

**MINUTES OF REGULAR MEETING
OF THE
COMFORT LAKE – FOREST LAKE
WATERSHED DISTRICT
Thursday, July 9, 2015**

1. Call to Order

The President called the July 9, 2015 Regular Board meeting to order at 6:30 p.m. at the Council Chambers of the Forest Lake City Center, 1408 Lake Street South, Forest Lake.

Present: President Richard Damchik, Vice President Jackie Anderson, Secretary Wayne Moe and Assistant Treasurer Stephen Schmaltz.

Absent: Treasurer Jon Spence.

Others: Michael Kinney and Emily Schmitz (CLFLWD staff), Chuck Holtman (Smith Partners), Greg Graske, Cecilio Olivier and Jason Naber (EOR), Steve McComas (Blue Water Science), Jerry Grundtner (CAC member) and Margie Schmidt (Bone Lake Association), Sharon Sill, Wally Ostlie and Mike and Bev Chapman (Comfort Lake Association).

2. Setting of Meeting Agenda

The President called for approval of the July 9 agenda. Manager Moe moved to approve the agenda as amended. Seconded by Manager Anderson. Upon vote, the motion carried 4-0.

3. Public Open Forum

The President asked for public comments. Margie Schmidt, president of the Bone Lake Association (BLA), stated that she appreciates everything that is happening on Bone Lake. She hopes it will continue and be successful, but indicated that the water quality is really bad right now. Her concern is still communication and she would like to know if the District, while working on the communication plan, will identify what the lake associations and residents are to the watershed. Are they stakeholders? Once this is identified then we can work out a way to communicate. She does not think all the lakes are treated equally. At the last meeting, it was mentioned that Forest Lake had Eurasian watermilfoil (EWM) and, in Ms. Schmidt's opinion, the National Guard was practically called out. She asked just to get a phone call or email on Bone Lake, but does not. The plan can address this. She feels the BLA does a good job communicating for the District by distributing a newsletter, which is distributed to all lakeshore owners. Three-fourths of the articles are about projects the watershed is doing for the association, but it is hard to get the information. She offered to give information on what type of communications the association is having trouble with. Manager Moe stated that he thinks the District will be talking about this. He understood a problem recently when homeowner signatures were needed to treat certain areas of the lake. Because the signatures were not obtained, the treatment was missed. And the District only gave Ms. Schmidt one day's notice. He concurred that the District has to get a better handle on this and get signatures around the

whole lake in advance so action can be taken. Ms. Schmidt stated that she met with Jason Naber about a process to get a map from the BLA of the known infected areas before Mr. McComas came out for delineation, and the map was prepared but Mr. McComas proceeded without the map. Communication is a consistent problem. Staff and the Board thanked the association for a nicely done newsletter and the work they do.

4. New Business

a) Judicial Ditch 6/Boundary Review

Mr. Graska stated that in reviewing the accuracy of the District's boundaries, the area west of Harrow Avenue was closely reviewed. A residential development is being planned in this area. Some portions of the development are hydrologically within the CLFLWD, but are being taxed by the Rice Creek Watershed District (RCWD). The new District office is also on a site that drains to Forest Lake, but is currently within the RCWD boundaries. RCWD indicated that they would like to expand the boundary review, agreed to review additional areas and would like to transfer the Judicial Ditch 6 to the CLFLWD because it flows north to the 3rd Lake of Forest Lake and is within the CLFLWD hydrologic boundaries. Mr. Graska conducted further investigation on the ditch system and found it to be in disrepair. Additionally it flows through Minnesota Department of Natural Resources (DNR) protected wetlands and the Hardwood Creek Wildlife Management Area. Repair of the system could be complicated and costly. There is a legal process to be followed to transfer authority for the ditch. Mr. Holtman, in response to questions about authority for the ditch, responded that if the boundary is not changed, then RCWD would remain the drainage authority. But if the boundary is changed, RCWD could not serve as the drainage authority because it would not have jurisdiction over that property. Washington County determines the drainage authority. The county can name itself the authority or delegate it to the District. Mr. Holtman noted that there also is a process by which the system can be transferred to the City of Forest Lake and incorporated into the city's stormwater conveyance system, but that this requires the city's concurrence and that the land use in the benefited area for the system may not be appropriate for this. Mr. Holtman suggested that if the District is not interested in assume the role of drainage authority, then it should confer with the county before deciding on its support for a boundary change.

Discussion focused on repairing the ditch system versus leaving it alone. The condition of the system is relevant because of the amount of disrepair and how important the system has been to property owners. Reviewing maintenance history, if it is even available, will indicate sediment accumulation, the official elevation and ditch alignment. If this information is not available, it could be time consuming and costly to compile. Manager Anderson stated that she believes the benefiting property owners are assessed for repairs. Repairs would not be needed unless there are drainage problems into the lake and wetlands or unless a property owner wants it done. If the water is draining into the CLFLWD, then the District should be responsible. Counsel was asked if BWSR could mandate the boundary change. Mr. Holtman stated that the process is initiated by petition to BWSR and that BWSR does not initiate a boundary change on its own. Regarding assessments, he stated that in the metro area

there are options as to how this is done and he would not recommend using assessments based on benefits under the drainage code. Instead, the District has the ability in its Watershed Management Plan to establish water management districts and to impose charges on real property each year to support District work. Mr. Holtman further stated that there are procedures, through a petition, under the drainage law for abandoning the system or part of the system. Mr. Olivier noted that the system being in disrepair might be very good for water quality. By repairing the system, the water will flow faster and increase in volume.

Manager Anderson moved to direct the District engineer to continue the review of the boundary change. Seconded by Manager Moe. Motion carried 4-0.

b) Preliminary Budget Discussion

Administrator Kinney outlined proposed changes to the 2016 budget, specifically with the 3000 and 5000 series. Activity details, while not provided on this draft, will be provided at the July 23 meeting. The District is drawing on its reserve, which is by design. Managers Schmaltz and Anderson emphasized that the Projects budget should be based on an intentional judgment of projects to be moved forward. Topics for further discussion included moving from project planning to implementation, reviewing the 10 Year Plan to pick projects, carrying over projects that have not been completed, looking at metrics of productivity and outcomes, looking at grants and reviewing pounds of phosphorus removed compared to projects. It was agreed to move forward with this budget format and possibly with a budget workshop in August.

5. Old Business

a) AIS Update

Emily Schmitz reported that she updated the spreadsheet, including changes requested by the Board, and added a title page. Ms. Schmitz and Mr. Naber provided an update on the lakes.

- Sylvan Lake - Curt Sparks will do an assessment on purple loosestrife. The beetles that the DNR released have been successful at eating back the loosestrife.
- Shields Lake – There are no grants for work on Shields. St. Mary’s University is doing fish spawning work and telemetry on Shields and two other lakes for \$4,600. Mr. Olivier stated that the electric fish barrier is the way to go and that because of Smith-Root is the only provider, there is not presently a cheaper option. The barrier will be a tremendous benefit for Shields, and to some extent, to Comfort and Forest Lakes. Mr. Graske reported that the Shields diagnostic study is on track.
- Little Comfort Lake - Dr. Jacobson provided a memo on filamentous algae. The algae is due to high doses of nutrients and the right set of conditions of nutrients and temperature. These conditions only happen occasionally. Fortunately, it is green algae and not toxic blue-green algae. Herbicides can be used. A flyer about the algae is included and can be sent to residents. Mr. McComas indicated that this filamentous algae occurrence is fairly common this year. In response to a question, he concurred that zebra mussels can contribute a lot of their waste, as phosphorus. It can cause filamentous algae to build up on the bottom of a lake. As for using alum to treat the phosphorus, he said that alum sits on top of sediments and that needs to be considered. Mr. Naber stated that he is working with Administrator

Kinney on biological monitoring of two streams for macroinvertebrates and geomorphology, and e-coli could be considered. Discussion focused on inputs from School Lake, farms, the Heath Avenue corridor ditch system, a culvert put in by the City of Wyoming about 10 years ago and new construction of about 30 homes. Manager Moe stated that last year he took samples of water coming out of Bone Lake. At the outlet the phosphorus levels were comparable to levels in Sylvan Lake (about one half of the Bone Lake in-lake average). It also seemed that the carp barrier is slowing water down. It has always been part of the plan to monitor these lakes to see how projects are doing. If there are good projects upstream, then the focus can move downstream.

- Heims Lake – the water quality study and projects will be presented at the next meeting.
- Moody Lake - the diagnostic study has been completed and specific projects are proposed. It was clarified that the DNR denied a permit to treat curly leaf pondweed because Moody is classified as a natural environmental lake and the DNR would like the District to have a plan to address the external load first.
- Comfort Lake – the initial delineation for Eurasian watermilfoil (EWM) has been completed and the District applied for a DNR permit for herbicide treatment. Because of the native water lilies, the DNR approved a permit to treat .7 acres on sites 1-5 on the north end of the lake and recommended mechanical pulling of 3.8 acres. Currently homeowner permissions are being collected for the treatment. Overall, the goal is to collect permission from all lake homeowners and set up a database. This will enable rapid response for treatment in the future. Discussion will continue with the DNR about the denial to treat all the infected areas. Sharon Sill of the Comfort Lake Association is the leader of a task force setting up block captains to disseminate information for quick action. Mr. McComas stated that because Comfort Lake is now at control-and-manage stage for EWM, mechanical pulling is OK. Fragmented pulling will provide season-long control and if the root crown is pulled, longer control is possible. Training for hand pulling for lake owners should include differentiating native and invasive EWM, using on-site weed disposal, emphasizing collecting as many stems as possible, cutting techniques and tools and getting good GPS coordinates of infested areas for help in creating a master map. Delineation provides good details of AIS such as curly-leaf pondweed and EWM distribution and abundance, while point intercepts provide statistical information.

Manager Moe stated that on Big Marine Lake, an EWM treatment that hits infested areas three times in one day is being tried. A comparison of results next year will help to assess effectiveness of different treatments. Wally Ostlie, Comfort Lake Association member, reported that it is the Big Marine Lake Association (BMLA) that has the permit from the DNR for the multiple treatments for EWM. Individuals have been trained and have DNR approval for treating infested areas. It was clarified that individuals can get a permit to treat an area within 150 feet of their shore. An organization, such as a lake association or watershed district, must apply for a permit to treat areas farther than 150 feet from shore. Margie Schmidt stated that the Bone Lake Association got permission to treat EWM near water

lilies, but the permit came from the DNR metro managers. It was mentioned that the Chisago County managers seem more conservative than in Washington County. Issues for further discussion included: getting all of the CLFLWD assigned to the metro DNR, managing lakeshore (area within 150 feet of shore) versus public waters, developing an action plan for this management, ensuring action plans are implemented, compiling a database of property owner signatures so rapid action is possible and distributing educational information to lakeshore owners about what they can do and what the District is doing. Ms. Sill stated that on Comfort Lake treating for EWM benefits all lake users, not just homeowners. Also there are so many boats and the currents bring in AIS to lake homes. It is a whole lake problem. She asked Steve McComas if EWM affects the water lilies. Mr. McComas replied that the lilies can crowd out the EWM and inhibit its growth; the lilies are not negatively affected by EWM. The lily stems are strong and are good at pushing up to the surface and shading out the EWM. The lilies provide good fish habitat.

Mr. Naber added that the District is also working on a design change to the Bixby Park Wetland Rehabilitation Project to replace the iron filter with a lightweight aggregate filter berm. He is working on getting permits and modifying a BWSR grant. Manager Anderson clarified that the full name of the overall project is the Sunrise River Water Quality and Flowage Management Project. Bixby Park is one element of the Sunrise River WQFMP and could be used in parentheses.

- Bone Lake - A mailer was sent to homeowners before July 4 about the south delineation. A delineation of EWM was performed for the north end of the lake afterward. Almost all homeowner signatures for permission to treat have been collected. The District continues to work with Ms. Schmidt on getting permissions. St. Mary's University will perform carp telemetry on the lake and the Bone Lake diagnostic study continues.
- Forest Lake – There are a lot of changes with accounting including grant updates. EWM treatments were applied on July 2 and 3 and Mr. McComas will perform a follow-up assessment in three weeks. Eleven adult zebra mussels were found in the lake. Based on the distribution, the District, DNR and lake association agreed boat inspections, not treatment, are the best option. It was agreed that the rapid response plan worked and a decision was quickly made. The rapid response also worked for EWM and with the treatments and hand pulling, EWM might be eradicated.

Mr. McComas is scheduled for flowering rush delineation on July 17. On July 20, the delineation map will be sent to the DNR for permit approval. Two Minnesota Conservation Corps crews are scheduled for hand pulling of small patches of rush on July 27 and 28, followed by an herbicide treatment of about 7 acres of large patches on 3rd Lake. In late August, Mr. McComas will do another delineation with a second round of hand pulling and herbicide treatment to follow.

Mr. Naber provided a memo with recommendations for improving the boat launch inspection program at the 3 public launches and Timm's Marina. The first step is reaching out to the DNR to make changes and then looking for funding. Manager

Schmaltz reported that Angie Hong of the East Metro Water Resource Education Program received a Washington County grant for new signs and will select three public launches on Forest Lake. The templates can be used for new signs on other lakes. Washington County could be approached for a grant for new signs on Bone Lake. Further discussion included: providing compost bins for AIS disposal at the launches either with grant money or budget funds, working with the DNR to install uniform signs, providing information on zebra mussel identification, checking plates for zebra mussels at the end of the season rather than every few weeks and adding plates in Sunrise River and at the Forest Lake side of the dam. It was agreed to check plates at the end of the season.

Manager Anderson urged that homeowner approvals be obtained and kept on file, where they are good for three years. She noted the need for more consistency from the DNR and better coordination. She also suggested that information sheets be provided proactively to lake associations and homeowners to let them know what sorts of vegetation management they are permitted to do.

Manager Schmaltz suggested that there should be a reliance on individual homeowners to treat within 150 feet from shore, and organizations such as the District should focus on management outside of that area. Manager Anderson replied that even near-shore treatments provide wider benefits to the lake and all lake users, as well as downstream lakes. Manager Moe added that near-shore vegetation conditions may span several properties and therefore require the District to coordinate treatment.

b) AIS Management Plan

Administrator Kinney reported that this is an example of another management plan. He will continue communicating with elected officials, the DNR, and stakeholders on the plan.

6. Report of Officers and Managers

- Manager Schmaltz reported he was out this afternoon with a representative from Navico, a company using CiBioBase side scan radar to check weed density. The system shows some promise and he is formulating some questions for Navico.
- Manager Anderson reported on an article in the Star Tribune about underwater photographer Erik Engbretson documenting freshwater fish in their natural habitats. His services might be useful for the District.

7. Adjourn Next Meeting — July 14, 2015

Manager Moe moved to adjourn the meeting at 8:45 p.m. Seconded by Manager Anderson. Upon vote, the motion carried 5-0.

Wayne S. Moe, Secretary _____