

**MINUTES OF THE REGULAR MEETING
OF THE
COMFORT LAKE – FOREST LAKE
WATERSHED DISTRICT
Thursday, June 16, 2016**

1. Call to Order

Vice President Spence called the June 16, 2016 Regular Board meeting to order at 6:30 p.m. in the Council Chambers of the Forest Lake City Center, 1408 Lake Street South, Forest Lake.

Present: President Jackie Anderson (arrived later), Vice President Jon Spence, Secretary Wayne Moe, Assistant Treasurer Jackie McNamara

Absent: Treasurer Steve Schmaltz

Others: Michael Kinney, Emily Schmitz, Mike Sorensen, Jessica Lindemyer (CLFLWD staff); Greg Graske (EOR, Inc.); Chuck Holtman (Smith Partners); Jerry Grundtner (CAC); Tom Noyes and Marlow Hanson (Forest Hills Golf Course)

2. Setting of Meeting Agenda

Manager Moe moved to approve the agenda as presented. Seconded by Manager McNamara. Upon a vote, the motion carried 3-0. [President Anderson was absent from the vote.]

3. Consent Agenda

a. Regular Meeting Minutes – May 26, 2016

Manager Moe moved to approve the consent agenda. Seconded by Manager McNamara. Upon vote, the motion carried 3-0. [President Anderson was absent from the vote.]

4. Public Open Forum

No comments.

5. Citizen Advisory Committee Update

[President Anderson arrives.]

CAC Chairman Jerry Grundtner noted that Managers received a copy of the June 7th CAC meeting minutes. He noted that meeting revolved around education and communication. He further noted the CAC is discussing various ideas to educate residents and particularly

K-12 children. He also stated that one CAC member is involved in the Master Watershed Stewards Program and this person plans to develop a “new homeowners” packet for new lakeshore residents as part of his capstone project. Mr. Grundtner also indicated that the CAC would like the 2017 budget to include a robust budget for education beyond what the District pays the East Metro Water Resource Education Program (EMWREP). He also expressed that the CAC would like to focus on K-12 education which is different from the audience targeted by EMWREP. He reported the CAC is developing proposed budgets for K-12 programs that will be sent to District staff for consideration by the Board.

Mr. Grundtner also noted that the CAC plans to solicit for additional CAC members due to the low turnout of members at CAC meetings and the need for help with developing programs. Mr. Grundtner also stated that the CAC would like the opportunity to review and comment on the draft 2017 budget.

President Anderson assumed the chair.

6. New Business

a. 2016 AIS Program Activity

Emily Schmitz provided a report on AIS activities in the District. Boat launch improvements such as compost bins, recycling and garbage receptacles have been implemented on Forest Lake, Comfort Lake and Bone Lake. Staff sent out a press release detailing these improvements along with other recent AIS efforts.

The Bone Lake carp harvest was recently cancelled due to the relatively low abundance of carp, as reported by local residents and noticed by Blue Water Science. It is possible that the fish barriers that the District installed are preventing carp from spawning in nearby wetlands, and therefore limiting the in-lake population. Ms. Schmitz noted that the telemetry trackers are still embedded in several carp in the lake, so their position may be tracked for future harvest attempts. She noted that staff has been coordinating with the Bone Lake Association on an operations and maintenance manual for the inlet and outlet fish barriers. She reported on the delineations and abundance of curly-leaf pondweed in Bone Lake. It seems that a late-season growth pattern of curly-leaf pondweed is common in Bone Lake, as it has been observed for the past two years in a row. Future curly-leaf pondweed management strategies will take this growth pattern into account. Ms. Schmitz reported that there have been three Eurasian watermilfoil delineations this year on Bone Lake, and that treatment is planned for later this summer.

Ms. Schmitz reported on the collection of about 1,000 weevils and 250 beetles from a site in the City of White Bear Lake. The collection was performed by staff, Mike Majeski from EOR, and Citizen Advisory Committee member, Jack McKenzie. After the collection, Mr. McKenzie and several of his neighbors volunteered to release the beetles and weevils at various purple loosestrife sites around Sylvan Lake. She

indicated that staff is working on a summary memo detailing methods used and a press release.

Ms. Schmitz discussed the curly-leaf pondweed treatment on Forest Lake and its varying effectiveness throughout different areas around the lake. Eurasian watermilfoil on Forest Lake was delineated by Blue Water Science and the Minnesota Department of Natural Resources. Treatment is planned for the upcoming weeks.

Eurasian watermilfoil was treated on Comfort Lake and a follow-up assessment was performed by Blue Water Science. A general dieback throughout the treatment areas was observed. Ms. Schmitz also discussed a bathymetric and lake vegetation map that was created using ciBioBase technology.

b. Cost-Share Applications

Mike Sorensen reported that there are a number of residents interested in the District's cost share program this year. He noted all the interest is in the new Plant Grant program which provides up to \$500 for the reimbursement of native plants purchased and installed. He pointed to seven Plant Grant applications in the meeting packet. Mr. Sorensen reported that each application was investigated by staff before being submitted for consideration. Mr. Sorensen responded to questions and provided clarification on one of the projects.

Manager Moe moved to approve the seven plant grant applications as presented. Manager Spence seconded the motion. Upon a vote the motion carried 4-0.

c. Cost-Share Program Administration

Administrator Kinney reported that after review of the cost share program approval process, and due to the relatively low expense of plant grant projects (\leq \$500) and the ability of District staff to meet with Washington Conservation District staff (Tara Kline) frequently, staff recommends that the cost-share program staff subcommittee be given the authority to approve plant grant projects and provide updates at the next appropriate Board meeting without bringing them to the Board of Managers meetings for an initial approval.

Manager McNamara moved to delegate to the District Administrator the authority to approve plant grant program applications. Manager Moe seconded the motion. Upon a vote the motion carried 4-0.

d. Permit 16-008 Chestnut Creek Application

District Engineer Graske reviewed the proposed project. He noted the site is in the City of Forest Lake and the development includes 114 acres with 220 single family

lots. He reported proposed stormwater treatment includes five treatment basins, and filtration benches on the ponds to be planted with native vegetation. He noted the entire site is poorly drained and on clay soils so traditional infiltration is not suitable. He pointed out existing wetlands that will require buffers. Engineer Graske noted that the bulk of the site drains through the ponds, which is consistent with existing drainage, and a small portion of the site flows through the adjacent golf course.

Engineer Graske noted that drainage through the Forest Hills Golf Course will not make flooding worse on the course and may alleviate some flooding because of some additional rate control. He noted the proposed erosion control measures are appropriate. He recommended conditional approval with conditions outlined in the engineer's memo.

From the audience, Tom Noyes, representing Forest Hills Golf Club, noted that the pond does flow into the Forest Lake system. He wondered if stormwater volumes will change as part of the project. Engineer Graske reported that volume will not increase. There was a question about wetlands onsite. Engineer Graske noted there are several small depressional wetlands that are currently farmed that will be filled as part of the project. He noted the Wetland Conservation Act (WCA) will require mitigation of those wetland impacts, although the District is not the local government unit that administers WCA. He also reported that the water currently captured by those depressions will be captured by the new ponds. Engineer Graske also noted the requirements for vegetation management on the site, including management of invasive species.

Manager Moe moved to approve the proposed project with the seven recommendations included in the engineer's report. Manager Spence seconded the motion. Upon a vote the motion carried 4-0.

7. Old Business

a. Forest Lake Diagnostic Study Update

District Engineer Graske provided a presentation with an update on the Forest Lake Diagnostic study. He noted the study started in October 2015 with a technical team consisting of several agencies and residents. He noted a survey of outfalls around the lake was conducted as well as field recon of the outfall locations. He reported a prioritization of retrofit projects was conducted in January 2016 and monitoring began just after snowmelt.

Engineer Graske reviewed the drainage area to each monitoring site and reviewed the preliminary data collected so far from the different sites. He noted the Shields Lake drainage area contributes a high amount of phosphorus and a more specific diagnostic study of that drainage area is being conducted. He noted that the second largest pollutant load coming into the lake is coming from the WJD 6 drainage area, a large part of which isn't in the District (and will be discussed in the next agenda item).

There was discussion about the different drainage areas to the lake and how further analyses will provide a better picture of the pollutant loading situation and potential improvements. Engineer Graske concluded by indicating next steps as completing the collection of loading data, updating the modeling work for pollutant loading, and updating/prioritizing the implementation plan.

b. Washington Judicial Ditch 6

Administrator Kinney reminded Managers that this item was tabled from a previous meeting and that the drainage area drains to Forest Lake but much of it lies in the Rice Creek Watershed District (RCWD). Engineer Graske pointed out the current land use in the subwatershed of Judicial Ditch 6 and future land use information gathered from the RCWD.

Managers concurred that since the ditch drains to Forest Lake and also in that the subwatershed that flows to the ditch may contribute significant phosphorus load to the lake, it is in the District's best interest to incorporate the entire WJD6 subwatershed within the boundaries of the District. President Anderson asked what the next step would be to pursue a boundary change. Attorney Holtman reported that the formal process for a boundary correction to conform to hydrologic boundaries is straightforward and has the concurrence of the engineers for both districts, but has been on hold while the board considers whether the District favors assuming the role of drainage authority for WJD6, which would be necessary for the boundary change to proceed since the WJD6 drainage area no longer would be within RCWD jurisdiction. He noted that he and the RCWD attorney have discussed the matter and that while there's no method in statute for one watershed district to pass drainage authority directly to another watershed district, both attorneys believe that it can be accomplished readily, probably through the county as a brief intermediary. Mr. Kinney added that RCWD has indicated it would handle most of the paperwork for the process.

Manager McNamara asked about the financial impact of taking responsibility for the ditch. Administrator Kinney noted that staff could determine the tax levy amount that would be gained from moving the area into the District and could get figures from RCWD on the funds it has expended on ditch repairs over the years. He reminded the Managers, however, that this area has been found to contribute considerable pollutants to Forest Lake. There was further discussion about ditch law and benefitting landowners. Attorney Holtman reminded the board that it could use watershed-wide funds to support any work within the WJD6 watershed or could obtain funds locally from properties benefitting from the work, depending on the nature of the work.

Manager McNamara moved to direct staff to gather existing information from the Rice Creek Watershed District. Manager Moe seconded the motion.

Discussion: Administrator Kinney noted that he has already gathered all of the available information from the RCWD.

The motion was withdrawn by unanimous consent.

President Anderson moved to direct staff to proceed, in principle, with the process of a boundary change for those areas identified as being hydrologically in the CLFLWD, pending a further report on the process costs and how they would be funded. Manager Moe seconded the motion.

Upon a vote the motion carried 4-0.

c. Forest Lake School District

Administrator Kinney provided an update noting that he and staff met with the Rice Creek Watershed District (RCWD), the school district, and the City of Forest Lake to discuss a possible Clean Water Fund grant application for a stormwater reuse project. Another possible grant application for an assessment of all school district land is also being considered. The CLFLWD's role would be minor in these applications.

President Anderson noted that these projects and this collaboration between the school district and the watershed would be a wonderful demonstration to other watershed organizations. She noted that this program could be District-wide in that all schools within the District could fall under the same template, and that this program could be of tremendous educational value to the public. Administrator Kinney agreed and noted the discussions among the groups have already been beneficial.

d. Project Updates – Hilo, Moody, 3rd Lake Pond

Hilo Lane: Administrator Kinney reported that this project has been different in that at least 4 out of 5 days a week for several weeks, he has worked with landowners, contractors, and/or engineers about this project. He noted that most residents are pleased with the outcome to date and that overall the project is going well and the grant report for reimbursement will be completed on time.

Moody Lake Project: Administrator Kinney reported that staff developed a payment structure for a 25-year agreement, essentially in the format of a lease payment, that is acceptable in principle to the landowner. He reported that an agreement with that payment structure will be developed and brought to the board.

3rd Lake Pond Project: Administrator Kinney noted the City of Forest Lake is very interested in partnering on a project in this location similar to the Hilo Lane project. He reported that he and City and BWSR staff surveyed the area and reviewed potential

project components. Some components would be within the District's project scope, and others would be covered separately by the City.

8. Report of Staff

a) Administrator

Administrator Kinney had no further updates. President Anderson indicated that she had several questions and comments regarding items in the Administrator's Report. She asked about the potential stormwater management project on the District's office parking lot. Administrator Kinney noted the property owner is still interested in partnering with the District on a porous pavement project, and that staff continues to work with him.

President Anderson asked about an item under section 3004 Non-Point Source Pollution Abatement Grant (Cost-share). She requested more explanation about the soil tests that were taken on a local resident's lawn and how that could be incorporated into the District's cost-share program. Administrator Kinney explained that when looking at the scale of turf grass land cover throughout the District, it could be beneficial to perform soil tests and ensure optimal turf grass growth for purposes of enhancing water resource buffers and runoff filtration. President Anderson expressed approval of the potential program.

President Anderson asked about the recent lake bottom mapping survey on Comfort Lake. She indicated that the map appeared to show no vegetative growth in the center of the lake, and asked for confirmation of this. Mike Sorensen explained that beyond 5-6 feet in water depth, sunlight does not penetrate the water column enough to support plant growth. President Anderson then asked if the District's deep core sediment samples will help us understand this more, because the same lake of deep water vegetation was observed in the 1998 Comfort Lake Diagnostic Study. Mr. Sorensen explained that as water quality improves and water clarity increases, more light may penetrate deeper into the lake and allow for plant growth at greater depths.

President Anderson asked about the recent difficulties with calibrating the District's automated level loggers on Bone Lake and Comfort Lake. Mike Sorensen indicated that, as of today, the problems detailed in the Administrator's Report have been resolved, and that the live level logger data can be found on the District's website. The graph for Comfort Lake was presented as an example. Manager Spence asked what may have precipitated a sudden drop in lake level, as shown on the graph. Administrator Kinney indicated that this may have been due to the location of the level logger. Other causes of the sudden drop were discussed including wind, animal activity, and wave action.

President Anderson thanked Mike Sorensen for coordinating watercraft inspections and education efforts for the recent carp fishing tournament on Comfort Lake.

President Anderson brought up an item under 5300 – Streams in the Administrator's Report: regional stormwater treatment options along the Sunrise River. Administrator

Kinney indicated that this topic will be brought up again as the Board begins to discuss items for the 2017 budget.

b) Emmons and Olivier Resources

District Engineer Graska noted that next month's meeting should include a presentation with results on the latest diagnostic study. He also noted that during the 2017 budgeting process, staff will consider the cost effectiveness of the current monitoring program.

c) Smith Partners

Nothing to report.

9. Report of Treasurer

a) Approval of Bills and Treasurer's Report

Manager McNamara presented the Treasurer's Report and invoices to be paid and recommended approval.

Manager Spence moved to accept the Treasurer's Report and pay the bills in the amount of \$131,437.86. Manager Moe seconded the motion. Upon vote, the motion carried 4-0.

10. Report of Officers and Managers

Manager Moe asked about the St. Croix River Total Maximum Daily Load (TMDL) and wondered about the City of Forest Lake's responsibility to reduce loading to meet that TMDL. Administrator Kinney reported that he can use that information in discussions with the city. There was further discussion about the TMDL and how it could be used to frame some District issues that are common to the St. Croix basin report. Administrator Kinney indicated that the City of Forest Lake is involved with multiple District projects such as the Bixby Park project and 3rd Lake Pond project. He went on to explain that members of city staff have been increasing coordination with the District and communicating the importance of water resource protection to the City Council. President Anderson commented that it is important to frame the District's goals within the context of the St. Croix River TMDL report, because water from the District contributes to the St. Croix River.

11. Adjourn Next meeting – July 14, 2016

Manager Spence moved to adjourn the meeting at 8:15 p.m. Seconded by Manager McNamara. Upon vote, the motion carried 4-0.

Wayne S. Moe, Secretary _____