

**MINUTES OF THE REGULAR MEETING
OF THE
COMFORT LAKE–FOREST LAKE
WATERSHED DISTRICT
Thursday, February 13, 2020**

1. Call to Order

President Spence called the February 13, 2020 regular board meeting to order at 6:30 p.m. in the Comfort Lake-Forest Lake Watershed District Offices, 44 Lake Street South, Suite A, Forest Lake.

Present: President Jon Spence, Vice President Jackie Anderson, Secretary Jen Oknich, Treasurer Steve Schmaltz, Manager Jim Dibble.

Others: Mike Kinney, Jessica Lindemyer, Garrett Miller (CLFLWD staff); Meghan Funke, Greg Graske, Cecilio Olivier (Emmons & Olivier Resources); Chuck Holtman (Smith Partners); Matt Downing, Becca Oldenburg Giebel (Washington Conservation District); Jack MacKenzie (Citizen Advisory Committee); Denise Martin (Chisago County Press).

2. Setting of Meeting Agenda

The following items were added to the agenda: 4f – PRAP Grant Agreement, 4g – Highway 8 Reconstruction, 5e – One Watershed One Plan Update.

Manager Oknich moved to approve the agenda as amended. Seconded by Manager Anderson. Upon a vote, the motion carried 5-0.

3. Public Open Forum

Becca Oldenburg Giebel indicated that Washington Conservation District (WCD) sent a memo to the CLFLWD regarding 2020 lake monitoring. She and Matt Downing were instructed by their Board of Managers to ensure it was delivered to the CLFLWD Board of Managers. Mr. Kinney confirmed that it was passed on to the Board President and Vice President and he had a few remaining questions for WCD on the matter.

4. New Business

a) Permit 19-036 Aaland Estates

Engineer Graske explained that the proposed project is a 15-lot single-family home development on a 35-acre site north of Comfort Lake, draining to Comfort Lake. The site is currently composed of farmland and wetlands. The proposed stormwater features include ponds/basins and filtration benches which will meet the District's requirements. The plans include a 75-foot buffer on a large wetland, and a 25-foot buffer on a smaller wetland, which meet District requirements. The submitted erosion and sediment control

plan meets District requirements. Mr. Grasko noted that this permit covers erosion control for the construction of the roads, stormwater facilities, and associated site grading along the road corridor. The permit stipulates that additional erosion control permitting will be required for the grading of the individual lots for driveways and house pads associated with building of homes on the individual lots.

Manager Anderson noted that this is another case where the District's rules are resulting in reduced stormwater runoff for this site. She stressed the importance of such stormwater management in the face of increased precipitation patterns in the region. She indicated that individual erosion control permitting for resulting lots should help mitigate erosion and sediment runoff to neighboring properties.

Manager Anderson moved to approve permit application 19-036 with the conditions stated in the February 5, 2020 Engineer's memo. Seconded by Manager Dibble. Upon a vote, the motion carried 5-0.

b) Blue Water Science 2020 Agreement

Administrator Kinney explained that this item was postponed from the January 23rd meeting, and no items have changed since that time.

Manager Schmaltz moved to authorize the Administrator, on advice of counsel, to enter into an agreement with Blue Water Science in accordance with the January 16, 2020 services agreement and in an amount not to exceed \$29,600; and authorize the Administrator to request additional services from Blue Water Science, not to exceed \$2,960 (10%), to be compensated in accordance with the 2020 service agreement. Seconded by Manager Anderson. Upon a vote, the motion carried 5-0.

c) 2019 Aquatic Invasive Species Yearend Summary

Watershed Technician Garrett Miller presented a summary of the 2019 aquatic invasive species (AIS) prevention and management program. Highlights included curly-leaf pondweed treatments for the first time on Moody Lake and Shields Lake and a carp removal on Shields Lake. In order to ensure access to Shields Lake for the carp removal, as well as for planned alum treatment, gravel was added to the hillside alongside Shields Lake Park. Gill netting and electrofishing were used for the carp removal. Surveys indicated little recruitment in Shields Lake, which is a good sign for keeping the carp population low in coming years. However, more carp need to be removed to reduce the total biomass to recommended levels. Another harvest is proposed for spring 2020. Mr. Miller described coordination with Forest Hills Golf Club staff and WSB engineering to identify and mitigate potential spawning locations along the outlet stream.

Mr. Miller described treatment of nonnative phragmites, an aggressive invasive plant that develops tall thick stands, near Bone Lake in 2019. He also confirmed that a suspected stand of nonnative phragmites near Forest Lake turned out to be the native variety and was therefore not treated. Nonnative phragmites grows taller and thicker

stands than the native variety and tends to have a larger, thicker seed plume on top. Water hyacinth was discovered by a resident in Bone Lake on July 30th, 2020. Staff coordinated with WCD and Department of Natural Resources to perform several removals in the weeks following. Mr. Miller indicated that as this plant is a tropical plant, staff is confident that any remaining water hyacinth will be eradicated by Minnesota's freezing winter weather. In spring/early summer 2019 zebra mussels were discovered in Bone Lake near the public boat launch. Mr. Miller described the early detection and rapid response actions including an extensive treatment in an attempt at eradication. Subsequent veliger tows found very few zebra mussel larvae in the water, but not enough to confirm an established population in the lake. Mr. Miller stated that only time will tell if the eradication attempt was successful.

The District reached its goals for watercraft inspection hours on Forest Lake, Bone Lake and Comfort Lake in 2019. A total of 7,069 inspection surveys were completed over 3,917 hours at the public launches. Mr. Miller summarized plans to maximize effectiveness in 2020 including focusing on the busiest days (Sunday was generally the busiest day of the week in 2019) and the busiest times of day (11am-4pm), and equipping inspectors with rakes in order to remove aquatic plant debris from the access.

Some of the plans for 2020 include improvements to the watercraft inspection program, purple loosestrife surveys and treatments, Bone Lake zebra mussel and water hyacinth surveys, nonnative phragmites treatments, and small lake surveys using BioBase automated mapping technology. Mr. Dibble suggested advertising to retirees about watercraft inspector positions at the Forest Lake Lake Association annual meeting this year.

Manager Anderson moved to accept the AIS Program Summary, Watercraft Inspection Report, and Bone Lake Zebra Mussel Pilot Study Report. Seconded by Manager Schmaltz. Upon a vote, the motion carried 5-0.

d) City of Forest Lake Downtown District Joint Study

Mr. Kinney explained that he and Mr. Graske met with the City last week to collaborate on the joint study and discuss the District's work on creating a regional stormwater treatment facility. The District provided the City with some recent modeling data which will help start the downtown study. He indicated that staff will continue coordination with the City and report back to the Board in the future.

e) Watercraft Inspection Program Joint Powers Agreement

Manager Anderson moved to approve the joint powers agreement between Chisago County and the Comfort Lake-Forest Lake Watershed District for cost sharing of the boat launch inspection program. Seconded by Manager Oknich. Upon a vote, the motion carried 5-0.

f) Performance Review & Assistance Program Grant Agreement

Mr. Kinney explained the District's past review by the Board of Water and Soil Resources (BWSR) under the Performance Review and Assistance Program (PRAP). BWSR assessed the District's performance and made two recommendations, one of which was to perform a detailed workload analysis. This grant will provide \$7,500 in funding to perform the workload analysis.

Manager Anderson moved to authorize the Board President, on advice of counsel, to execute the PRAP grant agreement. Seconded by Manager Oknich. Upon a vote, the motion carried 5-0.

g) Highway 8 Reconstruction

Earlier this week Mr. Kinney met with the Chisago County Public Works Director and discussed the County's upcoming reconstruction project on Highway 8 including an expansion from two to four lanes starting at Highway 35 through the District's boundary. The County expressed interest in partnering with the District to ensure stormwater requirements are met. Manager Anderson asked how a lane expansion would be possible between Comfort Lake and Little Comfort Lake given the already tight conditions. Mr. Kinney indicated that the County is looking at potentially sheet piling and filling on the Little Comfort Lake side, but further coordination will occur in order to find a solution. According to the County, the amount of traffic on Highway 8 warrants additional lanes. Manager Anderson requested that Mr. Kinney share what information he can with the Comfort Lakes Association.

5. Old Business

a) Comprehensive Data Review

Manager Anderson indicated that she will send her comments on the report to Dr. Funke. Dr. Funke indicated that an updated report will be brought to the next board meeting for consideration of approval and finalization. In response to a question from Manager Schmaltz, Dr. Funke described stream monitoring plans for 2020 including legacy sites and diagnostic sites.

b) Monitoring Program

Mr. Kinney explained that the proposed action for tonight's meeting is to approve a scope for Emmons & Olivier Resources (EOR) to perform 2020 stream monitoring and water monitoring reporting. He indicated, as noted previously, that he still has some questions to work through with WCD on the lake monitoring element and plans to return to that topic at the next board meeting. Manager Schmaltz noted that the data from the volunteer-based Citizen Assisted Monitoring Program (CAMP) have historically not been used; WCD's is the only monitoring dataset that has historically been utilized by the CLFLWD for decision-making. Manager Schmaltz asked if CAMP should continue

if the data aren't being used. Mr. Kinney indicated that this has been a topic of much discussion recently and a recommendation will be brought to the next meeting.

Manager Oknich moved to authorize the Administrator, on advice of counsel, to enter into an agreement with EOR in accordance with the Stream Monitoring and Water Monitoring Reporting tasks in the January 16, 2020 scope of work and in an amount not to exceed \$55,354. Seconded by Manager Dibble. Upon a vote, the motion carried 5-0.

c) Banta Parcel

Mr. Kinney presented the outline of estimated costs, proposed next steps and the recommended action to proceed.

Manager Anderson moved to direct the Administrator to obtain an appraisal of the site. Seconded by Manager Schmaltz. Upon a vote, the motion carried 5-0.

d) Washington Conservation District 2020 Service Agreement

The agreement in the board packet is for technical assistance services only. Mr. Kinney explained that monitoring services are still pending discussion.

Manager Schmaltz moved to authorize the Board President, on advice of counsel, to enter into the 2020 technical assistance service agreement with Washington Conservation District and in an amount not to exceed \$20,000. Seconded by Manager Anderson. Upon a vote, the motion carried 5-0.

e) One Watershed One Plan Update

Manager Schmaltz reported on the outcome of the presentation that CLFLWD gave to the Lower St. Croix (LSC) One Watershed One Plan (1W1P) Policy Committee. It seems that the committee is not in favor of the CLFLWD's suggestions for project prioritization and targeting criteria. Mr. Kinney explained his argument to align the LSC plan with BWSR's Prioritized, Targeted and Measurable (PTM) criteria. He explained that targeting projects by cost effectiveness is the fastest way to reach water quality goals (e.g. delisting impaired lakes and streams) and the most cost-effective way to use limited funds. The current plan proposes only a 1% reduction in phosphorus loading to LSC waterbodies, meaning that to reach goals, it will take 100 years. The total phosphorus load reduction to get Lake St. Croix to water quality standards is 83,000 pounds per year; this is for Lake St. Croix alone and doesn't include the myriad waterbodies in the LSC watershed. Mr. Kinney suggested that the LSC plan can be more focused if planners utilize the extensive work that's already been done (e.g. Total Maximum Daily Load studies, Watershed Restoration and Protection Strategy studies). The next Policy Committee meeting is on Monday, February 24th. Managers Anderson and Schmaltz indicated that they provided redlines on the plan to the LSC lead plan writer. Manager Anderson explained that the LSC group is citing statutes that apply to watershed management organizations, but Soil and Water Conservation Districts and

Lake Improvement Districts do not fall under that category. Watershed districts are categorized as watershed management organizations. She indicated that for the plan to be successful, there needs to be local commitment and ownership. Managers Anderson and Schmaltz indicated that many of the partners don't see eye to eye currently, but progress is being made slowly.

Mr. Kinney explained how CLFLWD has been using the diagnostic approach and plans to delist its six impaired lakes within the next 10 years. He compared the on-the-ground diagnostic monitoring approach to the desktop analysis involved in subwatershed analysis studies. The same method could be applied to the LSC basin. Mr. Kinney explained that, in the case of the Moody Lake Wetland Rehabilitation project the District can achieve 80% of the goal phosphorus load reduction for Moody Lake by focusing on this single area. Alternatively, the District could have scattered numerous projects all throughout the Moody Lake subwatershed and never come close to the cumulative phosphorus reduction achieved by the Wetland Rehabilitation, which was identified through diagnostic monitoring. Manager Anderson noted that watershed districts are required by law to retain a civil engineer because watershed district projects are considered part of public infrastructure. She explained that some of the LSC partners expressed disagreement with the need to use engineering for projects, even though BWSR is requiring that all 1W1P entities follow watershed district governing statutes. Manager Anderson indicated that, according to BWSR, the LSC plan is more detailed than all other 1W1P plans in the state.

6. Summary and Approval of Board Direction

One board directive for this meeting was for the Administrator to share information, as it becomes available, on the Highway 8 reconstruction project with the Board and Comfort Lakes Association.

7. Adjourn

a) Next regular board meeting – February 27, 2020

Manager Anderson moved to adjourn the meeting. Seconded by Manager Oknich. Upon vote, the motion carried 5-0, and the meeting was adjourned at 8:08 p.m.

Jen Oknich, Secretary _____