Minutes of Regular Meeting # 639 Held in the Lake Elmo City Council Chambers
Thursday, March 22, 2001

MANAGERS PRESENT:Dave Bucheck, President; Dale Borash, Vice President; Don Scheel, Secretary; Lincoln Fetcher, Treasurer; and Duane Johnson, Manager

STAFF PRESENT:John Hanson, Barr Engineering; Ray Marshall, Attorney; Ray Roemmich, Inspector, and Karen Schultz, Recording Secretary

OTHERS PRESENT:Jeff Berg, Washington SWCD; Tom Petersen, Ramsey SWCD; Gregg Thompson, Seven-County Metro SWCDs; and Mike Snyder, Representative from City of Afton

CALL TO ORDER Meeting called to order by President Bucheck at 7:00 p.m.

ANNOUNCEMENTS There were no announcements.

APPROVAL OF MINUTES After discussion of the minutes of the February 8, 2001 meeting, motion was made by Fetcher, seconded by Borash, to approve the minutes as corrected. Motion carried unanimously.

Meetings to be held on February 22 and March 8, 2001, had been cancelled, due to lack of quorum.

ADDITIONAL AGENDA ITEMS Items added to the agenda: Under Managers Report, One Percent Rule for Volume; Jurisdiction Letter for WMOs

PUBLIC FORUM No discussion in Public Forum.

CITIZENS ADVISORY COMMITTEE Chuck Taylor was not present, but had mailed the lake levels report to the managers. They discussed the levels and the effect of the snowmelt.

SECRETARY’S REPORT Secretary Scheel said the mail had been distributed.

INSPECTOR’S REPORT Inspector Roemmich had nothing to report on inspections since the last meeting.

ATTORNEY’S REPORT Attorney Ray Marshall reported that an appeal has been filed to the decision by the Board of Water and Soil Resources to enlarge the Valley Branch Watershed District and change its name to Lower St. Croix Valley Watershed District.

TREASURER’S REPORT Treasurer Fetcher distributed copies of his report of the expenses and income for the period February 9 to March 22, 2001. After discussion, motion was made by Fetcher and seconded by Scheel to approve the treasurer’s report as presented. Motion carried unanimously.

President Bucheck reported that he received a letter from Jane Harper, Washington County staff, wherein the county-wide accounting system is mentioned. The Tautges-Redpath accounting firm has been employed to design the accounting system. President Bucheck asked Treasurer Fetcher to be involved in the plan for a county-wide accounting system and to try to attend a meeting to be held in April on the issue.

AGENDA CHANGE At this time President Bucheck authorized the moving of agenda items.
MANAGERS’ REPORT  Discussion of Silver Lake Shoreline Preservation  Gregg Thompson, with the Association of Metropolitan Soil and Water Conservation Districts, and Tom Petersen, with Ramsey Soil and Water Conservation District, presented a plan to restore lakeshore areas around Silver Lake in North St. Paul. Using slides, they described the condition of the lakeshore and the method planned to restore the area. The City of North St. Paul and the Ramsey Soil and Water Conservation District have each dedicated funding of one-third of the project cost, or $8,500.00. After the presentation, motion was made by Fetcher and seconded by Johnson that the Valley Branch Watershed District will contribute one-third of the cost for the Silver Lake shoreline project, up to $8,500. Motion carried as follows: Bucheck, Yes; Scheel, Yes; Johnson, Yes; Fetcher, Yes; and Borash, No.

ENGINEER’S REPORT  White Bear Lake Commons, White Bear Lake - Permit Request  Engineer Hanson presented information on a project located at the northwest quadrant of Century Avenue and County Road D, in the City of White Bear Lake. Specifically, the project is located in the southeast quarter of Section 36, Township 30 North, Range 22 West. The applicant is proposing to construct five twin townhouses and four single townhouses. Access to the homes is proposed from County Road D and includes a cul-de-sac. One stormwater pond is proposed for runoff water quality treatment and rate control.

After discussion of the wetland concerns, the water management concerns, and the erosion control concerns, motion was made by Scheel and seconded by Fetcher to approve Permit # 2001-01 with the engineer's suggested conditions, as well as an amendment to Condition # 8. Motion carried unanimously.

FEMA Flood Level Establishment for Lizakowski Property Near Lake DeMontrevalve  Engineer Hanson presented a report on flood elevations for the backwater area that is adjacent to Lake DeMontrevalve. In order for homeowners to prove to FEMA that their homes are located outside the floodplain, flood elevations must be determined. The managers had previously authorized Barr Engineering to determine flood elevations of this backwater area. Engineer Hanson described the location of the Terrance and Sandy Lizakowski property, as being 13 feet higher than the 100-year flood level in the adjacent backwater area. The managers agreed that the flood level report has been made, and directed Engineer Hanson to send the report to FEMA to be appropriately filed.

Citizen-Assisted Monitoring Program (CAMP) Lakes Update  Engineer Hanson had mailed information on the lakes to be monitored and the volunteers who have agreed to do the monitoring during the summer months. He said he has not found volunteers for every lake that the managers agreed to have monitored. More information will follow.

BWSR Challenge Grant Application Update  Engineer Hanson said that the application for a grant to study strategies for managing the flooding of Sunnybrook Lake was prepared and sent to the Board of Water and Soil Resources. He also said the managers may be informed at the end of April whether they will get the grant. The managers directed Engineer Hanson to draft a letter to appropriate agencies asking for their ideas, and to arrange for a meeting to discuss the Sunnybrook Lake flooding issue.

Weber Pond Outlet Update  Engineer Hanson reported that all necessary permits have been received for the construction of the outlet from Weber Pond. He said that the District's attorney has reviewed the contractor's bond and insurance information. The managers had approved F. F. Jedlicki's bid of $22,400 at their December 9, 2000 meeting. The current outlet was installed by the City of Mahtomedi as an emergency, temporary outlet.

Motion by Borash and seconded by Fetcher to order the contractor to proceed with construction of the outlet from Weber Pond, at a cost of $22,400.00. Motion carried unanimously.

Downs Lake Update  Engineer Hanson reported on the status and current activities with respect to the Downs Lake Flood Control project. He said that after many meetings and several studies and reports, a plan was created for dealing with the problems in the Downs Lake area. In order to carry out the plan,
accurate contour maps of the area are necessary. The managers authorized Engineer Hanson to order the topographic map from Washington County.

**New District Logo Update** Engineer Hanson said he met with a professor at the Century College, as previously directed by the managers, to possibly have the college students design a new logo for the Lower St. Croix Valley Watershed District. The professor was very receptive to the idea. Engineer Hanson will keep the managers informed of the progress.

**Washington County Landlocked Lakes Study Update** Engineer Hanson said that Washington County received a BWSR Challenge Grant about two years ago to develop a method of establishing 100-year flood elevations on landlocked basins. Washington County staff invited local watershed districts and Washington County planning staff to a meeting to discuss their different options. Each entity was asked to submit its method for the county to study. Washington County plans to upgrade its FEMA map and this study will probably be helpful.

**Anna's Grove Update** Engineer Hanson had mailed a memorandum concerning a review of the hydrology and hydraulics of Eagle Point Creek. As a result of the review, he feels that additional recommendations are necessary for the repair of wetland mitigation in Anna's Grove. He said as soon as weather permits, he will do some additional surveys and make some modifications to the plan.

**Project 1007 Lakes Drawdown Update** Engineer Hanson updated the managers on the Project 1007 Lakes Drawdown. After discussion of the actions taken in the past month, motion was made by Borash and seconded by Johnson to approve the engineer's report and accept the actions taken by the engineer. Motion carried unanimously.

**Petition to Revise the Browns Creek WD/Lower St. Croix Valley WD Legal Boundary** Engineer Hanson reported that the Browns Creek Watershed District has prepared a petition to revise the boundaries of the two watershed districts and Attorney Marshall and Engineer Hanson have reviewed it. They have returned the petition to the Browns Creek WD managers, asking for some minor corrections. President Bucheck said the managers will take action on the petition when it is returned.

**Woodbury Groundwater Appropriation - Draft Comments to MnDNR** The City of Woodbury has added three wells to its water supply network since the last time that its permit was amended in 1996. Approval is needed by the MnDNR for these wells. The MnDNR has requested review and comments from the Valley Branch Watershed District on the application. Engineer Hanson had mailed a copy of the MnDNR's request for review and comments, as well as a draft copy of a letter to the MnDNR regarding the application.

In the draft letter Engineer Hanson urges the MnDNR to require the City of Woodbury to submit more details about the potential impacts of the new wells on the groundwater-dependent natural resources of the area. He also suggested that groundwater modeling results be submitted to prove that no adverse effects would occur to Valley Creek. He also encouraged the MnDNR to work with the City of Woodbury to develop and enforce a stricter conservation plan.

This is the first time that the managers have been asked to comment on a groundwater well application. Attorney Marshall said the managers certainly have the right to comment on the application. After discussion, motion was made by Bucheck and seconded by Scheel to approve the draft letter to the MnDNR regarding the City of Woodbury Groundwater Wells, DNR Permit Application Number 695-0215. Motion carried unanimously.

**Lake Elmo Groundwater Appropriation - Draft Comments to MnDNR** The City of Lake Elmo has requested that their MnDNR Appropriation Permit be amended to increase the amount of the appropriation from 25.5 million gallons to 60.0 million gallons. The MnDNR has requested review and comments from the Lower St. Croix Valley Watershed District.
In the draft letter Engineer Hanson strongly encourages the City of Lake Elmo and the MnDNR to work together to enforce a strict conservation plan. He also urged the MnDNR to require the City of Lake Elmo to submit more details about the potential impacts of the additional extracted groundwater.

After discussion, motion was made by Fetcher and seconded by Scheel to approve the draft letter to the MnDNR regarding the City of Lake Elmo Groundwater Well, Amendment to DNR Permit Number 61-1031, with an added comment in the letter, stating that these are comments by the District, but the managers will advise if there is a need for a District permit.

Shepherd of the Valley Lutheran Church, Afton - Engineer Hanson reported that the City of Afton may request help in monitoring the effectiveness of some proposed infiltration basins in the City. Jeff Berg reported that the Washington Soil and Water Conservation District might submit a grant to the Board of Water and Soil Resources for the church to reduce the costs to install the infiltration basins.

After much discussion, motion was made by Bucheck and seconded by Scheel to direct Engineer Hanson to write a letter to the Washington Soil and Water Conservation District, giving the LSCVWD's support to the concept of infiltration. Motion carried unanimously.

MANAGERS (Cont.) Meeting - April 12, 2001 The managers said they expect to have a quorum for the next meeting.

One % Rule for Volume Engineer Hanson distributed copies of Resolutions from the Cities of Afton and Lake Elmo requesting a surface water volume control policy from the Lower St. Croix Valley Watershed District.

After discussion, President Bucheck suggested that a letter be written to these two cities, stating the District's appreciation for their support, but that it is prudent at this time to see how things play out with the Browns Creek Watershed District.

Jurisdiction Letter for WMOs Engineer Hanson had drafted a letter to the area water management organizations concerning the new expanded watershed district and the effect it will have. President Bucheck had asked Attorney Marshall to look into the issue and discuss it with the managers at this meeting.

Attorney Marshall said that an appeal has been filed to the Order by the Board of Water and Soil Resources, expanding the Valley Branch Watershed District and changing its name. He also said that no "stay" was requested or granted. The District legally may go ahead with the necessary changes, but he said it may not be practical at this time.

ADJOURNMENT Motion made by Scheel and seconded by Fetcher at 10:05 p.m. to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,

Donald Scheel,
Secretary

Minutes Approved by Managers 04/12/01