

## MEETING MINUTES

### Riley-Purgatory-Bluff Creek Watershed District

June 22, 2015, Board of Managers Public Hearing and Special Meeting

#### PRESENT:

Managers: Mary Bisek, Vice President

Jill Crafton, Treasurer

Perry Forster, President

Leslie Yetka, Secretary Pro Tem

Staff: Claire Bleser, RPBCWD Administrator

Louis Smith, Attorney (Smith Partners)

Scott Sobiech, Engineer (Barr Engineering Company)

Other attendees: Eldon Berkland, Chanhassen Resident

Larry Koch, CAC

Scott Erickson, Chanhassen Resident

Bob Kruempelstaester, Chanhassen Resident

Anne Florenzano, Eden Prairie Resident

Joan Ludwig, Chanhassen Resident

David Florenzano, Eden Prairie Resident

Dan Sarles, Eden Prairie Resident

Laurie Hable, CAC

Spike Sarles, Eden Prairie Resident

Greg Halverson, Eden Prairie Resident

Bill Satterness, Eden Prairie Resident

Margaret Hetman, Chanhassen Resident

Laurie Susla, Chanhassen Resident

#### 1. Call to Order

President Forster called the Monday, June 22, 2015, RPBCWD Board of Managers Public Hearing and Special Meeting to order at 7:02 p.m. at the RPBCWD District Office at 14500 Martin Drive, Suite 1500, Eden Prairie, MN 55344. He announced that the RPBCWC Board of Managerø July meeting would not be held on July 1 and that tonight the Board will set an alternative meeting date.

#### 2. Public Hearing

President Forster explained that the primary purpose of tonightø meeting is to hold a public hearing on the adoption of two proposed Major Plan Amendments to the Watershed Management Plan approved by the Minnesota Board of Water and Soil Resources (BWSR) in February 2011. He talked about what a watershed district does and is charged with doing. He read aloud from the 2014 Minnesota State Statutes about watershed districtsø responsibilities. President Forster described the process set by state statute for the District to make plan amendments. He announced that the Board wonø be adopting any plan amendments at tonightø meeting.

President Forster explained that state statute provides for the Board of Managers to initiate a watershed plan amendment by submitting a petition of the proposed amendment to the Board. He said that the Board must give notice of and hold a public hearing on the proposed amendment. President Forster said that state statute says that after the public hearing the Board may by order approve or prescribe changes to the amendment. He remarked

that the amendment becomes part of the watershed management plan after approval by the Board, and then the Board must send the order and the approved amended plan to the reviewing agencies.

President Forster announced that to-date the District has received approval from the Minnesota Board of Water and Soil Resources (BWSR) to consider the plan amendment. He said the District sent the proposed amendment to the reviewing agencies for their 60-day review and comment period. He reported that the 60-day agency review has ended and the District has received those written comments. President Forster stated that after this public hearing, staff will take the comments and will do analysis such as cost-benefit analysis. President Forster explained that in order to do projects and to be competitive for grants, the projects need to be included in the District's Watershed Management Plan. He stated that after Administrator Bleser speaks, the Board will take comments from the public.

Administrator Bleser announced the District's shoreline restoration and maintenance workshop happening this coming Wednesday.

Administrator Bleser described the three watersheds in the District: Bluff Creek Watershed, Riley Creek Watershed, and Purgatory Creek Watershed. She described the location and characteristics of the three watersheds. Administrator Bleser briefly described projects happening in the different parts of the District.

Administrator Bleser explained that the proposed plan amendment contains two projects that the District would add to its 10-year watershed plan and possibly implement within that 10-year period: the Riley Creek Water Quality Improvement Project and the Lake Riley Alum Treatment. She talked about the history and timeline of this plan amendment including the information gathered and the process the Board has followed.

She provided background on the Riley Creek Water Quality Project. Administrator Bleser stated that Lower Riley Creek is impaired for turbidity, which is linked to the sediment going down Riley Creek. She reported that Lake Susan and Lake Riley are impaired for nutrients and mercury and Lake Ann is impaired for mercury.

Administrator Bleser described the data that the District has collected and announced that staff has fully walked Riley Creek. She described current work the District is implementing in the Riley Creek watershed, including the Lake Susan Spent Lime treatment project. She talked about how the District applied for a grant in 2014 and ended up being one point away from the interview round. She pointed out that the District's application lost points because the Riley Creek restoration sites were not in the District's 10-year plan. Administrator Bleser explained that Clean Water Fund grants will not consider projects that are not identified in a District's 10-year plan.

Administrator Bleser stated that the estimated construction cost for stabilizing 20,000 feet of the creek, including both the upper and lower valleys, in order to reduce sediment and phosphorous loads is \$4,250,000. She said this project would be a multi-year project. She noted that Riley Creek flows into the Minnesota River, which is impaired for turbidity.

Administrator Bleser provided more details about the District's current projects and talked about next steps. She said that District staff will finalize the Creek Rapid Assessment Survey (CRAS), draft the creek restoration implementation timeline, and present it to the Board. She said that staff held the preliminary discussion last week and will continue the discussion after CRAS is finalized.

Administrator Bleser provided information on the proposed Lake Riley Alum Treatment project contained in the proposed watershed plan amendment. She reminded the audience that Lake Riley is impaired for nutrients and mercury. She talked about the information contained in the Lake Riley Use Attainability Analysis completed in 2002. Administrator Bleser said that Lake Riley meets the District's goals for water clarity but is slightly above the District's goals for phosphorous and Chlorophyll A.

She said that the estimated cost of the Lake Riley alum treatment project is \$550,000 and the project will address internal phosphorous loading, restore water clarity, allow native vegetation to re-establish, and will stabilize lake-bottom sediments. Administrator Bleser talked about next steps. She said that the District is waiting on the core sample results from Wenck and for information from Barr, which will determine treatment needs and dosage as well as the costs for the treatment. She said that staff held an informational session with the CAC on June 15<sup>th</sup> and will continue the discussion with the CAC. Administrator Bleser said that staff will seek Board direction on all the projects discussed and implementation timelines.

Administrator Bleser responded to questions about the purpose and techniques of channel restoration and whether the District is authorized to do the projects described once the projects are put into the plan or if there is a separate process to approve the execution of the projects, about project funding and spending, and about past and upcoming UAAs. Administrator Bleser said that there is a separate process to approve the execution of the projects included in the proposed plan amendment. One meeting attendee commented that she would like to see more District funds going toward projects and less going toward analysis.

President Forster opened the public hearing for comments and stated the guidelines for providing comments.

Larry Koch of 471 Big Horn Drive in Chanhassen said that he wanted to reiterate comments he included in his letter to the District. He said he thinks the work District staff has done on CRAS (Creek Rapid Assessment Survey) has been incredible. Mr. Koch remarked that since CRAS hasn't been finalized, it seems premature to go ahead with a plan amendment that focuses on Riley Creek. He said it makes sense to look at doing a plan amendment that reflects the great work the District has done with CRAS and the hotspots that the CRAS identifies. Mr. Koch said that he is in favor of creek restoration but is not sure that the scope of the proposed Riley Creek restoration project is right. He added that he would like to see information and analysis go through the CAC. Mr. Koch also stated that it is important to follow up on questions about what the District is doing for its lakes and creeks and to identify priorities.

Bill Satterness of 8597 Red Oak Drive in Eden Prairie said he is personalizing his comments and talked about his daughter, his family's swim raft, and how his family used to be able to swim in Red Rock Lake from Memorial Day through the Fourth of July. He said that in the past six years his family hasn't been able to swim because of too many weeds in the lake. He showed a picture of his daughter as a one-year old, provided an anecdote about her, and explained how the story illustrates a difference between "wants" and "needs." Mr. Satterness said that the one-page descriptions of the proposed projects in the plan amendment have a section titled "need;" however, he explained, the section is a description of a problem. Mr. Satterness talked about how much the District is spending on projects and talked about how humans have only a few real needs and everything else is a want. He said that people must make choices from all of the wants regarding which wants will be done. He suggested that the two project descriptions as written are not sufficient to help everyone understand what the District truly intends to do. Mr. Satterness mentioned previous plan amendments including: Lake Susan with a project cost of \$200,000, Lake Lucy at a project cost of \$200,000, and Highway 101 at a project cost of \$600,000. Mr. Satterness remarked that these projects included in the proposed plan amendment have gone to the top of the list. He said that the District's 10-year plan had other projects that have been delayed. Mr. Satterness said that between the years 2014-2015, Mitchell Lake was supposed to have about a \$350,000 spend to implement a permanent solution to the problem of 40-years-worth of excess nutrients collecting in the lake. He said that in 2017 Red Rock Lake was supposed to get its turn, but nothing has happened with these projects and instead the District is choosing to do other projects. Mr. Satterness commented that the District has disavowed through executive action, not a plan amendment, its responsibility to look after any recreational uses. Mr. Satterness suggested the District make an amendment to the plan that says here is the objective, quantifiable method for evaluating how much bang per buck the District

receives. He said that if the proposed wording presented in the proposed plan amendment is approved, people won't know more about how the District truly makes its priorities. Mr. Satterness suggested figuring out a way to tell the world why this is more important than that.

Laurie Susla of 7008 Dakota Avenue in Chanhassen said she would like to comment on the proposed Riley Creek plan amendment. She said that the Riley Creek project isn't mentioned in the District's 2014 annual report for the 2015 annual plan. Ms. Susla remarked that this project seems to have come kind of out of the blue. She echoed Mr. Koch's comments about the CRAS and how it is an excellent piece of work. Ms. Susla said it would be excellent for such a survey to be done for the lakes. She suggested that if there was a comparison tool for the needs of the lakes that could be joined with a comparison tool for the creeks, then a logical assessment of the greatest needs throughout the District could be made. Ms. Susla said that the scenario she just provided is how the District ought to be going about projects. She commented that without an assessment tool to compare creek projects to lake projects, there isn't a way to tell which project is going to provide the biggest bang for the buck and make the biggest impact on the water district. Ms. Susla remarked that there is very little recreational value to creeks. Ms. Susla said that we are shifting focus from the 10-year plan's focus on delisting half of the lakes in the District by 2021. She said she thinks it would be appropriate to identify the lakes to be delisted. Ms. Susla said that until the CRAS-like assessment for lakes is completed and there is a tool to compare projects District-wide, \$4.25 million is way too much money to be spending and will really reduce the amount of other projects that we can do as a district. She said that she hasn't seen anything that shows the proposed Riley Creek project is worth spending this much money on.

Margaret Hetman of 7014 Dakota Avenue in Chanhassen said that she agrees with what has been said previously. Upon hearing no other comments, President Forster moved to close the public hearing. Manager Bisek seconded the motion. Upon a vote, the motion carried 4-0 [Manager Wencl absent from vote]. President Forster thanked everyone for coming.

### 3. Upcoming Events

President Forster announced that the District needs to reschedule the July 1, 2015, monthly meeting due to an anticipated lack of a quorum. The Board discussed possible dates. Manager Crafton moved to change the Board's monthly meeting from Wednesday, July 1, 2015, to Monday, June 29, 2015. Manager Bisek seconded the motion. Upon a vote, the motion carried 4-0 [Manager Wencl absent from vote].

### 4. Adjourn

Manager Crafton moved to adjourn the meeting. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0. The meeting adjourned at 8:57 p.m.

Respectfully submitted,

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Leslie Yetka, Secretary Pro Tem