

MEETING MINUTES

Riley-Purgatory-Bluff Creek Watershed District

February 5, 2014, Board of Managers Monthly Meeting and Public Hearing

PRESENT:

Managers: Jill Crafton, Treasurer
Perry Forster, President
Ken Wencil, Secretary
Leslie Yetka

Administrator: Claire Bleser

Staff: Scott Sobiech, Engineer (Barr Engineering Company)
Louis Smith, Attorney (Smith Partners)

Recorder: Amy Herbert

Other attendees: Lindsey Albright, RPBCWD
Jim Braeke, Friends Of Red Rock Lake (FORRL)
Jan Callison, Hennepin County
Jay Deems, FORRL
Ryan Halles, FORRL
Lorin Hatch, HDR Engineering
Peter Iversen, President, Timber Lakes Homeowners Association
Eric Lindberg, FORRL
Tom Lindquist, CAC

Sharon McCotter, CAC
Dennis Saeger, CAC
Bill Satterness, FORRL
Cindy Satterness, FORRL
Liz Stout, City of Minnetonka
Leslie Stovring, City of Eden Prairie
Laurie Susla, LLCA, CAC
John Tyler, Mitchell Lake Association

1. Call to Order

President Forster called the RPBCWD Board of Managers on Wednesday, February 5, 2014, Board of Managers Monthly Meeting and Public Hearing to order at 7:05 p.m. in the Council Chambers at Eden Prairie City Center 8080 Mitchell Road, Eden Prairie, MN 55344.

2. Approval of the Agenda

Manager Yetka moved to approve the agenda. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

3. Reading and Approval of Minutes

President Forster announced that the minutes from the January 8, 2014, RPBCWD meeting would be presented at the February 19, 2014, meeting.

4. Correspondence

No correspondence was reported.

5. Hennepin County Updates

Hennepin County Commissioner Jan Callison provided updates on Hennepin County budgeting and staff changes as well as Hennepin County Board of Commissioners (County Board) seat openings. She noted that the topic of water governance has not resurfaced for County Board discussion. She responded to RPBCWD Board of Managers questions about the Southwest Light Rail Transit (SWLRT) plans and the proposed route through Eden Prairie. Ms. Callison said that she would check with the SWLRT engineer regarding these questions and would respond back to Administrator Bleser. President Forster opened the floor for questions to Ms. Callison, but no additional questions were asked.

6. Aquatic Invasive Species

Mr. Lorin Hatch presented information about the draft aquatic invasive species management plan. He explained that the focus of the report is on aquatic invasive species not currently being addressed and managed by the District and so the focus of the draft plan is on prevention. He provided a PowerPoint presentation and said that he would discuss the organisms of concern, the pathways of their potential introduction into the District, HDR recommendations, and other alternatives explored during the investigation.

Mr. Hatch described aquatic invasive species such as the Rusty Crayfish, Spiny Water Flea, Asian Carp, Northern Snakehead, Chinese and Banded Mystery Snails, and Faucet Snails. He noted that the United States Geological Survey (USGS) tracks the infestations, and he reported that the organisms of concern to the District include the New Zealand Mud Snail, the Zebra and Quagga Mussels, Brazilian Elodea, Brittle Naiad, Flowering Rush, and the Hydrilla. Mr. Hatch stated that the Brittle Naiad is in the District's Round Lake. He explained how focusing on the pathways of these organisms is important, and he listed many pathways of introduction including boats, jet skis, canoes, kayaks, boat lifts, and docks, among others.

Mr. Hatch presented HDR recommendations for the District's aquatic invasive species management plan. He went into detail about the prevention component, including developing an education program and partnerships to ensure consistent educational messaging, maintaining awareness of research, laws, and new threats, and conducting inspections of boats and other water crafts. Mr. Hatch said that HDR recommends boat inspections in 2014 including inspection supervision as a quality insurance step and recommends for 2015 a decontamination station.

He described in detail the management component and putting in place a District plan in the event that an aquatic invasive species becomes established. Mr. Hatch explained that HDR recommends a monitoring plan, which in the short-term would develop training, equipment, and materials at an estimated cost of \$15,000 and would be implemented in early 2014. He said that the long-term tasks of the monitoring plan would be to evaluate the effectiveness, communicate results to the public, and keep current on new AIS threats and research. Mr. Hatch

talked about the purpose and methods of field surveys as part of the management plan, and he addressed the need for a rapid response plan. He said that the rapid response plan identifies what will be done if an aquatic invasive species is found.

Mr. Hatch discussed options investigated as part of the process of preparing this draft plan, such as not doing an education program, developing and delivering the education program internally, or developing and delivering the program externally. He stated that HDR's recommendation is that the education program is developed externally, and then the program is delivered by District staff. He reviewed the options for the boat inspection program and reported that HDR recommends that the District proceed with boat inspections with supervision for quality assurance at an estimated cost of \$100,000 for the inspection year. Mr. Hatch also touched on the topic of decontamination stations and said that one strategy is to have two centralized decontamination stations of which one would be shared with Minnehaha Creek Watershed District at an approximate cost of \$150,000 for the first year and \$75,000 for the second. He commented that the proposed costs are based on data from the 2012 Department of Natural Resources report that assessed inspection stations around the state.

Mr. Hatch brought up regulations and recommended that the District not develop regulations at this time but work with local lawmakers.

He presented options and associated costs for monitoring, field surveys, and a rapid response plan.

Mr. Hatch fielded questions from the Board and attendees, and there was discussion about what the states east of the Mississippi River have been doing about AIS, the procedures of the 2013 boat inspections in Chanhassen, what the Minnehaha Creek Watershed District is doing, and concerns about the connection of lakes in Eden Prairie through culverts, such as between Round Lake and Mitchell Lake, and the spread of AIS between water bodies.

7. Aquatic Invasive Species - CAC

Citizen Advisory Committee (CAC) Advisor Laurie Susla provided the CAC's recommendations on the draft AIS plan and said that they had been forwarded to the Board:

1. The Board adopt an AIS management plan that aims at Best Management Practices for all of the lakes in the District;
2. Make the AIS plan part of the District's 10-year Plan;
3. The District take on more of a leadership role with the cities and give them guidance;
4. The Board appoint an AIS taskforce or subcommittee or other group to move forward with the AIS management plan, taking the HDR plan and manager comments and move from development to implementation;
5. Work with the cities regarding ordinances if any need to be enacted in order to make the AIS plan is a success;
6. Regardless of the plan ask for stepped-up participation of the county and cities;

Ms. Susla added that left out of the report is information about management of the AIS already present in the District such as the Common Carp, Curlyleaf Pondweed, Eurasian Milfoil, and she said that management of AIS should be swept up into prevention. Ms. Susla showed a slide on AIS Prevention Program Options and Comparisons, which showed pros and cons as well as costs of the options. She said that the CAC is hoping for

direction at the next meeting on how the Board thinks the District will proceed to get from where the District is today to where it wants to be regarding AIS.

Manager Yetka thanked the CAC and AIS subcommittee for the diligent and hard work.

8. Citizen Advisory Committee

President Forster said that he assumes that the CAC approves its minutes as submitted. The CAC indicated approval. President Forster announced that Bill Satterness is stepping down from his role as a citizen advisor and thanked Mr. Satterness for his services to the District and his role on the CAC.

9. Hearing and Discussion of Matters of General Public Interest

President Forster opened the floor for matters of general public interest. No matters were raised.

10. Treasurer's Report

a. Year-End Budget Review

Manager Crafton said that Board approval is needed to make some proposed changes, which will add clarity to the budget and will allow items to be tracked better, and she said that there is one item to be clarified regarding the Lotus Lake shoreline restoration program.

Administrator Bleser explained the proposed changes to the General Fund. Manager Crafton moved to approve the proposed changes to the General Fund. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

Administrator Bleser explained in detail the proposed changes to the budget report and 509 Fund and reported that the District did balance its 509 Fund. She also asked to amend the Treasurer's Report to include the recently received invoice from Blue Water Science in the amount of \$35,811.50 for the work done in 2013.

Manager Crafton moved to approve the line item changes as described and to approve the amendment to reallocate the \$20,000 AIS grant so that \$5,000 is allocated for the grant and \$15,000 for the plan. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

Manager Crafton moved to amend the Treasurer's Report to include the bill from Blue Waters Science in the amount of \$35,811.50 and to approve payment of the bills. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

Manager Crafton moved to approve paying off the balance of the loan payment to KleinBank in the amount of \$20,107.50. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

11. Engineer's Report

Manager Yetka commented on the wood chip bioreactors discussed in the Engineer's Report and asked for more information from Engineer Sobiech. Engineer Sobiech talked about recent meetings and investigation regarding possibilities. He said that staff now needs to check with the City of Chanhassen and the U.S. Army Corps of

Engineers, and Administrator Bleser further described next steps including staff going back and getting more details of the site, having a more detailed conversation with the City of Chanhassen, and talking to the U.S. Army Corps of Engineers. There was discussion of the investigation completed to date. President Forster directed Administrator Bleser to bring an update back to the Board at its March meeting.

Manager Yetka moved to accept the Engineer's Report. Manager Wencil seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

12. Administrator's Report

a. Bluff Creek Clean Water Grant

Administrator Bleser reported that the District received a Clean Water Fund Grant in the amount of \$150,000 for the Bluff Creek Improvement Project, which is the amount that the District had requested. Administrator Bleser reported that Greg Wilson of Barr Engineering was a major leader in preparing the grant application, and he also compiled the Bluff Creek TMDL for the City of Chanhassen. She recommended that the District continue working with Greg Wilson as the project manager on the District's Bluff Creek Improvement Project. Administrator Bleser explained that she has asked him to prepare a task order for the project and that she plans to present the task order at the Board's February 19th meeting. Administrator Bleser said that the District will receive some of the funds in May or June, and she reminded the Board that the City of Chanhassen is partnering with the District on this project.

b. Cost-Share Program

Administrator Bleser reminded the Board that at its last meeting there were some questions raised about the District's Cost-Share Program, including how to move forward with it. She stated that the program received six residential applications, but there were more than six property owners that received technical assistance through the program. Administrator Bleser added that the program received an application from a commercial unit, one from a homeowners' association, and three applications from cities – two from the City of Chanhassen and one from the City of Eden Prairie.

She discussed the issue of the District putting a lot of resources into the technical assistance but not seeing the residents moving forward on implementation. Administrator Bleser explained the possible new approach of the District targeting a subwatershed, for example Duck Lake because part of the Duck Lake UAA (Use Attainability Analysis) is putting in 50 rain gardens. She said that a hybrid approach for the District's Cost-Share Program may be the best option, with such an approach there would still be some funds available to homeowners eager to implement a project like a rain garden and the rest of the funds dedicated to the targeted subwatershed.

Manager Crafton commented that she thinks that targeting subwatersheds is a good idea. Manager Yetka agreed that it would be a more efficient approach and asked if the UAA targeted specific properties for the rain gardens. She said that perhaps a better use of the technical assistance would be to do subwatershed assessments to the point of developing concepts for individual properties. Administrator Bleser agreed and said that the UAA does not specifically identify where the rain gardens should be placed, so that assessment would need to happen in order for this approach to move forward. There was discussion on using a two-year approach, identifying properties in year one and doing the implementation in year two. There was discussion about outreach on the program and about the Master Waters program being piloted in the Minnehaha Creek Watershed District. Administrator Bleser said that she can bring to the Board's February 19th meeting information on where the funds would be going if the District moves

ahead with the hybrid approach to the Cost-Share Program as just discussed. The Board agreed that it would like that information at the February 19th meeting.

c. Shallow Lakes Forum

Administrator Bleser announced that there will be a shallow lakes forum on Saturday, April 12th at the Minnesota Landscape Arboretum, and she said that the target audience is residents.

d. RPBCWD Staff

Administrator Bleser described information she is gathering on options for bring the District's two water quality specialists on as full-time staff and said that she will present the information at a future meeting. She reminded the Board that the water quality specialists' contracts with the District end on April 15th.

e. NEMO Proposal

Administrator Bleser let the Board know that at its February 19th meeting it will discuss the proposal and fund request regarding the Non-point Education for Municipal Officials program for 2014

Manager Crafton moved to approve the Administrator's Report as presented. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

13. Board Action

a. Task Order 3 (Engineering Services for review of concept plans for SWLRT in Purgatory Conservation Area)

President Forster said that Task Order 3 is in the meeting packet and is for Barr Engineering to review the concept plans for the Southwest Light Rail Transit (SWLRT) in the Purgatory Creek Conservation Area in Eden Prairie. He stated that the task order has a Not-to-Exceed amount of \$10,000. Manager Yetka moved to approve Task Order 3. Manager Crafton seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

b. Task Order 2 (Update the District's Hydrologic and Hydraulic Models)

President Forster introduced Task Order 2 for Barr Engineering to update the District's hydrologic and hydraulic models to reflect Atlas 14 at a cost of \$153,500, split into two years so \$103,000 from the 2014 budget and \$50,000 out of the 2015 budget. Manager Wencl asked for more details on the purpose and use of the models. Engineer Sobiech provided more information.

Manager Crafton moved to approve Task Order 2 for Barr Engineering to update the District's hydrologic and hydraulic models and approving payment of \$103,000 out of the 2014 budget and future payment of \$50,000. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

c. Resolution to Support Development of a Shallow Lakes Vegetation Management Plan for Mitchell and Red Rock Lakes

President Forster introduced the resolution and read aloud the final two paragraphs of the resolution. Manager Crafton moved to approve the resolution. Manager Wencl seconded the motion.

On behalf of CAC Advisor Sharon McCotter, CAC Advisor Laurie Susla asked if it would be appropriate to include Lake Lucy and also wondered if the plan should look at lakes throughout the district instead of

just two lakes. Administrator Bleser said that the District could request the biologist to break down the cost per lake. President Forster said it would be a good idea to solicit bids as soon as possible. Administrator Bleser added that the City of Eden Prairie has indicated interest in partnering with the District for the plan for Mitchell and Red Rock Lakes. She said she did not know if the City of Chanhassen would be interested in partnering on the plan for Lake Lucy.

Mr. Satterness commented that the UAA that had a management plan for Mitchell Lake was published in 2005, and the UAA for Red Rock Lake was published in 2006, so those two UAAs are out of date and it would be a good idea to get those two lakes on the schedule. He added that Lake Lucy has a new UAA. President Forster said that there has been a request for the Board to make a friendly amendment to the motion on the table to add in Lake Lucy to the resolution. Administrator Bleser clarified that the resolution would authorize her to solicit bids from biologists regarding a vegetation management plan for Mitchell and Red Rock Lakes and if the Board makes the friendly amendment to add Lake Lucy, then she would include Lake Lucy in the bid request. Manager Crafton made the friendly amendment to add Lake Lucy to the resolution. The Board agreed to the friendly amendment. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

14. Manager's Discussion

a. Website

Administrator Bleser said that she has requested a bid from HDR for some technical work on the website and system upgrades, so the Board will see at its next meeting a website proposal from HDR.

b. Purgatory Creek Project Design and Construction

Administrator Bleser said that she needs direction from the Board to have the task order developed for this project. Manager Crafton moved to approve the development of the task order for the Purgatory Creek Project Design and Construction. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

c. Lotus Lake Conservation Alliance Request

Manager Wencil moved to approve paying the Lotus Lake Conservation Alliance (LLCA) \$2,200 out of the funds the District was reimbursed from the City of Chanhassen out of the District's payment to the City for AIS inspections. Manager Yetka seconded the motion. Manager Crafton raised her concern with this action and said that the District's AIS agreement was directly with the City of Chanhassen. Manager Yetka commented that she supports the District providing the requested funds to the LLCA contingent on an agreement with the LLCA that it will use the funds for AIS inspections. There was a lengthy discussion about concerns with this action setting a precedent and the idea of the District maintaining the funds reimbursed by the City of Chanhassen and dedicating the funds toward AIS inspections at Lotus Lake. Ms. Susla commented that the LLCA would like to see those funds to toward AIS inspections at Lotus Lake. President Forster suggested the friendly amendment to the motion that the reimbursed funds would remain with the District and approximately \$2,700 of it would be dedicated to AIS inspections at Lotus Lake. Managers Wencil and Yetka approved the friendly amendment. Upon a vote, the motion carried 4-0 [Manager Bisek absent from vote].

d. Upcoming Board Agenda

Administrator Bleser said that at the Board's February 19th meeting there will be a discussion of the draft rules, approval of the January 8th meeting minutes, a discussion on storm water ponds and she will hand

this report out to the managers tonight, and a number of Board actions. President Forster reminded the Board that its February 19th meeting will be held in the Heritage Room and will begin at 5:30 p.m., and he suggested that the Board start its March 5th meeting at 6 p.m. since it is a public hearing. The Board agreed to starting the March 5th meeting at 6 p.m. CAC Advisor Laurie Susla said the CAC discussed the idea of the Board holding an information workshop about the rules on a date earlier than the public hearing. There was discussion and the Board decided the informational session would be held on February 24th, which is the same night as the CAC meeting.

Manager Wencil suggested that the District include watershed education pieces in the City of Chanhassen's utility bills. There was discussion and Administrator Bleser said that she can ask the City about it.

Manager Wencil brought up the topic of bees and beekeeping. He reported that the City of Eden Prairie has recently approved allowing backyard beekeeping and has had six people obtain permits. He listed other metro-area cities that allow it. Manager Wencil suggested the District make this information available and recommend that each of the District's cities get on board with allowing backyard beekeeping. He also said that at the District's next Evening with the Watershed there should be a speaker from the University of Minnesota to talk about bees and beekeeping.

Manager Wencil also recommended that the Board meetings start being held downstairs in the Heritage Room where the speakers are closer to each other, which makes discussion easier. President Forster said that the Board's next meeting is downstairs and a decision can be made after that meeting.

14. Upcoming Events

- **Project Wet Workshop**, February 13, 2014, Eden Prairie Water Treatment Plant
- **Board Meeting**, Wednesday, February 19, 2014, Heritage Room, Eden Prairie City Center, 5:30 p.m.
- **Public Hearing and Regular Board Meeting**, Wednesday, March 5, 2014
- **Native Plant Landscaping**, March 26, 2014, Minnetonka Community Room, 7:00 p.m.
- **Evening with the Watershed**, Thursday, April 3, 2014, Chanhassen American Legion, 7:00 p.m.

15. Adjournment

Manager Crafton moved to adjourn the meeting. Manager Yetka seconded the motion. Upon a vote, the motion carried 4-0 [Managers Bisek absent from the vote]. The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Ken Wencil, Secretary