



0 White Bear Lake Conservation District/4701 Highway 61/White Bear Lake, MN 55110

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT  
7:00 P.M. WHITE BEAR CITY HALL  
MINUTES of July 20, 2010

APPROVAL DATE: 8/17/10

**1. CALL TO ORDER** The July meeting of the White Bear Lake Conservation District was convened by Chair Mike Stawnychy at 7:10pm.

**2. ROLL CALL** Present were: Chair Mike Stawnychy, Vice Chair Luke Michaud, Directors Mike Parenteau, John Steinworth, George St. Germain, Sue Cernohous, Joe Allaben, Doug Danks. A quorum was present. Absent were Diane Longville & Yale Norwick. (both excused) Recording secretary was Julie Yoho.

**3. AGENDA**

Add item 8a3. WBL Homeowners transfer of funds.

**4. APPROVAL OF MINUTES**

Minutes from June, motion #8 vote count should be 8 aye, 2 nay.

**MOTION #1 (Stawnychy/Parenteau) Move to approve minutes of June with above correction. All Aye, Passed.**

**5. PUBLIC COMMENT TIME**

none

**6. NEW BUSINESS**

6a. Groundwater management in White Bear Lake area. Presentation by Craig Wills DNR, Lanya Ross Met Council and Jay Frischman DNR.

Q&A

Parenteau – is WBL a priority lake?

Wills – our priority is state wide to look at relationship between lake levels and groundwater.

Ross – Met Council is focusing on east metro growth.

Parenteau – Could Kohler pump into WBL?

Fishman – very inefficient. Pumping from wells caused elevation change in groundwater levels. Pump effect in lake disappeared quickly. Now it is illegal, wells are sealed. Old wells drew from all formation levels.

Parenteau – Kohler is already pumping water up, why no recapture?

Wills – Would need PCA approval to put into lake, take a close look at water quality. Would need a lot to make difference in lake, could be calculated. Would involve a permit process.

Michaud – WB Homeowners Assoc. wanted to do study to look at different options

Steinworth – Presenters, what brought you here tonight?

Wills- heard there was interest in doing a study, wanted to provide information. \$5,000 for study won't do much. Last study by DNR was \$175,000 plus.

Steinworth – our authority/boundary is water in the lake. Who has authority over ground water? We are a minute player in all this. In context, how does \$5k study fit in, how can it help you? Is it good deal?

Wills – We are here to offer up resources. There is a wealth of knowledge out there. That is for WBLCD to decide if it is worth doing.

Stawnychy – It's not up to us decide, not our study.

Steinworth – Mr. Crary wants us to be involved

Michaud – In the past, when we did pump, levels were more consistent, what am I missing. Would like to be able to explain that. Was there a correlation?

Fishman – yes, that was looked at in the report. Groundwater level data was not present back in the pumping years. Yes, if you pump hard enough you could impact lake levels, question is how much to get a measurable amount.

Ross – Met Council priority is drinking water, what would effects of additional pumping into lake have on the water supply? Also contaminate management.

There is a lot of data, it is a struggle to come up with goals that can be evaluated.

Wills – WBL levels have a lag time with precipitation. Met Council can do some modeling, if you choose, with ground water/surface water.

Stawnychy – are all the aquifers are connected?

Wills – yes

Danks – I went thru the '98 report. I've seen graphs where the trend seems to be divergent from precipitation level. Glad there will be more monitoring. I'd like an annual update as the modeling continues, recharge rates, etc. Do you monitor industrial water users?

Wills – Any user taking over 10,000 gallons per day, need permit from DNR. We produce an annual report for those.

Michaud – Are rain gardens taking the runoff water out of the lake? Could we put plowed snow into lake?

Wills – don't know due to little rain. Depends on watershed size

Fishman – yes, if water pools there, more evaporation happens in garden. USGS did study last year on recharge zones which was inconclusive. Snow has crap in it, you wouldn't want that in the lake. In general, in 2000 there were peak groundwater levels statewide. There has been a general downward trend since.

6b. WBL Homeowners Assoc. study proposal from SEH

Crary – Study is to get more facts and understand the DNR study. See handout for scope of study. No payment is due until the report is complete. Homeowners assoc. wants to contribute money thru wblcd for tax purposes. Low water levels have a great economic impact.

Stawnychy – Want it stated we are not subject to any additional fees, need to be exempt from more than \$5,000.

Crary – contract is with Homeowners Assoc.

***Motion#2 (Michaud/Parenteau) Move to partner on study that WB Homeowners Association will pay for via grant to wblcd.***

Discussion

Michaud – if owners want to do this, let them, don't see reason not to partner, no cost to us

Danks – there is undetermined legal question on pumping. Are we getting ahead of ourselves...

Kantrud – Most questions have been answered by people here tonight.

Recommend you accept the money first, then commission study. Not appropriate for homeowners assoc. to have contract with. Then they should pay directly and deal with tax consequences. If we take money to do something, we should contract for study. Becomes public funds

Michaud – So legally your recommendation is to take in as a grant, then we contract for study as partner.

Kantrud – accept the donation by resolution, don't pay for someone else's study.

As regular process, dollars should be spent by us

Steinworth – sounds like money laundering. This is a contract between SEH and WB HOA. WBLCD is being asked to be money vehicle. Thank you to Kantrud for clarifying. We do not have jurisdiction over water under the lake. To do correctly, we have control over study. Same as the milfoil control model.

***MOTION #3 (Steinworth/Danks) Move to table this proposal.***

***2 aye, 6 nay, motion fails.***

Parenteau – There is so much information out there, this can help pull it together

Stawnychy – just concerned how donation is handled and how study is paid for.

I respect Mr. Kantrud's opinion.

Allaben – I support study, would it work to handle contract as per legal advice?

Crary – We could have done study already.

Allaben – proposal initially feels like wblcd is vehicle for money. I support getting the information, but we have responsibility for public funds.

Michaud – I'd like to clarify the original motion

***MOTION# 2 revised (Michaud/Parenteau) Move to accept \$5,000 grant from the White Bear Lake Homeowners Association to commission study on water level issues as outlined in packet tonight.***

Danks – My objection is precedent of the process. We are receiving proposal that has a conclusion and preliminary well design, rather than open ended study.

I'm concerned if WBLCD is involved, we should have more direction in what is encompassed in study. This packet is closed ended. I'm concerned over future precedent.

Crary – If the board wants to be involved and has questions they want answered, we have no problem with co-signing on the contract and including.

Kantrud – It's ok to accept donation set up for specific purpose, within statute.

Memorialized in record.

Steinworth – question for DNR presenters - Would like each of them to speak their opinion on this. Why should WBLCD do this study and what is in it that you don't already have? How will it make a difference? How is it good for us?

Stawnychy – Vote has been called. Answer is not needed from our DNR and Met Council guests.

***Motion #2 Vote***

*5 aye, 1 opposed (Steinworth), 1 abstain (Danks). St Germain absent. PASSED*

**7. UNFINISHED BUSINESS**

7a. Stawnychy - We're going to table Ordinance 5 discussion.

**8. REPORTS/ACTION ITEMS**

**8a. Lake Quality Committee /see handout**

8a1. Lake level 920.11 today. Last year 920.12.  
temp is 78 degrees. 72 last year.

8a2. EWM treatment update

Original sites needed enlargement, DNR came out 3 times for assessment, treated 98 + 34 acres. Waiting for additional 15 acres approval. All info and assessments are on website. Treatment done 2-3 weeks ago in Birchwood, milfoil is starting to fall down. Other acreage treated yesterday.

Stawnychy – amazed at first treatment site. EWM is down, other plants up

Steinworth – high quantity this year, horrible conditions this year

Stawnychy – thank you for all your hard work on this

Steinworth – hope we achieve desirable outcome. First time we've used this, wish we could have done on smaller scale for first time

Parenteau – triclopyr breaks down 100 percent. The clumps of weeds floating around has nothing to do with treatment. EWM falls down and dissolves via chemical. Not enough nutrients left on bottom to fuel new growth.

8a3. WBLHOA checks submitted today for EWM control

Deposit checks now, receipts will be sent after payment is made to Lake Management.

**8b. Lake Utilization Committee**

8b1. Leukemia cup regatta event permit

*MOTION # 4 (Michaud /St Germain) Move to approve permit and waive fee. All aye, passed.*

8b2. Park Ave dock dispute

The parties are still trying to resolve. Will be buying an aerial photo and Norwick will be working with them on dock placement.

**8c. Lake Education Committee**

nothing

**8d. Treasurers report**

*MOTION # 5 (Stawnychy / Parenteau) Move to pay checks 3988 - 3992 All aye, Passed.*

**8e. Board Counsel Report**

All motions for summary judgement were granted.  
Michaud – Greely already moved dock, Sampair also. No board action needed.  
Thanks to Alan and Paul from LMC.  
Kantrud – copies are available. Keep on file for future.

**8f. Administrative Staff Report**

Items included in packet this month:

- Agenda
- June draft minutes
- June LUC draft notes
- Finance report
- Ordinance 5 most recent version
- Permit application - 1

**9. CONSENT AGENDA**

**10. ANNOUNCEMENTS**

none

**11. ADJOURNMENT**

*Meeting adjourned at 9:35 pm*

ATTEST:

\_\_\_\_\_  
Administrative Secretary

\_\_\_\_\_  
Date

APPROVED:

\_\_\_\_\_  
Board Chairperson

\_\_\_\_\_  
Date