

44 **Resolution 18-099, Authorization to execute an Environmental Response Fund (ERF) grant**
45 **agreement with Hennepin County Environment and Energy Department for 325 Blake**
46 **Road**

47 *NOW, THEREFORE, BE IT RESOLVED that the MCWD Board of Managers*
48 *hereby approves the Grant Agreement between Hennepin County, acting*
49 *through its Environment and Energy Department for appropriated*
50 *Environmental Response Funds in the amount of \$25,000, and authorizes the*
51 *District Administrator to execute the Grant Agreement.*

52 **Resolution 18-101, Authorization to Execute a Grant Agreement with the Minnesota DNR**

53 *NOW, THEREFORE, BE IT RESOLVED, that the MCWD Board of Managers*
54 *hereby approves the Grant Agreement between the State of Minnesota, acting*
55 *through its Department of Natural Resources for appropriated Outdoor*
56 *Heritage Funds in the amount of \$567,000 for the Six Mile Creek-Halsted Bay*
57 *Habitat Restoration Program, and authorizes the District Administrator to*
58 *execute the grant agreement.*

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60 *Upon vote, the motion carried 7-0.*

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62 **REGULAR AGENDA**

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64 **Board, Committee and Task Force Reports**

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66 President White stated that the Metropolitan Minnesota Association of Watershed Districts will
67 meet in October but a liaison from the board has not yet been selected. She said Manager
68 Rogness will be the liaison for the October 10 Citizens Advisory Committee meeting. She stated
69 that resolutions for the Minnesota Association of Watershed Districts annual convention are due
70 in mid-October and that in December she will begin serving as MAWD representative on the
71 Local Government Round Table.

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73 Manager Miller reported that the Program and Planning Committee meeting was short and
74 included a discussion of a complicated three-acre easement on Bushaway Road that staff is
75 working on.

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77 Manager White stated that upcoming meetings and events are listed in the agenda for tonight's
78 meeting.

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80 **ACTION ITEMS**

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82 **Resolution 18-102, Approval of Minnetrista Local Water Management Plan**

83 Renae Clark presented a brief review of the District's framework for review of local water
84 management plans as a segue to presentation of the recommended approval of the Minnetrista
85 plan. Ms. Clark noted that staff works closely with watershed cities preparing local water plans
86 to establish expectations for leveraging the District's resources for projects the city wants to
87 pursue. She said that staff reviews the local water plan for compliance with state statutory and
88 rule requirements. Ms. Clark showed a map of the City of Minnetrista and noted its significance
89 in the watershed in relationship to the District's work in the Six Mile Creek subwatershed and to
90 Lake Minnetonka. Ms. Clark explained the issues and management strategies that the city
91 develops in its water plan for each subwatershed. Ms. Clark recommended that the board
92 approve the plan. *Manager Olson moved and Manager Shekleton seconded adoption of*
93 *Resolution 18-102, approving the City of Minnetrista Local Water Management Plan. Upon*
94 *vote, the motion carried 7-0.*

95 **Resolution 18-103, Approval of Plans and Specifications and Authorization to Solicit**
96 **Quotes for the Six Mile Creek-Halsted Bay Subwatershed Carp Barriers**

97 Anna Brown appeared before the board of managers to review the design specifications for the
98 Six Mile Creek-Halsted Bay carp barriers and to seek authorization to solicit quotes for the work.
99 Ms. Brown described the carp barriers, which will be constructed at three different locations in
100 the subwatershed. She further explained two changes to the resolution provided to the managers:
101 She said that as opposed to how the process is described in the resolution, staff determined not to
102 issue two separate quote packages for the work but rather include all three barriers in one
103 package. Second, she said she is recommending amendment of the resolution to eliminate the bid
104 alternate for the second side of the Highland Road barrier because staff has not been able to
105 convince the owners of the property to voluntarily provide the District with the easement
106 necessary to install the barrier. Ms. Brown stated that the engineer estimates that the barriers will
107 cost \$26,000 for the Crown College location, \$18,000 for the Wassermann location and \$69,000
108 at the Highland Road location.

109 In response to a question from Manager Miller, Ms. Brown stated that the property owners at the
110 Highland Road location have ethical concerns with regard to the taking of the fish. Ms. Brown
111 stated that staff is looking at other options for managing and removing carp at this location,
112 including using an electrical barrier. She said having the barrier on one side is effective but the
113 removal of the carp would be easier with the barriers on both the upstream and downstream
114 sides. She stated that staff does not view the discussion with the property owners to have entirely
115 run its course, and staff is continuing to engage them to try to come to a resolution of the matter
116 that allows the District to install the barrier. She stated that it makes sense for the District to
117 proceed, though, with the barrier on one side now. Ms. Brown stated that staff proposes to have

118 the recommendation to award the contract for the work at the October 25 board meeting. With
119 regard to a question from Manager Olson, Ms. Brown stated that the barrier at Highland Road
120 would be on the Halsted Bay side and that staff still is working on how to trap and remove the
121 fish with the one-sided setup. *Manager Olson moved and Manager Rogness seconded adoption*
122 *of Resolution 18-103. Upon vote, the motion carried 7-0.*

123 **Resolution 18-104, Authorization to Solicit Quotes for Wassermann West Alum Treatment**

124 Ms. Brown continued, stating that the catalyst for the District's work in Wassermann West was a
125 feasibility assessment in 2015 that identified application of alum to the pond in the park as a
126 potentially effective strategy for addressing phosphorus contamination even while the farm that
127 is the source of the contamination meant to be addressed by the alum is still in operation. She
128 stated that the work will be funded by the Clean Water Legacy pilot program grant the District
129 has and that staff plans a three-year course of treatment under the grant. She stated that the
130 District will undertake one more year of maintenance treatment potentially at its own expense
131 after the three-year BWSR-funded treatments.

132 In response to a question from Manager Olson regarding why water temperature is critical for
133 alum treatments, Brian Beck of the District staff stated that when water temperature is below 40
134 degrees the formation of the solid that binds the phosphorus to the bottom of a waterbody doesn't
135 form as quickly or as effectively. *Manager Olson moved and Manager Rogness seconded*
136 *adoption of Resolution 18-104. Upon, vote the motion carried 7-0.* In response to a question
137 from Manager Miller, Ms. Brown stated that the pond that is the subject of the alum treatment is
138 roughly six acres in size.

139 **Resolution 18-100, Authorization to Execute Grant Agreement with the Board of Water**
140 **and Soil Resources**

141 Manager White turned to Michael Welch, who explained that the state has added a 150 percent-
142 of-cost penalty provision to the boilerplate grant-agreement language and the provision is likely
143 unenforceable if it came to it. However, he noted, the District is at a very low risk of running
144 afoul of the agreement or not completing the work, so he does not recommend that the managers
145 decline to enter into the agreement. He added that he is to engaging BWSR to discuss this
146 provision. *Manager Miller moved and Manager Shekelton seconded adoption of Resolution*
147 *18-100. Upon vote, the motion carried 7-0.* Manager Olson noted that between the grant for the
148 pilot funding and the grant agreement with the Department of Natural Resources approved on the
149 consent agenda, the District is bringing roughly \$900,000 into the watershed for its water-
150 resource projects.

151 **BOARD DISCUSSION ITEMS**

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153 **STAFF UPDATES**

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155 Administrator's Report

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1. Mr. Wisker said staff is working on the strategic plans for information technology, human resources and compensation and finance.

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2. He turned to Tiffany Schaufler to come forward to present water-level updates for the Board. She stated that staff has developed a new format for delivering water-level updates and the format has been well received. She stated that Lake Nokomis is up a foot and the weir is open now to create space for rains that are expected this weekend. The weir will be closed before the weekend rains arrive. Lake Minnetonka is at 928.88, which is ideal for the time of year, however staff is increasing the rate of discharge because of the forecasted rain. She stated that water levels at Mooney Lake are such that pumping can occur under the agreement the District with the city. As of October 5 the pump at Mooney Lake likely will need to start operating. In response from a question from Manager Shekleton, Ms. Schaufler noted that she had not heard that the Minneapolis Park and Recreation Board had turned off the pumps at Lake Hiawatha. Manager Olson asked about the flow rate over the Minnehaha Falls, which is at 600 cubic feet per second. Ms. Schaufler explained that this was not the highest rate ever experienced, which was in 2014 when the rate of flow over the falls was 889 cubic feet per second. Manager Miller observed that he stopped by the Japs-Olson's ponds and noted that the were full and that the tile coming out of the stormwater practice was discharging into the wetland.

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3. Mr. Wisker continued, noting that he had been invited to participate in a Hennepin County city managers group to give a presentation with regard to the District's management of the Gray's Bay dam and its communications strategies around that. He said that at the meeting the various communities reported on their tax-levy increases and that the District is among the lower increases among those entities.

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4. With regard to construction bidding Mr. Wisker stated that Monday the Federal Emergency Management Agency and pond-dredging work that is being managed by Ms. Schaufler will be let for bids Monday and those will be back to the board of managers for action on October 25.

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5. With regard to Blake Road, the first phase of demolition has been completed by the relevant deadline. He stated that all of the asbestos has been removed and that the entire building will be down by the end of October, at which time the contractor will start pulverizing building materials. He stated that the contractor is finding a great deal of sand at the site and there is some sense that the sand may provide some value to the District through resale. In response to a question from Manager Miller, Mr. Wisker noted that the sand is generally being found under the floor of the building.

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190 6. Regarding presentations, Mr. Wisker said that the District made a presentation to the
191 national Environmental Protection Agency, and that Anna Brown and Renae Clark
192 recently presented at the regional EPA planning meeting and at the Upper Midwest
193 Regional Planning Association meeting in Rochester. Ms. Brown gave a presentation
194 about recreation and park planning in conjunction with water-resource management
195 planning. She presented the Greenway, Cottageville and Six Mile Creek, Victoria and
196 Wassermann West projects. Manager Miller requested that the presentation be given to
197 the managers at some point in the near future agenda. Mr. Wisker noted that the District
198 has made good success in establishing itself as an expert on planning of projects in
199 conjunction with various civic and public interests. He said the City of Elk River has a
200 sister city in Germany and in the next few weeks visitors will be attending a meeting in
201 the Twin Cities and the Elk River city staff asked District staff to take the German
202 visitors on a tour of the Minnehaha Preserve. Staff also has been connected through
203 Marvin Johnson with the National League of Cities to do some presentations on
204 modeling. He stated that staff has also presented to the Prior Lake Spring Lake
205 Watershed District on alum treatment and modeling, and that he was recently contacted
206 by Paul Moline at Carver County to be part of the county's staff retreat. Mr. Wisker said
207 that he has issued a call for everyone who is interested in attending the Minnesota
208 Association of Watershed Districts annual meeting to let him know. Right now he is
209 aware that Manager Olson and Manager White are attending. He stated that Becky
210 Christopher and he will be presenting on the District's plan at MAWD. He followed up
211 on Manager White's report, noting the Metro MAWD agenda will be released October 8
212 and the meeting takes place October 16. He stated that the District staff also are
213 connecting on communications plans for the lakes.
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215 **ADJOURNMENT**

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217 There being no further business, the meeting of the board of managers was adjourned at 7:55
218 p.m.

219 Respectfully submitted,

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222 Kurt Rogness, Secretary