



REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 P.M. WHITE BEAR CITY HALL
MINUTES of May 20, 2014

APPROVAL DATE: June 17, 2014

1. CALL TO ORDER The May meeting of the White Bear Lake Conservation District was convened by chair Jane Harper DeSmet at 7:02 pm.

2. ROLL CALL Present were: Chair Jane Harper, Vice Chair Bryan DeSmet, Directors Mike Parenteau, Mark Ganz, Gene Altstatt, Pat McCann, Scott Costello, George St. Germain, Suzanne Donnell. A quorum was present. Recording Secretary was Julie Yoho. Absent was Diane Longville (excused).

3. AGENDA

Strike item 8c4 from agenda for this month

MOTION # 1 (Ganz/Parenteau) Move to approve agenda as amended. All aye passed

4. APPROVAL OF MINUTES

MOTION #2 (DeSmet/Parenteau Move to approve minutes from April. all aye passed

5. PUBLIC COMMENT TIME

Brian McGoldrick – has comments he will make during City of WBL dock application

Rep Peter Fischer provided an update on the legislative session. The WBL water level is symbolic of complex statewide issues. The Legislative water commission has been re-commissioned. The bill for augmentation did not pass. Need to look at aquifer recharge and identify areas that help with that. Met Council has identified wetlands of importance. Other funding is available for public workshops for cities regarding landscaping practices - irrigation is biggest water use. Met Council received funding for regional water supply feasibility and design. Collaborative effort such as moving to surface water from ground water source for local water supplies. Water managers will become part of process and input. Funding to U of M for industrial use studies in area. Funds to Dept. of Health for wellhead protection. We are looking for many potential solutions.

Harper – allocations – are they specific to WBL or metro wide?

Fischer – These are NE Metro

Altstatt – The senate passed the augmentation bill, died in house. Where do you stand on it?

Fischer – part of solution. WBL is part of aquifer, we need to be sure that is getting refilled and think of it as an underground reservoir. Need to care for it and refill it for future. Augmentation is part of overall solution.

Ganz – sewer water?

Fischer – Met Council is looking at treating water and discharging it. Many areas of the country have gray water systems where it can be reused. It will be a process to change rules to put systems like that in place.

Harper – long term, no quick fix

6. NEW BUSINESS

DNR Q & A on lakeshore vegetation control. Molly Shodeen, Area Hydrologist; Rob Dodd, Aquatic Plant Specialist; Capt. Greg Salo, Enforcement

Dodd – Permits for vegetation control can be for 100 foot maximum from OHM to waters edge. Other lakes get 15 foot wide maximum, with normal water level. Most permits on WBL are issued for mechanical control to width specified. No permit is needed for terrestrial species control, but you cannot impact aquatic vegetation in the process. Best route is manage what's allowed by permit and leave the rest untouched. Impacts aquatic species = any damage (cutting, roundup, herbicides). Compliance checks will measure gap to ensure it matches what was on permit. Control methods include mowing, pulling. No bulldozers or heavy equipment.

Ganz – Is a bobcat heavy equipment?

Dodd - Yes

Altstatt – Are these statewide rules?

Dodd - Yes

Altstatt – any consideration with the low water here?

Dodd – We are permitting max amount on a handful of lakes including WBL.

Altstatt – Is WBL a priority?

Dodd – We process permits as received. Inspections are done in geographical areas by permit group as received. Mass information mailings have been done the last several years.

Altstatt – What about aerial observation? Is WBL priority?

Capt Salo – We use aerial observation on many lakes to monitor what's being done. 1 -2 fly-overs the last 2 years. More cost effective to fly than walk each property. WBL is at top due to number of issues and violations seen. Many in lakes in Chisago Co too.

Altstatt – WBL is 4 feet low

Salo – We assist the plant specialists. Issue is clear for us. The special consideration for WBL is they are allowing max width to cut of 100 feet. Other lakes can do 15 feet. That is the exception.

Harper – what is the process when there is a violation?

Salo – typically Officer Kruse, WBL is her area. Try to make face contact with owner, then letter is sent. If no contact or no corrective action then enforcement action is taken.

Harper – do most voluntarily do corrective action?

Salo – for most part cooperation has been good.

Public comment – I received no communication, just warrant

Salo – can take names and look into. Speaking in general about process.

DeSmet – Are the WBL violations due to no permits or overcutting?

Salo – no breakdown, both

Parenteau – What is the permit process? One permit for all controls? Since it covers so much could there be permit that would be more lenient for mowing control. In fall all the vegetation dies back.

Dodd – Permit form needs to keep it general and broad. Best box is emergent plants.

Seasonal is good note – priority is for growing season. Yes it is a broad permit form

Parenteau– most frustration seems its people who want to mow. Could you expand zone for mowing?

Dodd – terrestrial plants can be mowed. We are not authorized to allow any additional. It's in state statute.

Altstatt – confusion over all the lakes. Why doesn't a metro lake have more leniency?

Salo – no

Shodeen – if the vegetation is destroyed now, it won't be there when water comes back up. The lake is regenerating vegetation. Seed bed has been sprouting 6 yrs. State goal is to balance use of lake bed.

Altstatt – no cattails in past

Shodeen – priority now because when it happened in 80s there were cattail and bulrush, then it was gone. Want some to survive for future.

St Germain – few cattails in this lake

Shodeen – mostly bulrush

Bob Miller, Lake Ave. – received permit today. This is 3rd low water cycle I've seen. Have you driven Lake Ave and seen where they haven't cut – there are trees. Doesn't seem beneficial. Why wouldn't you want us to keep it down? Don't understand the logic of keeping bad stuff too.

Dodd – terrestrial species will die when water comes back up. Downed trees are habitat and food source. Main issue is navigation. Terrestrial species will go away when water comes back up.

Miller – difference between what is cut and what hasn't been when water comes back up?

Dodd – if mowed and roots not damaged more likely to come back. Bulrush will come back

Fred, Lake Ave – have seen the same cycles of low. Within 2 years of water coming back it clears up. Question on landscape from ohm to lake. Sand to mud to water. Mowed mud area. Need someone to come out and tell me what things are and what can be done, help identify. Group of 5 families sharing dock. Lakeshore with no dock, if rec use can we mow 50%?

Dodd – best resource is website, aquatic plant photos can help identify. Focus on permit area and just manage that area, leave the rest. You can cut everything within permit zone.

Harper – reminder – you need permit in advance

Dodd – Yes, you need to receive permit in mail. Just applying doesn't count.

DeSmet – clarify – do you need to have a dock in order to get permit to clear? Would you consider a field day for education?

Dodd – You do not need a dock, permit can be issued for any recreational use - canoe, etc.

Jim Markoe, WBL Homeowners Assoc. – growth of trees in lake. Won't they live for a while and drink water? Any plan to deal with? When biomass goes into lake, what about phosphorus and nutrients?

Dodd – trees can come down without permit. Emergent plants will help water quality. Terrestrial will add nutrients but lakes have ways to deal with.

Markoe – The Matoska park area has lots of plants - will lake absorb?

Dodd – temporary spike, but will balance out.

Kaplan – what can we do to improve safety? Cut 50%, other 50 is tall, people are walking there, concerned about liability. Cant fence.

Salo – can't protect everyone. Don't know how it's feasible

Kaplan – can I put signs?

Shodeen – no structure. Issue of riparian rights. If water was there people wouldn't walk. As landowner, you control ohm to water, but don't own it.

Salo – if people are walking there, it would be trespass. If feet are wet your legal. If feet are dry your on someone's property. If on dry ground your on someone's property. Enforcement can handle that as well as local law enforcement.

McGoldrick – Thank you for coming. I'm understanding that you enforce the state rules. Anything legislature can do?

Rep Fischer – focusing on water level primarily. Next session could look at policy.

Harper – thank you for coming out. Important information for landowners.

Salo – if in doubt call us

Shodeen – Regarding plant ID - We can notify when we are in area and go over plants with you if interested.

7. UNFINISHED BUSINESS

none

8. Reports/Action Items

8a. Lake Level Resolution Committee

DeSmet - LLRC met last wed. and had discussion on putting in climate recording stations that would provide specific info for White Bear Lake. Will be asking for \$9000 to purchase 1 station. U of M would provide another. Other members are pursuing stations from cities around lake.

Parenteau – what data is collected?

DeSmet – water depth, temp, has a full weather station, ability to download info.

8b. Lake Quality Committee

Swimmers itch letter – Time to send policy letter to cities

Lake temp – 56 degrees. Last year it was 63 degrees

Lake level - 920.95 which is 4 ½ inches higher than when ice went out. 1 foot 2 inches higher than last November.

8c. Lake Utilization Committee

8c1. 2014 Water Patrol contract with Ramsey county

Ganz – both WA County & Ramsey County have jurisdiction on lake.

St Germain – WA county gets slip at WBYC for patrol boat. Used to pay much more for Ramsey. WA has agreement to patrol lake and enforce; Ramsey does extra enforcement and we pay extra.

Harper – we buy additional enforcement over and above base enforcement.

MOTION # 3 (Ganz/St Germain) Move to approve 2014 contract. All aye, passed.

8c2. City of WBL municipal marina

McGoldrick – concerned over parking, requires 1 spot for every 4 slips. Would like to know where those parking spots are. City should be leaders and adhere to their ordinances. Shouldn't get permit without parking. Demonstrate where parking is.

Ganz – City rep was at the committee meeting. Letter is going out to people leasing slips. Parking is under construction this summer.

Harper – so they don't have 40 spots for parking?

Ganz – No, under construction. Said tenants would be getting letter, but no specifics.

St Germain – said there would be alternative parking. We asked for copy of letter

Harper – what about in the past?

St Germain – has not been an issue for us, we expect they'd follow their ordinance

Ganz – our ordinance says to follow the city ordinance. City has ordinance but they don't enforce themselves.

Harper – levels of authority... do we have authority to tell them to follow their rules?

St Germain – we have authority to grant permit. Suggest they provide us with letter.

Ganz – we are not in parking business.

Harper – Alan, can we tell the city they have to follow their own regulations in terms of parking?

St Germain – spaces are under construction. The concern is parking will occur in shopping center.

Kantrud – city problem to police themselves. Would expect they have to issue a permit to themselves. WBLCD is in control of what is in the lake. Can't police the parking – you don't have enforcement authority over that. Can't deny permit based on that.

Kantrud – presumption is that parking issue is a terrestrial problem

Costello – in application it states there are 40 parking spaces. Signed by Mr. Burch.

Kantrud – question is who's job it to police that.

Parenteau – don't want to police that, want to find out if they have it / verification

St Germain – we can make permit conditional to receiving letter copy.

Kantrud – it is a conditional use permit. Can revoke next month

Altstatt – how do Tally's and Docks of WBL handle parking?

McGoldrick – We mark off spaces for restaurant and docks.

Altstatt – committee could work with Sather for public boat parking in that area, require them to have transient slips?

Donnell – says on permit they have the spaces. Sather said they are under construction, obviously not there. Issue conditional permit

MOTION # 4 (Ganz/ St. Germain) Move to approve City of WBL permit pending receipt of letter regarding parking for their patrons. All aye passed.

Parenteau – transient spaces are provided by others on each side

8c3. McCartney Estates, Mahtomedi

MOTION # 5 (Ganz/St Germain) Move to approve. All aye passed.

8c4. Altstatt mooring buoy

MOTION # 6 (Ganz/St Germain) Move to approve. 8 aye, Gene abstain. Passed.

8d. Lake Education Committee

Altstatt provided a handout on website usage. New site will be online June 1

8e. Treasurer's Report

MOTION # 7 (Harper/McCann) Move to approve treasurers report and pay checks 4230 - 4233. All aye passed.

2015 Budget discussion
Budget will be approved in June.
LEC is requesting increase.
DeSmet - Climate station request for \$9000. Would ideally have 4 in equal locations around lake. Data downloads automatically. Provides info on water depth, temp, meteorological station.
Parenteau – Ramsey co reads lake level more frequently. Info may be there, just may have to gather.
DeSmet – when variety of people are gathering data, it’s possible not in the same way. This is a calibrated unit analyzed same way every time.
Ganz – if do this have it on website
DeSmet – yes data would be available. Unsure of “real time” data
St Germain - 3% increase to cities would be approx. \$3000 increase.
Parenteau – use reserves for 1 time expenditure rather than increase
Harper - Think if the LEC request is sustained or 1 time expenditure.
Donnell – could do from reserves this year.

8f. Board Counsel Report

none

8g. Administrative Staff Report

Perry Jones will be providing an update next month

9. CONSENT AGENDA

MOTION # 8 (Parenteau/Ganz) Move to approve. All aye passed.

10. ANNOUNCEMENTS

none

11. ADJOURNMENT

MOTION # 9 (St Germain / Parenteau) Move to adjourn. All aye passed

Meeting adjourned at 9:28 pm

ATTEST:

Administrative Secretary

Date

APPROVED:

Board Chairperson

Date