has been added to the draft rules in order to address specific areas as directed by the Board at the June 5, 2007, Board of Managers Meeting. Administrator Anhorn further discussed the rainfall volume and frequency percentage differences between a 2-year (2.8") rain event and a 5-year (3.6") rain event. Anhorn also presented rainfall amounts recorded in Forest Lake since 1980 in order to see how many more events are captured if the District's stormwater volume control would require volume control for a 5-year event as opposed to a 2-year event. A copy of each report is annexed and incorporated by reference. After Board discussion, the Board decided to require stormwater volume control for a 2-year event, as defined by the Minnesota Stormwater Manual, as opposed to a 5-year event.

Additional discussions centered on the addition of an Agricultural Waste section to the draft rules in order to address feedlots, livestock grazing and livestock waste.

3) **Lake, stream, and wetland buffer standards**

Lisa Tilman (EOR) provided the Managers with background information on current shoreland and shoreline regulations and a list of "who is in charge of what." Ms. Tilman went on to discuss existing buffer regulations. Ms. Tilman further went through portions of the District's current proposed buffer rule.

The Board discussed the need to be comprehensive and uphold the goals of the watershed management plan. Of importance was limiting the cutting of natural buffers, and increasing the District's education component. As part of educating the public of the importance of buffers and shoreline plantings, the Board discussed the potential for a future District-wide cost-share

program as an incentive for such projects. One way to potentially fund such a program could be the development of a stormwater utility. The Board discussed that such a utility should include private as well as commercial properties because we should not force commercial to do something and private property owners not do their part.

The Board then held discussion on potential triggers to require lakeshore owners to develop a shoreline buffer on their property. Potential triggers discussed were; variances, building permits, or when the property is sold. At that time a certain width buffer would be required on the properties shoreline. Question arose as to the required width of the buffers. It was determined that the shoreline buffer should be tied to a percentage of the building setback requirement, and the width of the lake access area should be tied to the width of the lot (i.e. one-half of the width of the lot, or 30 feet, whichever is less.

The Board then discussed the need for buffers/BMPs in association with agricultural practices. The Board proposed new language for Section 3.4 Agricultural Practices of the draft rules to include the use of BMPs (i.e. vegetative swales) in order to slow the flow of the runoff water and allow particulates to settle out and water to infiltrate into the soil prior to discharging to receiving water bodies.

The Board also discussed potential grants and the use of implementation funds in order to achieve buffer goals.

4) **Lake and stream shoreline standards**

Lisa Tilman (EOR) provided the Managers with background information on existing shoreline and streambank standards and regulations (DNR), and the District's proposed rule. The DNR has standards on the placement of rip-rap, retaining walls, and sandblankets. The Board discussed the need to state that the District prefers bioengineering as compared to "hard engineering", and an applicant should have to prove need, in order to allow alternatives (i.e. rip-rap). The Board also stated that the rules should reference the existing DNR rules and regulations and only include those specific to the District which are not currently in the DNR regulations. For example, the Board decided to added a component to the District's rip-rap criteria stating that rip-rap projects should contain a native vegetation planting element equal to or greater in area than a yet to be determined percent of the overall project area.

5) **Lake vegetation management standards and rule**

Lisa Tilman provided the Managers with background information on existing aquatic vegetation regulations (DNR, MN Dept. of Agriculture, and MN Dept. of Health). Ms. Tilman explained that the District's current draft rules do not include lake vegetation management standards. Board discussion followed on District's role in the development of lake vegetation management rules since the above referenced state agencies already have standards and rules, and issue permits and licenses for applicators. The Board decided that it may be most beneficial to work

in collaboration with the DNR and licensed applicators to know what, where, and when aquatic plant management activities are taking place.

6) **Next steps**

The Board discussed the next steps in the development of District rules. It was determined that updated draft rules, incorporating changes discussed at the June 5, 2007 and June 19, 2007 rules workshops will be forwarded on to the Board of Managers in early-July in order to provide ample time for review prior to the July 26, 2007 regular Board meeting. After final review, a final draft will be compiled in order to distribute to the District's local communities as well as other stakeholders prior to the initiation of scheduled TAC/CAC meetings reviewing each rule and seeking comments on each rule to bring back to the Board.

7) **Adjournment**

Motion to adjourn CLFLWD Rules Workshop was made by Manager Anderson and seconded by Manager Lynch. Motion carried unanimously.

John T. Lynch, Secretary