

**MINUTES OF THE REGULAR MEETING
OF THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Thursday, March 11, 2021**

1. Call to Order

President Spence called the March 11, 2021 regular board meeting to order at 6:32 p.m. via online video conference.

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

Absent: Secretary Jen Oknich

Others: Mike Kinney, Jessica Lindemyer, Emily Heinz, Garrett Miller, Blayne Eineichner, Trey Jonas (CLFLWD staff); Greg Graske, Cecilio Olivier, Rosie Russell (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Mark Lambert, Kevin Schaeckel (Permit 21-001 Timber Ridge II)

2. Setting of Meeting Agenda

Item 6f Clean Water Fund Grant O&M Assurance was added to the agenda.

Manager Schmaltz moved to approve the agenda as presented. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

3. New Business

a) Permit 21-001 Timber Ridge II Variance Request

Administrator Kinney explained the staff memo in the board packet is informational and does not contain a recommendation. Mark Lambert, permit 21-001 applicant, thanked District staff and engineer for their assistance working through the variance request and issues with the site. He explained that he has also worked with City of Forest Lake staff, and the island, which will be called Butterfly Island, will be seeded with butterfly-friendly grasses and should be very aesthetic. He indicated the variance is for a buffer width that does not meet the rule requirement but will encompass all of the area below a woodchip walking trail that will run along the circumference of the island. He agrees that as a condition of the variance, there will be no impervious surface on the island.

Manager Anderson asked if there would be any wetland impacts as a result of the project. There is an existing footbridge to the island, and a second will be added. The bridge and trail work will be done in winter so there will be no construction impact on the wetland.

Mr. Kinney added that the woodchips would not impact the wetland; he recommended Mr. Lambert use natural, locally sourced woodchips. Manager Anderson asked how pet waste would be handled. Mr. Lambert indicated there are pet waste bag dispensers and trails on some of his other developments (Arbor Ridge and Timber Ridge I), and tenant practices are monitored. In his observation, pet owners are very responsible and usually don't leave bags or waste around. He noted the apartments provide and restock the pet waste bags. Manager Anderson indicated the wetland is a valuable amenity and stressed the importance of protecting it. She asked if Mr. Lambert would be amenable to incorporating educational natural resource signage into the area. Mr. Lambert indicated he has already discussed this with Mr. Kinney and that he would be amenable to the idea. Legal Counsel Holtman noted the District's rules require standard buffer signage at least every 200 feet along the buffer boundary. Mr. Lambert clarified he would use non-dyed woodchips for the trail.

Manager Schmaltz moved to approve the requested variance, on the condition that the recorded perpetual buffer declaration prohibits a building, shelter or other hard surface on the island, on the condition that non-dyed woodchips are used for the walking trail, and on the determination of the District engineer that the declaration establishes a variable width vegetated buffer at least five feet in width at all points along the edge of the island. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

b) Permit 21-001 Timber Ridge II Review

Engineer Graske explained the proposed project is just north of the Timber Ridge I apartment. Soils are good for infiltration, and stormwater will be treated with three infiltration basins, including pre-treatment basins. The wetland buffer rule also applies, as discussed under the variance request. Mr. Graske advised that peak discharge from the site will match pre-development rates for the two-, 10- and 100-year storm events, and that the basins will nearly contain the two-year storm event on site. The applicant provided an erosion and sediment control plan. Mr. Graske indicated that, other than the variance, which was just granted, the proposed project meets the District's rules. He outlined remaining conditions that must be met prior to permit issuance.

Manager Anderson moved to approve permit application #21-001 with conditions stated in the engineer’s memorandum. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

Mr. Lambert thanked the Board, staff and engineer.

c) 2021 Water Monitoring Plan

Project Coordinator Blayne Eineichner presented the proposed 2021 monitoring plan which includes diagnostic monitoring in the Forest Lake Management District, with supplemental data from the Citizen Assisted Tributary (CAT) Monitoring Program. Diagnostic monitoring occurred in the Comfort Lake Management District in 2018/2019 and the Bone Lake Management District in 2020. Mr. Eineichner noted the Comfort Lake Diagnostic Study Report will be distributed to the managers in the March 25th board packet, with a presentation occurring in April. Mr. Eineichner presented information on the Citizen Assisted [Lake] Monitoring Program (CAMP), District staff-led lake monitoring, project effectiveness monitoring, and Forest Lake buoy monitoring with assistance from St. Croix Watershed Research Station. The buoys will pair with the Forest Lake paleolimnological sediment cores on Forest Lake and help determine the extent of internal phosphorus loading. This will inform future alum treatment efforts on Forest Lake. Stream monitoring will occur at 8 sites, CAT monitoring will occur near Forest Lake Middle and East Basins, and do-it-yourself diagnostic monitoring will occur on the Sunrise River between Forest Lake and Comfort Lake.

Manager Anderson asked why the District isn’t monitoring Pine Lake, which drains through Fourth Lake to Moody Lake. She asked if there is any monitoring at the inlet of Comfort Lake from Little Comfort Lake. Mr. Graske indicated Pine Lake doesn’t have much open water and is more of a wetland. Fourth Lake was monitored during the Moody Lake Diagnostic Study and phosphorus loads were low. Regarding the Comfort Lake inlet, Ms. Russell replied that several samples have been taken at the Highway 8 culvert. Mr. Graske advised that water levels there don't make it appropriate as a long-term sampling site. Mr. Kinney noted that samples can be taken from a boat on the Comfort Lake side. Mr. Eineichner indicated he would follow up regarding these monitoring sites.

Manager Schmaltz asked if there is risk of damaging the monitoring buoys on Forest Lake. Mr. Eineichner indicated the monitoring equipment is about 6 feet under the water surface and it is anchored to the lake bottom. There is a chance a boat could hit the buoy on the surface, but there is low chance it would damage the monitoring equipment. Manager Schmaltz recommended adding signage to explain to boaters that these are

monitoring sites. Manager Schmaltz recommended monitoring at the Parson’s Outlet culvert and offered to take the samples himself. Mr. Eineichner indicated he would look into this. Manager Schmaltz asked about monitoring at inlets to the bay off the south side of Forest Lake’s west basin because there are complaints from residents about algae growth in the bay. Mr. Kinney indicated staff would look into this area as well.

President Spence clarified the estimated program expenses are slated to come in under budget. Mr. Eineichner confirmed.

Manager Schmaltz moved to approve the 2021 Monitoring Plan. Seconded by Manager Anderson. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

Manager Anderson moved to authorize the administrator, on advice of counsel, to enter into an agreement with EOR in accordance with the 3-2-2021 scope of work and in an amount not to exceed \$126,084.80. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

d) AIS Treatment Cost-Share to Lake Associations

Watershed Assistant Garrett Miller indicated this topic was brought up at the last board meeting, and the board requested further information regarding aquatic invasive species (AIS) treatment cost-share to lake associations. Mr. Miller presented information on Chisago Lake Improvement District’s (LID) AIS cost-share program. Manager Anderson explained AIS treatment is important to stakeholders, and this is an opportunity for the Board to discuss whether it wants to support that activity through a cost-share grant program. She suggested a program such as providing up to \$10,000 cost-share for lakes smaller than 200 acres, and for Forest Lake, a similar approach in 200-acre increments. Manager Schmaltz indicated the District’s AIS program is excellent the way that it is, with the District doing the majority of the work itself. Manager Anderson clarified her intent that the cost-share expand on the District’s work, not replace it.

Manager Schmaltz noted that the lake associations mostly control Eurasian watermilfoil for recreational, not water quality, purposes. Manager Anderson replied that the

District's charge is broader than phosphorus control, and includes recreation. President Spence offered that partnership would be able to use lake association knowledge about areas needing treatment. He agrees with Manager Anderson but would be inclined to base cost-share on littoral area, not lake area.

Manager Schmaltz indicated the District should still have control over the treatment area delineation. He recommended against treating within 150 feet of the shoreline on Forest Lake because of the regulatory requirements and because the cost of treating that much plant material would be high. Manager Anderson indicated the Department of Natural Resources has allowed the Comfort Lake Association to treat larger areas of Eurasian watermilfoil than CLFLWD was allowed in years past. There was agreement that the cost-share grant would be for coordinated lake association treatments, not individual treatments by lakeshore residents. Manager Spence emphasized the need for delineation and follow-up. Mr. Kinney recommended that, as it relates to cost-share programs in general, if the cost-share amount is greater than 50% of the project cost, there isn't buy-in from the stakeholders. The Board was in agreement that a 50/50 cost-share ratio was about the right proportion.

The Board directed staff to prepare a potential cost-share program with the components as discussed and bring back to the board for consideration.

e) Parson's Wetland (Hayward Avenue North) Cattail Harvest Report

Mr. Eineichner presented the results of the cattail harvest study. The purpose was to determine the feasibility, costs and benefits of cattail harvesting as a mechanism for phosphorus removal and water quality improvement in downstream waterbodies. The study site is a public wetland named Parson's Wetland and is located east of Forest Lake and Hayward Avenue. The site is owned by the City of Forest Lake, which granted the District permission to access the site and perform the harvest. Mr. Eineichner presented literature on cattail harvesting and explained harvest methods. Lab analysis indicated roughly 39 pounds of phosphorus per acre were harvested. Estimating through extrapolation, this would equal 250 pounds if the entire wetland were harvested. Although, this wouldn't necessarily mean a 250-pound reduction to the phosphorus load actually entering Forest Lake. Further research is needed in order to better understand the resulting phosphorus reduction to Forest Lake. Mr. Eineichner recommended a multi-year cattail harvest of one acre or less and an associated study of phosphorus concentrations in wetland soil, porewater and discharge from the wetland. The annual cost is estimated at \$10,000 with harvest crew, excavator, material haul, and monitoring. He noted savings could be realized if staff and volunteers do the work and if the City of Forest Lake assists with material haul.

Manager Schmaltz indicated this wetland is usually dry and asked if a wetland is supposed to dry out that much. Mr. Graska indicated this wetland has been artificially drained over time and could stand to hold more water. However, due to the number of surrounding residences, raising water levels in the wetland may present logistical issues. Mr. Graska indicated the proposed multi-year cattail harvest would be a worthwhile

research endeavor which could result in identifying a useful phosphorus reduction practice. Manager Anderson asked if the ultimate goal would be to re-plant with native species. Mr. Grasko indicated the District would re-plant, or the existing native plant seedbank may grow back once the invasive cattails are depleted enough. Mr. Eineichner confirmed this subwatershed (referred to as R15) is 104 acres in size and contributes a phosphorus load of 40 pounds per year to Forest Lake which comprises 9% of the total load entering Forest Lake.

There was consensus to delay further harvest studies for now and to focus on coordinating stormwater basin cleanouts with cities. Managers agreed the report was very informative, but the data are still too uncertain to proceed with expending further funds and effort on cattail harvesting. The Board asked that staff coordinate with the city so that when the planned adjacent road work is done, the condition of the culverts and the drainage features of the wetland can be addressed.

Manager Anderson moved to approve the Parson’s Wetland Cattail Harvest Feasibility Report. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

f) Clean Water Fund Grant O&M Assurance

Planning Coordinator Emily Heinz explained that a project maintenance assurance is required by the Clean Water Fund granting agency, Board of Water and Soil Resources (BWSR). Another BWSR requirement, an alum treatment agreement, will be brought to the March 25th meeting for CLFLWD Board consideration.

Manager Anderson moved to approve the following pledge:

- The District pledges to incorporate into its Operations & Maintenance Program the projects implemented under Clean Water Fund grant C21-6176 Little Comfort Lake Phosphorus Reduction Implementation, upon project completion.
- Projects include East Wetland Impoundment, Channel Restorations and Alum Treatment.
- Over the next 10-year period, the District budgets an average of \$20,000 per year for annual recurring O&M (code 3010B) and unplanned major maintenance (code 3010C).
- Project effective lifespans are 25 years.

Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
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Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

4. Old Business

a) Interactive Timeline Demonstration

Ms. Heinz noted the Board requested that staff provide a demonstration of online timeline programs. The draft Watershed Management Plan contains a high level one-page timeline of major historic events. The purpose of the online timeline would be to provide even more detail that wouldn't fit on a one-page summary. Ms. Heinz presented two potential online timeline programs: TimelineJS (available in a horizontal format) and ArcGIS Experience (available in a vertical format). The latter timeline program is more customizable than the former but doesn't appear to have a scrollable preview window option. Manager Anderson suggested combining both formats. Ms. Heinz noted these are two separate programs, so utilization of both would require a duplication of effort. Manager Schmaltz stressed the importance of using pictures to convey the District's message. The Board directed staff to proceed with using the ArcGIS Experience (vertical format) timeline program.

b) Lower St. Croix One Watershed One Plan

Manager Anderson recommended the Board act on the Lower St. Croix (LSC) Watershed Based Implementation Funding (WBIF) work plan; the Board may either approve or not approve the work plan. She clarified that the District will remain a member of the LSC Partnership whether it approves the work plan or moves to not approve the work plan. She noted two thirds of the partners have approved the work plan, so if CLFLWD doesn't approve it, it won't slow down the process from moving forward. Managers agreed that the work plan fails to address the issues that CLFLWD board members and staff have brought up to the Partnership in the past through meetings and letters.

Manager Schmaltz moved to adopt Resolution 21-03-01 declining to approve the LSC WBIF work plan. Seconded by President Spence. Upon a roll call vote, the motion carried 3-0.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

5. Summary and Approval of Board Direction

Board directives from the meeting were summarized:

- Look into water monitoring at the following locations: Little Comfort Lake outlet culvert connection to Comfort Lake, Parson's Wetland outlet, channel off Forest Lake West Basin.
- Look into adding signage to Forest Lake monitoring buoys in order to inform boaters of the purpose of the buoys.
- Clarify staff hours and where savings will come from on pg 2, paragraph 2 of the 2021 monitoring plan.
- Develop a proposed AIS treatment cost-share program and bring back to the Board for consideration.

6. Adjourn

- a) **Next special board meeting – March 16, 2021**
- b) **Next regular board meeting – March 25, 2021**

Manager Anderson moved to adjourn the meeting. Seconded by Manager Schmaltz. Upon a roll call vote, the motion carried 3-0, and the meeting was adjourned at 8:48 p.m.

Manager	Aye	Nay	Absent
Jon Spence	X		
Jackie Anderson	X		
Stephen Schmaltz	X		
Jen Oknich			X

Jen Oknich, Secretary _____