



Vadnais Lake Area Water Management Organization
Technical Commission Minutes
August 11, 2017
Vadnais Heights City Hall, Lakes Room

Commission Members Present:

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| Mark Graham | Vadnais Heights (VH) |
| Dale Bacon | White Bear Lake (WBL) - alternate |
| Bob Larson | North Oaks (NO) |
| Gloria Tessier | Gem Lake (GL) |
| Paul Duxbury | White Bear Township (WBT) |
| Marty Asleson | Lino Lakes (LL) |

Commission Members Absent:

Others in attendance: Stephanie McNamara, Kristine Jenson, Brian Corcoran, Tyler Thompson, (VLAWMO); Margaret Behrens (Ramsey Conservation District – RCD); Jeremy Erickson, Justine Roe (St. Paul Regional Water Service – SPRWS); Terry Nyblom (Board of Directors); Jeff Moore (VH resident)

I. **Call to Order** Chair Graham called the meeting to order at 7.30am.

II. **Approval of Agenda**

A request was made to move item VII.B. earlier in the agenda. It will moved to item V.C. due to the fact that Brian needs to leave the meeting early.

It was moved by Graham and seconded by Larson to approve the August 11, 2017 agenda as amended. Vote: all aye. Motion passed.

III. **Approval of Minutes**

It was moved by Graham and seconded by Duxbury to approve the minutes of the July 14, 2017 Meeting of the VLAWMO Technical Commission as presented. Vote: all aye. Motion passed.

IV. **Administration & Operations**

A. Administrator's report

Storm sewer utility rates are being finalized for the Board meeting Aug. 23rd. The rates for next year will be in the Board packet.

Charley-Pleasant-Sucker Chain study – NOHOA has been actively pursuing a better understanding of this chain of lakes flowing through their community. This effort pushes beyond the shoreline restorations they have done so far. There have been conversations with the St. Paul Regional Water Service (SPRWS) and VLAWMO as well as more recently Barr Engineering and the University of Minnesota. SPRWS has recently been trying to keep the Pleasant Lake water level with a 6" range which seems to have had a positive impact on some of the restoration projects and the docks at the beach. The discussions have shifted to a water quality focus. There is interest from an adjunct civil engineering professor at the U who is also employed at Barr Engineering, Omid Mohseni, in possibly offering a Capstone project to U students this fall that would focus on the resiliency of SPRWS water supply system. A scoping meeting is planned for August 18th. The Water Plan identifies partnering with the City of North Oaks, SPRWS & Vadnais Heights to pursue a feasibility study of the effects of river water on water quality in the Chain. However, it is not budgeted until 2022. No cost to VLAWMO, aside from staff time, is anticipated at this point.

V. **Reports**

A. Financial Report for August & authorization for payment.

It was moved by Bacon and seconded by Larson to approve the Treasurer's report and August payment of checks. Vote: all aye. Motion passed.

B. TEC Report to the Board

Graham stated he will be present at the Board meeting on August 23.

It was moved by Graham and seconded by Larson to approve the TEC Report to the Board. Vote: all aye. Motion passed.

C. WCA – Larey Boundary Type Update and Incidental Wetland Request

The TEP reviewed the Betsy Larey site in White Bear Lake with the delineator on July 14th 2017. The wetland edge and type were verified. TEP and LGU agreed with the boundary and type of the wetlands delineated in the report and agreed with the work that was done with the ground water wells, but at this point do not agree with the incidental wetland findings in the report based on the information currently provided. The wetland area does not meet the criteria for incidental as outlined in MN rule 8420.0105 subp 2D. Aerials provided in the report shows wetland signatures in most years during normal precipitation and during years of farming. Years since the development of roads and commercial lots in area still show the persistence of wetland in both areas delineated. Applicant was told they have 60 days from the time this report was noticed 6-9-17 to let the LGU know how they would like to proceed. TEP said the Ramsey county FSA photos may have information on the applicant's incidental wetland argument and will revisit the incidental wetland argument if more information is provided. On July 27th 2017 the applicant sent in a No-Loss/incidental wetland withdrawal letter. A Notice of Decision was issued for the Boundary and Type for the wetlands on site, the incidental decision was withdrawn. If applicant can find information supporting their incidental wetland argument within the next 5 yrs they would only need to submit a No-Loss application for the site, no new delineation would be needed. The TEP would review the new information and make a decision on the incidental wetland argument based on the information provided.

The northern wetland boundary on this site did reduce significantly since the 2013 delineation. This is due to monitoring well data on site from 2015-2017 showing hydrology was not in fact as prevalent as initially thought by delineator in 2013 delineation.

VI. **Projects**

A. Project Updates

1. Surveys – vegetation and fish

Ramsey Conservation District will have completed their vegetation surveys at Charley and Wilkinson Lakes. Once the reports are completed, we will share them with TEC. The Charley Lake info will be used to assist in writing the Charley Lake Sustainable Lake Management Plan (SLMP). The Wilkinson Lake info will assist in determining next steps for improving the health of the lake.

Steve McComas plans to conduct the fish surveys on Wilkinson and Goose Lakes in early September. The results on Goose will be compared to the previous survey and to help with alum dosing considerations. Again, the survey on Wilkinson will help in determining next steps in improving the lake's water quality.

2. Goose Lakes Project Study proposal

Barr Engineering will be providing us with a contract for their additional sediment survey work which will help in determining alum dosing and therefore give us a more accurate cost estimate to implement this project. SPRWS will be assisting with half of the costs for this work. The total cost is \$10,000 and will be brought to the August Board meeting. Samples would be collected in the fall.

Nyblom asked if there needs to be a restriction on boat traffic when those sediment samples are collected. Kristine said she would check with our consultant at Barr, Greg Wilson, about this question and report back.

3. Wilkinson Lake Effort

Brian and Tyler have been collecting samples within the subshed area based on direction from Barr Engineering. The results will help in identification of next steps for water quality improvement.

Water is clean going out of Amelia but after it goes through a wetland, the samples are showing water that is high in nutrients. This isn't a surprise because wetlands can be a source of nutrient output.

4. Birch Lake – 4th & Otter Lake Rd Project

Kristine submitted a Clean Water Grant application for this project and we will wait to hear if we are awarded. Staff had a meeting with the City of White Bear Lake and Birch Lake Improvement District and they are supportive of this project and are willing to help fund match requirements should we be awarded a grant.

5. Lambert Creek – Branch Ditch #5A Maintenance

Continuing to move forward on the Lower Lambert drainage, the City of Vadnais Heights began maintenance on Branch Ditch #5A of Lambert Creek. The anticipated purpose of this work is to potentially restore the Branch Ditch to its former capacity, and to relieve high water, and equalize the upstream. Branch Ditch #5A runs through DNR Public Water Wetland 62012500.

When a ditch authority undertakes a public drainage ditch repair or project in or near public waters, DNR has a statutory obligation under MN Statute Chapters 103G and/or 103E to exercise oversight over the project. This is because public ditch repairs and projects have the potential to affect public waters because excavation is involved. In this case the ditch repair would be within a public water wetland (unnamed PW-wetland 62012500).

To meet this definition (103E.701), the ditch authority would need to either have original design plans/as-builts for the public ditch or do soil borings and other analysis to determine the original dimensions of the ditch prior to excavation. The 1987 survey elevations would not work. The ditch repair has to be maintenance of an existing channel to original dimensions, not an improvement, so the ditch authority has to have documentation of the original channel dimensions. Also, prior to a ditch repair project, DNR would need to survey the OHW and the outlet elevation of the public water (there hasn't been an OHW survey done yet for this PW-wetland).

There are alternatives that the DNR provided that could help improve flow through the public water wetland and that would avoid the need to meet ditch law requirements:

1. Apply for a DNR aquatic plant management permit (<http://www.dnr.state.mn.us/apm/index.html>). This would allow spraying herbicide to kill vegetation in the wetland to help open up an area to facilitate flow. This approach does not require a public waters permit.
2. If needed, apply for a public waters permit to excavate at inlets/outlets to the wetland, to help facilitate flow. This requires a public waters permit, but is pretty straightforward. The excavation is limited to that required to improve flow at the inlets/outlets, and the excavation can be done from land (no equipment required to enter the wetland). This could be done in conjunction with herbicide treatment.
3. If needed, remove the root mass of a portion of cattails in the wetland to help facilitate flow. This would require a public waters permit. Excavation depth would be limited to the depth of the cattail root mass and would not create an excavated channel. Detailed project plans would be required as part of the permit, specifically depth of excavation, documentation showing that there wouldn't be negative impacts to downstream flows, and a

description of how equipment would access the wetland. This has the most impact of the options listed here.

A permit would also be required from the Army Corps for any work done in this system. WCA rules would not apply for work below the OHW of a public water in the system.

The question is: How do we proceed in the future when it comes to maintenance of these systems? Staff would like a policy/plan that we can refer to

Graham stated that there are issues in regards to who is responsible? Is it the City? The watershed? The County? There are no clear answers.

Jeff Moore presented a Ramsey County Engineer's map from 1927 that appears to show as-built for the ditch system. It doesn't show elevations but it provides a lot of detailed information such as how many yards of dirt were removed when it was built.

Graham stated that the City is planning to have a contractor out this winter to excavate a particular portion of the creek where a culvert is currently 2 feet below the ditch.

Moore stated that the ditch has been neglected for 90 years.

Asleson stated that in Rice Creek Watershed, ditch maintenance costs are assessed to "benefitting parties". Stephanie stated that she will be meeting with Tom Schmidt at Rice Creek before the Board meeting to discuss how they handle this aspect of watershed management.

Nyblom stated that maybe a sentence to serve crew could be brought in to do some of the clearing.

Nyblom stated that maybe soil removed could be placed along the side of the creek to create a trail. Asleson stated in Rice Creek, the soils are often side-cast into the adjacent wetlands, as long as the soil is clean. There are other rules in regards to how to do that with wetlands. Asleson also stated that the effects of rain on ditch systems can change things very quickly and it is a continual issue that Rice Creek and Lino Lakes have to deal with.

Tyler stated that he has been working with Ramsey County to find information regarding this ditch system and we were given a box of old surveys and information but haven't found any original information. The ditch was likely dug originally in the late 1800's.

The rules and regulations regarding this issue make it a slow process for both regulators and homeowners.

VII. Programs

A. Education & Outreach

1. State of the River Report

State of the River Reports are available for TEC members. Please use this resource to be familiarized with regional water quality. Goal 3 of the Education and Outreach Plan states: "Key personnel (TEC and BOD) will continue to advance their knowledge of water and related natural resources" – this is a convenient and relevant way to contribute to this goal.

Sections from the report that relate to our work in VLAWMO are flow, bacteria, phosphorus, nitrates, chloride, and sediment. There is a lot of great information about the Mississippi and how the work we do on a smaller scale has an effect on a grander scale.

2. 25 by 25 Town Hall Meeting – Sept 21, WBL City Hall 630-830pm

VLAWMO is joining Governor Dayton's "25 by 25" initiative by hosting a town hall meeting in partnership with Rice Creek, WBL, and Conservation Minnesota. "25 by 25" is a statewide initiative to improve state water quality 25% by 2025. The town hall meetings are a series of meetings across the state striving to collect public input on water quality issues and their potential resolutions. The meeting is **September 21** at 6:30pm-8:30pm, at WBL City Hall.

VLAWMO will have a brief presentation about our projects and goals, as well as a table display. A flyer will be prepared for the Sept. 8th TEC meeting.

3. Other items

-We currently have 6 drains adopted in the adopt-a-drain program.

-During our boothing season, we gave away 5 rain barrels and grew our email list by 75 new email subscriptions to our seasonal newsletter.

-Water Bugs at Sucker Channel has had 6 events with 77 participants.

-VLAWMO staff is holding a ‘tour the watershed’ presentation on August 30th at 6-7:30 pm at the VH Fire Department. We’ll cover watershed history, past projects, future directions, and take Q&A. TEC members would be a welcome addition to the audience.

VIII. Commissioner Reports

Asleson stated that in Rice Creek, they are installing electric carp barriers using a company from Europe which has been successful in restricting their movement.

IX. St. Paul Regional Water Service (SPRWS) Report

Roe stated they are moving forward on electrical updates and they have a Post-Doc student researching their filter systems and health issues that may increase.

X. Ramsey Conservation District (RCD) Report

XI. Public Comment

Moore stated that if we don’t manage the water flow along with water quality, we are in a losing struggle. Because if we have widespread flooding, we have water quality problems.

XII. Next Meetings

TEC: September 8; Board: August 23

XIII. Adjourn

It was moved by Tessier Duxbury to adjourn at am. Vote: All aye. Motion passed.

Minutes compiled and submitted by Kristine Jenson.