

**DRAFT MINUTES OF THE REGULAR MEETING  
OF THE  
COMFORT LAKE – FOREST LAKE  
WATERSHED DISTRICT  
Thursday, June 7, 2018**

**1. Call to Order**

President Anderson called the June 7, 2018 regular board meeting to order at 4:04 p.m. in the Council Chambers of the Forest Lake City Center, 1408 Lake Street South, Forest Lake.

Present: President Jackie Anderson, Vice President Jon Spence, Treasurer Steve Schmaltz, Secretary Wayne Moe

Absent: Assistant Treasurer Jackie McNamara

Others: Mike Kinney, Jessica Lindemyer, Erin Edison (CLFLWD staff); Meghan Funke (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Jerry Grundtner (Citizen Advisory Committee); Dave Bakke (Bone Lake Association); Sam Husnik (City of Forest Lake)

**2. Setting of Meeting Agenda**

Three items were added to the agenda: 4d) Watershed Based Funding Memorandum of Agreement, 5e) 2019 Budget Schedule Update, 6a) Manager Updates.

Manager Spence moved to approve the meeting agenda as revised. Seconded by Manager Moe. Upon a vote, the motion carried 4-0.

**3. Public Open Forum**

There were no comments.

**4. New Business**

**a) Resolution 18-06-01 Standard Permitting Documents**

Administrator Kinney explained that through the rule revision process as well as recent permit program activity, staff, engineers, and legal counsel recommend revising and adopting certain standardized permitting forms and templates. President Anderson had two comments on the documents: she was unable to find a document that specifically describes post-grading and excavation soil stabilization requirements; she asked how these documents are going to be posted and distributed so that permit applicants see them. Mr. Kinney summarized the stabilization requirement that is included in the District Rules – in most cases soil must be stabilized within 14 days of activity ceasing in a given area. He indicated that the

standard forms will be available on the District website, they will be sent electronically to permit applicants/inquirers, and hard copies will be available at the District office for those who stop by. An application exhibit checklist is also available online and at the office, though it is not included in the standard permitting forms and templates packet since it is more of a guidance document than a form. There was further discussion about the soil stabilization requirements. President Anderson asked staff to consider adding a memo to the standard permitting documents packet that highlights the soil stabilization requirements; the other managers concurred. She expressed concern about the soil stabilization noncompliance at the Woods on Comfort Lake construction site. Mr. Kinney indicated that staff has already prepared a simple guidance document for erosion and sediment control, and can add more specific soil stabilization language from the rules into that.

Manager Moe moved to adopt resolution 18-06-01. Seconded by Manager Spence. Upon a roll call vote, the motion carried 4-0.

<b>Manager</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Jackie Anderson	X		
Jackie McNamara			X
Wayne Moe	X		
Stephen Schmaltz	X		
Jon Spence	X		

**b) Appointment of New Citizen Advisory Committee Member**

Mr. Kinney explained that the applicant, Jen Oknich, is a new resident and lake association member on Bone Lake. She is a former manager on the board of the Ramsey Washington Metro Watershed District.

President Anderson moved to appoint Jen Oknich to serve on the Citizens' Advisory Committee. Seconded by Manager Schmaltz. Upon a vote, the motion carried 4-0.

**c) Bone Lake Drained Wetlands Contracting Authority**

Mr. Kinney summarized the wetland restoration project and associated FY17 Clean Water Fund grant. The District is working cooperatively with Washington Conservation District (WCD) on this project. Of the six wetlands identified for the project, three are currently in the process of moving forward with landowner agreements and design. Some of the wetlands have multiple landowners surrounding them, therefore there may be up to 22 different landowner agreements for the entire project. Mr. Kinney also noted that, though WCD has been the main contact for landowner outreach, the project agreements must be executed directly between the landowners and CLFLWD. He recommended that the Board authorize the Administrator to execute these agreements in order to streamline the process. It was clarified that the six wetland restoration sites were identified through the 2014 Drained Wetland Inventory that the Chisago Soil and

Water Conservation District performed for the CLFLWD. This is a different project than the ongoing Bone Lake Rural Subwatershed Assessment Prioritization project that is focusing on agricultural practices. There was discussion about the wetland locations, number of surrounding landowners, and estimated nutrient loading to Bone Lake.

Manager Moe moved to authorize the District Administrator to enter into agreements, upon review of legal counsel, with landowners in order to complete the Bone Lake Partially Drained Wetland Restoration Project. Seconded by Manager Spence.

Discussion: President Anderson requested that staff send out a map of the wetland projects to the Board and post on the District's website. Mr. Kinney noted that the estimated phosphorus reductions will be added to the map as well.

Upon a vote, the motion carried 4-0.

#### **d) Memorandum of Agreement**

As part of the One Watershed-One Plan (1W1P) initiative, organizations within metro-area counties are participating in a Watershed Based Funding (WBF) pilot grant program this year. Mr. Kinney and some CLFLWD board members have been attending meetings and participating in recent discussions for this program. For this first round, organizations such as watershed districts, soil and water conservation districts, and municipalities will be allotted an equal share of their county's allocated dollar amount, which was assigned by percentage of area. Washington County was allocated \$787,600. The participating organizations in Washington County will each receive \$78,760. In order to receive this funding, the District needs to execute the Memorandum of Agreement.

Manager Schmaltz moved to authorize the Board President and Administrator to sign the Watershed-Based Funding MOA, and delegate authority to the Administrator to submit the proposed project list to Washington Conservation District. Seconded by Manager Moe. Upon a vote, the motion carried 4-0.

### **5. Old Business**

#### **a) 2017 Water Monitoring Report – Final**

Manager Moe moved to accept the 2017 CLFLWD Monitoring Summary Report prepared by the Washington Conservation District. Seconded by Manager Spence. Upon a vote, the motion carried 4-0.

#### **b) 3<sup>rd</sup> Lake Pond Project Update**

Mr. Kinney explained that at the March 22<sup>nd</sup> meeting, the Board authorized up to \$11,695 for the Prairie Restoration Inc. (PRI) buffer establishment work. The original PRI scope of work was based on early spring estimates when snow still covered the

ground. Staff has since been out to the site since snowmelt, and observed that more work on the buffer needs to be done than originally anticipated. As such, PRI is working on revising its scope of work to account for the increased need. Mr. Kinney described the dimensions and scope of the proposed work. He expected that the cost for PRI to complete this new scope will be almost twice the approved amount. There was consensus that the Board would await the final revised scope of work from PRI before authorizing additional expenditures beyond what was already approved.

#### **c) One Watershed-One Plan Update**

Mr. Kinney explained that, as part of the Watershed Based Funding process, the CLFLWD needs to submit a proposed project list for which its allocated WBF dollars (\$78,760) would be used. Staff was informed that the county board wishes to prioritize projects within county borders or that at least improve water flowing into the county. Staff has identified two projects from the CLFLWD Watershed Management Plan (WMP) to be submitted for consideration – Forest Lake Diagnostic Study Implementation (code 5228B in the WMP) and Washington Judicial Ditch 6 Improvement Implementation (code 5228K in the WMP). In relation to the 1W1P work plan implementation process, Mr. Kinney explained that Watershed Assistant Jessica Lindemyer has already begun work, attending meetings and setting up the Lower St. Croix 1W1P website. On June 12<sup>th</sup> the planning committee will select a plan writing consultant to assist with the process.

#### **d) District Office Space**

Manager Schmaltz compiled four options for the District's office space once its current lease expires.

- Option 1: Renew current lease. If pursuing this option, the District would need to review its projected number of staff to ensure the current space can accommodate any growth.
- Option 2: Find a new, existing location that meets our space needs.
- Option 3: Build a new customized office building, financed by CLFLWD.
- Option 4: Same as option 3, but find an investor to fund the new building space in return for a long-term lease with CLFLWD.

It is estimated that the District will need to have office space for 5-6 full time permanent employees and 2 seasonal technicians each year. The current space could potentially meet those requirements if some renovations were made. Manager Schmaltz suggested that renewing the current lease could be the simplest and least costly option, so long as the renovations aren't overly expensive. The other three options could potentially be more difficult and costly. He recommended that the next step be for Manager McNamara to reach out to the current landlord and begin discussions about the possibility of lease renewal, as she had previously expressed a willingness to do so. There was discussion about the renovations and other options. There was agreement that Managers Schmaltz

and McNamara would continue to gather information and move forward with discussions with the landlord.

**e) 2019 Budget Schedule**

Administrator Kinney explained that District staff has prepared the framework for the 2019 budget. He requested direction from the Board regarding the budget board meeting schedule and the desired level of detail of Board involvement in the budget development process. Mr. Kinney described plans for hiring additional staff which may include a part-time engineer who previously worked with the District through EOR, as well as a full-time Program Manager who would ideally have 5-10 years of experience.

There was discussion regarding the Performance Review and Assessment Program (PRAP) progress evaluation table. President Anderson stressed the importance of using tools such as the PRAP to gauge progress toward the goals and objectives outlined in the Watershed Management Plan (WMP). Manager Schmaltz expressed that there is a need for more targeted prioritization beyond the level of detail provided in the District's WMP. He recommended that the managers each separately write down a general list of prioritization guidelines and compare at a future board meeting.

President Anderson stressed the importance of water monitoring and assessments on a two to three-year cycle in order to keep new projects in the pipeline. Managers Schmaltz and Anderson agreed that there should be several projects in line at any given time so that there is little downtime between projects. President Anderson expressed that the WMP is one way that the District communicates to the public what it promises to do. Through adaptive management, sometimes those projects change because of new information being received. She expressed that she was uncomfortable with the idea of some projects in the WMP not being implemented. Manager Spence noted that the District's adaptive management process has both added and eliminated items from the District's planned activities. He explained that adaptive management modifies the capital improvement plan for the better because it allows the District to focus its money on the best projects. Monitoring is a crucial element of understanding progress toward the goals and promises made in the WMP. President Anderson agreed that the Board should focus on developing a broad policy guidance for the budget process. The Board should also focus mainly on setting a target total budget amount and then let staff fill in the specific projects and programs for Board review and discussion.

President Anderson expressed that it is very important to her that the District is moving forward on the Comfort Lake and Little Comfort Lake subwatershed districts. She expressed concern for degrading water quality in those two lakes compared to other lakes in the District, enforcement of the District's permitting program to prevent erosion and sedimentation, and implementation of the District's agricultural and municipal BMP cost-share programs. President Anderson indicated that she finds the idea of waiting several years to implement projects for Comfort Lake and Little Comfort Lake disagreeable. She expressed that, when the District adds a big project like Washington Judicial Ditch 6, it shouldn't be taking away from an existing project, and that the

District should be willing to fund that additional item so that it's not taking away from other projects that are in the WMP.

President Anderson summarized the board's direction to have staff continue with a preliminary budget framework that adheres to the WMP and reflects the staff needs to complete the work, and then to present that to the Board at the next meeting. This is essentially starting from the same point that the District has been doing for the past couple years. There was general consensus with this direction.

Administrator Kinney recapped that the Board previously moved to use leftover funds from the less-extensive-than-typical Forest Lake curly-leaf pondweed treatment to fund other AIS activities. Even after funding those other items, there is still projected to be leftover funds from that line item in the budget. He explained the need for a District vehicle to accommodate the amount of field work being performed by staff. He recommended purchasing a four-door half-ton pickup truck, which is sized appropriately for transporting the kayak, weir and fish barrier stop logs, boat launch garbage containers, etc. Mr. Kinney received price quotes and indicated a price estimate of \$30,000.

Manager Moe moved to authorize the District Administrator to enter into an agreement to purchase a District vehicle for an amount not to exceed \$32,000. Seconded by Manager Spence. Upon a vote, the motion carried 4-0.

## **6. Summary and Approval of Board Direction**

There was discussion regarding several points brought up at past board meetings.

- Keep the public informed as the Shields Lake fish barrier project goes forward: President Anderson clarified that staff should keep the surrounding landowners informed about project progress in order to ensure their understanding of the proposed project. Manager Schmalz recommended that EMWREP submit a newspaper article about the project.
- CAC discuss and prioritize the Board recommendations for 2018 EMWREP activities: The CAC has discussed this and Chairman, Jerry Grundtner, will present the recommendations at the next board meeting.
- Work on incorporating or shifting the emphasis of the cost-share plant grant to emergent plants rather than native terrestrial plants: It was clarified that the program wouldn't fully shift to only emergent plants, but incorporate emergent plants in addition to terrestrial plants. Plants should be selected on a case-by-case basis in order to implement what makes sense for the specific shoreline.
- Change title and/or include logo on "On the Water" column by EMWREP in Forest Lake times: President Anderson clarified her point that the column should be more specific to what is going on in the CLFLWD, and shouldn't just be general education topics. It should be perceived by the public that that CLFLWD is the main topic. Staff should try to get the District's logo or another photo from the District published next to the column in order to make it clearer that the main focus is the CLFLWD.

President Anderson expressed that Angie Hong is an excellent writer; the problem is that the content should be more tailored to the CLFLWD.

President Anderson expressed that the list of items is helpful and will be useful for keeping track of things moving forward.

**a) Manager Updates**

Manager Moe reported that the water in Bone Lake is looking good at this time of year compared to previous years. He asked for an update on the cropland rental project just northeast of Bone Lake. Mr. Kinney reported on recent agricultural BMPs on the site including application of lime and planting of a clover cover crop. Despite the planting techniques being performed appropriately, the seed has not yet begun to grow. The seed provider is currently researching potential problems with the seed that could be causing this issue. He noted that the pH levels of the soil were excessively low, so more lime may need to be applied in order to make the soil less acidic. Past over-application of nitrogen fertilizer is a potential cause of low pH. President Anderson and Manager Moe expressed concern about the exposed soil on the site. President Anderson expressed that the site should be managed in accordance with the District's erosion control rule requirements. Mr. Kinney explained that the soil in its current condition is not as erodible as tilled earth, but it is still less than ideal. There was discussion about costs to implement temporary erosion and sediment control as well as solutions to the pH and seed growth problems.

President Anderson moved to direct Administrator Kinney to work with legal counsel to determine the District's legal responsibility for resolving these issues in a timely manner, and to immediately implement temporary erosion and sediment control BMPs in the meantime. Seconded by Manager Moe. Upon a vote, the motion carried 4-0.

Legal Counsel Holtman noted that the District's erosion control rule requirements do not apply to agricultural land uses; only to development and redevelopment activity. Therefore the erosion control rule wouldn't be applicable to this site. Though, the District may still choose to set a good example by implementing good soil retention practices.

Manager Schmaltz reported that roadway reconstruction and culvert replacement is occurring on Hayward Avenue in Forest Lake. He expressed that this may be an opportunity to work with the City to treat stormwater runoff flowing through this location.

President Anderson had multiple updates. She has been in communication with Chisago County, on behalf of the Comfort Lake Association, about grant funding to treat Eurasian watermilfoil in Comfort Lake with herbicide. She recently had a meeting with WCD District Manager, Jay Riggs, in which she gained a clearer understanding of how the MN buffer law is implemented. She noted that Mr. Riggs is excited for the WCD to work with the CLFLWD on its agricultural BMP program.

Dr. Meghan Funke reported that she attended the Environmental and Water Resources Congress in Minneapolis this morning and gave a presentation on behalf of the District on the Moody Lake Wetland Rehabilitation Project.

**7. Adjourn**

**a) Next regular board meeting – June 28, 2018**

Manager Moe moved to adjourn the meeting at 6:17 p.m. Seconded by Manager Spence. Upon vote, the motion carried 4-0.

Wayne S. Moe, Secretary \_\_\_\_\_