



1 **Minutes of the Special Joint Board Meeting of the Brown's Creek Watershed District**
 2 **Board of Managers and City of Stillwater, December 3, 2007.**

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 4 **Stillwater City Hall, 216 N 4th Street, Stillwater MN**

APPROVED

5
 6 **ROLL CALL**

7 BCWD Board Present: Craig Leiser, President
 8 Rick Vanzwol, Vice-President
 9 Gerald Johnson, Secretary
 10 Connie Taillon, Treasurer
 11 Gail Pundsack, Manager

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 13 Stillwater Council Present: Mayor Harycki
 14 Councilmember Gag
 15 Councilmember Milbrandt
 16 Councilmember Polehna
 17 Councilmember Nyberg

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 19 Staff present: BCWD Administrator Kill
 20 Stillwater City Administrator Hansen
 21 Stillwater City Attorney Magnuson
 22 Stillwater Public Works Director Sanders
 23 Stillwater City Development Director Turnblad
 24 Stillwater City Clerk Ward
 25 Joe Bischoff, Wenck

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 27 **Workshop with Browns Creek Watershed District**

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 29 **Call to Order**

30 Watershed District Manager Leiser called the special meeting of the Watershed District to order
 31 at 4:30 p.m. Roll call was taken; all Board members were present.

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 33 Stillwater Mayor Harycki called the Stillwater City Council meeting to order at 4:30 PM. Roll
 34 call was taken. Present: Councilmembers Gag, Milbrandt, Nyberg, Polehna and Mayor Harycki

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 36 **Introductions**

37 Mr. Leiser noted that the administrator, Melissa Lewis, and Ron Nelson, Manager of the Middle
 38 St. Croix Water Management Organization Board were in attendance. Members of the Brown's
 39 Creek Watershed District and the City Councilmembers introduced themselves.

1 **McKusick Lake Management Plan**

2 Joe Bischoff, Wenck Associates, reviewed the management plans for McKusick, Lily and Long
3 lakes. He began with the management plan objective - diagnosing the root causes of the
4 problem. Some of the root causes can include phosphorus content, invasive species,
5 shallowness, and hydrologic changes. The plan also includes goals and menu of options for
6 restoration and protection of the lakes. The options are focused on the root causes, rather than
7 the symptoms. Symptoms can sometimes be treated in the short-term. He also pointed out that
8 not all the options should be implemented at once, but introduced and accomplished over time.
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10 Mr. Bischoff suggested the first step in the process is designing a strategy, which is what has
11 been accomplished with this report, implementing and monitoring the effectiveness of the
12 selected actions, evaluating the effectiveness, assessing the progress and then resetting strategies.
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14 Mr. Bischoff reviewed the lake goals, pointing out the strategy for shallow lakes is different from
15 deep lakes. He reviewed the five elements of the shallow lake strategy. He also reviewed the
16 models and current watershed loads for Lily Lake and McKusick Lake.
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18 Mr. Bischoff spoke to water quality, noting that Lily Lake is actually of pretty good water
19 quality, especially for an urban environment, and suggested that small projects will have a good
20 impact on the lake.
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22 Mayor Harycki said he thought the problem at McKusick stemmed from Lily and Long lakes,
23 but from this data it appears the problem is in the annexation area drainage. Mr. Bischoff said he
24 believes that is true but said one of the recommendations is to do a study to determine the exact
25 source of the problem. Mr. Bischoff briefly reviewed the fish and plant communities of the
26 lakes. He also spoke to a number of potential projects, some of which have been done or are in
27 the process of getting done, to improve water quality. He suggested that it might be more cost
28 effective to determine internal nutrient loading before deciding to proceed with some of the more
29 expensive projects, such as alum treatment, to determine the benefit of the project.
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31 Regarding McKusick Lake, Mr. Bischoff said he thought it was a lake in a good clear water state
32 lake, with good water quality, but is facing some pressures that may push it to a turbid water
33 state. Mayor Harycki asked about the phosphorus loading figures and wondered whether rainfall
34 had any thing to do with those figures; Mr. Bischoff said rainfall does in fact affect those figures.
35 One of the factors leading to pressure on the lake is vegetation, which is dominated by coon tail,
36 and nutrient loading. He noted that fish kills are not always bad for shallow lakes and, in fact,
37 are a good thing for McKusick and helping keep the lake in a clear water state. He said the one
38 problem that is occurring is the filamentous algae blooms. He stated there are two possible
39 sources for the filamentous algae, the flows from the diversion structure or internal loading,
40 which can be easily determined. He reviewed several suggested projects, including the two
41 major projects, infiltration basins for BWW 03 and the infiltration basin at the diversion
42 structure. He spoke of the importance of a diagnostic study to determine the source of the
43 phosphorus. He also noted that the harvesting of the filamentous algae has no long-term benefit
44 and suggested the City would be better off focusing on some of the other areas of phosphorus
45 loading. He spoke of the possibilities of a summer drawdown and managing winter fish kills.
46

1 Regarding Long Lake, he stated the lake is a turbid-water state lake, with poor water quality and
2 clarity, dominated by rough fish, primarily Koi and black bullheads. He suggested the problem
3 for Long Lake is the rough fish. He said there is some diversity of the vegetation population
4 remaining, but not a lot. He suggested the focus at Long Lake should be on in-lake projects,
5 specifically a winter or summer drawdown of the lake to kill all the fish and control internal
6 nutrient loading. Mayor Harycki asked about a cost estimate for a drawdown. Mr. Leiser stated
7 the drawdown was being considered as a portion of the Long Lake Management Plan budget.
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9 Councilmember Milbrandt asked about the source of phosphorous in a fully developed area such
10 as the area surrounding Lily Lake. Mr. Bischoff said the source can be organic materials such as
11 leaves and the problem is rapid transport into the resources. This is why practices such as street
12 sweeping as important. Mayor Harycki asked about the availability of grants to fund some of the
13 suggested projects; Mr. Bischoff spoke of his experience with Clean Water Legacy Act grants,
14 which have been pretty minimal from the State. Mr. Bischoff also spoke of the possibility of
15 cost-share with the Watershed District. Mr. Leiser spoke of the possibility of matching grants
16 from BWSR.
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18 **Long Lake Management Plan Implementation Update**

19 Karen Kill, Brown's Creek Watershed District administrator, provided an update on the Long
20 Lake Management Plan. Mr. Leiser said the District has received a very preliminary estimate of
21 \$200,000 for a drawdown of the lake. Ms Kill stated the north Market Place pond improvements
22 have been completed, with two outlet modifications done, along with some grading and
23 excavation of a pond by the Cottages. Improvements also have been made to the Herberger's
24 pond, an improvement of about 25 pounds per year that will no longer flow into Long Lake,
25 along with the installation of a proprietary device aimed at removing the dissolved phosphorus
26 that is flowing through that system.
27

28 **Coordination of Buffer Education and Enforcement**

29 Connie Taillon, Watershed District Board Manager, raised the issue of clearing in the
30 conservation easement adjacent to Long Lake by a private resident in the Liberty development;
31 she said there had been skid loader activities in the easement area with the potential for erosion
32 into the lake from that activity. She stated removal of buckthorn was cited as the reason for the
33 activity. There was discussion of which agency has enforcement authority. Ms. Kill said the
34 issue was raised to initiate a discussion with the City about possible ways for the Watershed and
35 City to cooperate in educating residents about the conservation easement and buffer area
36 regulations. Community Development Director Turnblad responded that this was in no way a
37 permitted activity; he stated the responsible person had been contacted and told it was not
38 permitted. Mayor Harycki suggested the City could work with the Liberty Homeowners
39 Association to educate the residents; he also suggested utilizing the City newsletter to educate
40 residents. It was noted the Watershed District does have an education budget, and there was
41 discussion about possible collaborative education efforts.
42

43 **Stillwater Comprehensive Planning and Local Water Management Plan Update**

44 Mr. Leiser asked about the status of the City's Comprehensive Plan and Water Management
45 Plan. Public Works Director Sanders replied that review/comments by the various agencies had
46 been completed and would be submitted to the agencies in the next few days.

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Land Conservation Opportunities

Mr. Leiser asked about the City's intentions regarding the Jackson Wildlife Management Area and the Heifort property; he said the Watershed District could be aghast if the Jackson area became a part of a land development project and would like to see the area maintained as a park/open space. Councilmember Nyberg expressed a concern about the City acquiring the Jackson property when it is strapped to take care of property the City already has. There was discussion about the possibility of the City and Watershed District cooperating in acquiring the property. Councilmember Milbrandt pointed out that legislation prohibits the property from being sold to a private party, so the City doesn't have to expend funds to leave it as it currently exists. Regarding the Heifort property, Ms. Kill stated the Watershed District had been contacted by private residents regarding the City's possible interest in the property for park/trails. Councilmember Milbrandt pointed out the Heifort property is still Township property, not scheduled to be annexed until 2015.

Erosion & Structure Inventory along the Zephyr Rail Line

Mr. Leiser stated the Watershed invested dollars into doing an erosion and structure inventory of the Zephyr trail line from Highway 95 into the Oak Glen Golf Course. The inventory was supplied to the City for information purposes and has been submitted to the DNR trails committee in preparation for planning for possible acquisition and incorporation into a state trail. He said the inventory discovered the Zephyr line cannot accommodate a 12' trail, the state standard for a trail, along its entire length. He also stated there appear to be some original water conveyance structures under the tracks that are in need of repair. He also said there is some concern with a footpath off of Stonebridge Trail that people are using to access Brown's Creek, creating a lot of potential for erosion; he suggested a fence may have to be installed or an actual authorized access constructed to avoid further erosion. Rick Vanzwol, Watershed District manager, reiterated Mr. Leiser's concern regarding the width of the state trail and stated 8' is the maximum width that can possibly be accommodated on the Zephyr track line in some locations.

BCWD Third Generation Management Plan & Adopted Rules

Mr. Leiser told the Council that the Watershed District has completed its third generation plan. Amended rules also have been adopted and effective May 1, 2007. He said the Watershed District would be more than willing to hold a workshop with City staff to explain the amended rules if desired. He stated the District is the first Watershed District in the state to incorporate groundwater protection activities in its rules. He said the Watershed District is in the process of identifying specific local groundwater resources and developing rules to protect those resources.

Councilmember Milbrandt noted that the City is in three different watershed districts/management organizations and wondered if all three were on the same page, as the City can't comply with three different sets of rules. Mr. Leiser noted there is an ongoing effort to make the rules as consistent as possible while still protecting the unique resources of each watershed. He stated Brown's Creek talks regularly with Carnelian-Marine, Valley Branch and Middle St. Croix and meets monthly with the Washington County Water Consortium, where issues of consistency are a regular concern. The City of Stillwater has attended these meetings from time to time.

1 Councilmember Polehna suggested that City and Watershed staff meet and discuss possible ways
2 for streamlining the permitting process, so people know whom to talk to regarding specific
3 issues. Councilmember Polehna also spoke of some efforts of residents at improving habitat
4 around Long Lake and ways to encourage those efforts, such as improving the Long Lake
5 shoreline in the City park areas. Mr. Leiser stated the Watershed District would continue to fund
6 best management practices, including lakeshore improvements and rain gardens.

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8 **Next Meeting**

9 It was decided to have the next joint meeting in March/April of 2008, with Ms. Kill and
10 Administrator Hansen to arrange the specifics.

11
12 **Adjourn**

13 **Manager Vanzwol, seconded by Manager Johnson, moved to adjourn its special meeting at**
14 **5:51 p.m. Vote 5/0.**

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16
17 Respectfully Submitted by,
18 Karen Kill
19 BCWD Administrator