



Scott Watershed Management Organization

200 Fourth Avenue West

Shakopee, MN 55379-1220

MINUTES

Scott County WMO – Watershed Planning Commission

County Boardroom August 26, 2019

Members Present:

Brian Schmidt
Mark Vierling
Jim Schwinger
Rita Weaver
Virgil Pint

Staff Present:

Melissa Bokman
Ryan Holzer
Beverly Cox-Alexander
Brad Davis
Kate Sedlacek

Others Present:

Tom Wolf

Absent:

CALL TO ORDER

Chair Schwinger called the meeting to order at 4:00 PM.

- Specific details and video of the entire August 26, 2019 Scott County WMO Watershed Planning Commission Meeting is available for viewing on the Scott County Website.
- The video link can be viewed at: <https://www.youtube.com/watch?v=FvsQ7tuLv1E>

Approval of Agenda

Motion by Commissioner Schmidt; Second by Commissioner Vierling to approve the August 26th agenda. The motion carried unanimously.

APPROVAL OF JUNE 24, 2019 MEETING MINUTES:

Motion by Commissioner Vierling; Second by Commissioner Schmidt to approve the June 24, 2019 minutes as written and presented. The motion carried unanimously.

STAFF REPORTS:

SCOTT SWCD:

- Reports are available in the meeting packet for review

Scott WMO:

- At the June hearing a plan amendment to the Watershed Plan was made by adding a CIP which was adopted by the County Board on August 6th. The new amended plan is available on the website.
- The WMO Budget and Levy is scheduled to go to the County Board on September 17th and will be published in the Belle Plaine Herald on August 28th and September 4th
- Paul Nelson will be retiring effective November 1, 2019
- Kate Sedlacek will be replacing Paul Nelson as the new Environmental Service Manager
 - Kate has been with the County for 19 years and brings a vast amount of knowledge to the department. Kate will oversee the Environmental Health and the Natural Resource Departments.
- SCALE (Scott County Association for Leadership and Efficiency)
 - An outside consultant was hired for how we manage our water resources at the County and identify opportunity for how we can be more efficient
 - Identify areas where we can be more formal on how we govern this topic
 - There is an Interest at SCALE to revisit some recommendations from the study
 - Opportunity for areas where we can consolidate services
 - Collaborate more with Carver County
 - Strong relationship with the County and the SWCD
 - Opportunities in the future for efficiencies

OLD BUSINESS

Project Updates

Updates from Melissa Bokman

- The WMO contracted with a consultant to perform watercraft inspections on McMahon, O'Dowd, Thole, Cedar, and Spring Lakes. The inspectors have been very happy with the reaction received by boaters.

Updates from Ryan Holzer

- Phase III
 - Permitting is complete
 - Waiting on final designs to come through
 - Easements have been sent to the landowners with a deadline of September 11th to receive them back
 - Construction timeline is scheduled for late October
 - Barr Engineering estimate for construction costs is likely to be around \$50,000.00

- Phase IV
 - Final plans have been received
 - This is a similar design as the last project utilizing log structures, backfilled with boulders and connected with cable
 - All the trees are believed to be on-site
 - Estimated construction cost is around \$320,000.00 (funds are available through grants)
 - Construction will likely carry into 2020
 - Easement descriptions are still in the works

McMahon and Markley Lakes – High Water

Updates from Melissa Bokman

- **McMahon Lake**
 - Both McMahon and Markley are land-locked basins with no outlets.
 - Water has been slowly rising over the last several years
 - The WMO met with McMahon Lake landowners in June
 - Prior to the meeting the WMO hired an outside firm, WSB to perform a feasibility study to see if an outlet was feasible on McMahon lake
 - Landowners are in favor of putting in an outlet
 - Cost estimate from WSB is approximately \$250,000.00
 - Melissa Bokman commented, Paul Nelson stated at a staff level he could justify the WMO supporting up to half the cost as there is a public benefit; however Paul could not see the board supporting funds greater than half. Landowners would need to come up with the other half of the funds.
 - The DNR has a flood damage reduction grant option and the WMO is in the works of applying for the grant
 - Paul Nelson has received permission from the County Board to apply for the DNR Flood Damage Reduction Grant.
 - WMO process for decision making:
 - Is there a public benefit?
 - There is a public access and the access is completely flooded

- Landowners around the lake and the WMO have completed cost share projects with a total investment of approximately \$100,000.00
- Erosion is occurring due to the high waters
- Several floating bogs have caused (1) safety issue
- County Road 8 has stretches where the centerline elevations are at or below the natural overflow elevation for the lake which could cause road flooding
- Are others better suited to address this?
 - The WMO does not feel anyone else is better suited
- Nature and type of risk?
 - Homes are not threatened, but water levels are getting close to two septic systems. The WMO considers impacts to homes, businesses and public infrastructure the highest priority, next impacts causing accelerated erosion and contributing to downstream water quality problems, with flooding of vacant lots or unimproved land the lowest.
 - Low points on roads could cause some safety issues
 - Accelerated erosion and water quality impacts are currently happening.
- What are the WMO priorities?
 - McMahan Lake is a priority water body for the WMO
- What are the consequences of not acting?
 - Without intervening the natural drawdown of the water will be slow this summer and fall, and without a drought or long dry period, it's likely that high water levels will again occur in 2020 with spring rains
- Cost and availability of cost sharing
 - The WMO has available resources
- Landowners requested the WMO look at options on installing a permanent outlet but in the meantime need some immediate relief.
 - Draw down; installing a pump or temporary siphon
- The County Board has authorized a temporary draw down of McMahan water levels and have approved amending the WMO budget to include \$30,000.00 for the cost of the draw down
- The WMO is working on finding a route for installing the pump and routing the water
 - First option, place pump in DNR Fish Nursery
 - The DNR Fish Nursery was bought with federal funds and would require federal approval
 - No guarantee on the timeline of federal approval
 - One landowner has volunteered to put the pump outside the shoreline with the idea to run the hose through his property in the road right of way
 - There is no culvert under Mushtown Road which would need to be installed

- The WMO is hoping to get started in mid-September
 - WMO will ask the DNR for approval of 3 cubic feet per second discharge
 - Discharge can only be done when Sand Creek has low flows as to not add to flood conditions downstream in the City of Jordan
- **Markley Lake**
 - Markley Lake is landlocked and is approximately 22 acres in size
 - Portions of the City of Prior Lake and Credit River Township are within the Markley Lake Watershed
 - The WMO has watershed management jurisdiction in this area of the Township
 - The City, County, and Township were jointly sued by Township property owners in the mid-1990's after septic systems on private properties were inundated by high water levels on Markley Lake
 - The parties reached a settlement agreement, the terms of which outlined an interim plan that relied on pumping Markley Lake to reduce water levels
 - The cost to implement the plan was approximately \$17,000.00
 - The cost was split between the City, Township, and County with the City contributing about \$10,000.00. The rest of the funds were paid for by the Township and the County.
 - The City completed the Markley Lake Study in 2010 to guide implementation of practices with the goal of keeping the lake at pre-1991 water levels under developed conditions.
 - The Markley Lake Study, based on modeling, concluded that adding 20-ac-ft of compensatory flood storage in the Markley Lake watershed would achieve the lake level goal
 - The City of Prior Lake has completed 16 ac-ft. of compensatory flood storage for Markley Lake
 - A 4-acre flood storage is needed in Credit River Township when those areas start to develop.
 - The WMO recently went to the County Board and received a resolution to contribute to the draw-down and pumping has started.
 - The WMO contributed \$16,700.00.

Corrective Action Plan Update

Updates from Ryan Holzer

- The WMO is corresponding with BWSR and has some questions regarding the Corrective Action Plan
 - The WMO has requested clarification before moving forward

- Changes approved by the board
 - No longer allow a project to start if the applicant signs a waiver form
 - Vegetation criteria language added to further clarify which standards to follow
 - Some language in the Contract and Docket changed to align better

NEW BUSINESS

Credit River TWP Local Water Plan

- The draft plan was received by the WMO on June 24th 2019 with the WMO having 60 days to review by MN Statute.
 - The WMO must also take into consideration Metropolitan Council’s review of the Plan
 - WMO staff have reviewed Met Council’s comments and disagree that the plan meets all the requirements
 - WMO staff have found the plan is missing some required elements in MN Statute 103B and MN Rule 8410 and would not recommend approval at this time

BWSR Competitive Clean Water Fund Grant Application

- The grant application is to support the SWMO / SWCD Technical Assistance and Cost Share Program for implementation of targeted practices in the Sand Creek Watershed
- The primary purpose of the grant will be to implement practices that have been targeted in priority areas of the Sand Creek Watershed
- The amount requested will be in the \$450,000 - \$480,000 range
- The Scott SWCD will manage the grant with the 25% match provided by landowners and the Scott WMO through our annual staffing budget

Preliminary 2020 Levy and Budget

Melissa Bokman provided an update and review of the 2020 Levy and Budget

- Revenue and expenses are down from 2019
- The levy increase is 3.9% to account for inflation and growth in tax capacity in the county
- The decrease in revenue compared to 2019 is from a couple of grants that are ending
- The WMO has been selected for additional USEPA 319 grant rounds; however the new contract will not start until 2021
- The WMO will receive additional Watershed Based Funding grant money from BWSR; but unsure on the amount or if it will be in 2020 or 2021
- The Scott SWCD is applying for additional competitive Clean Water Funds for technical assistance / cost share projects in the Sand Creek

- The decrease in expenses is largely due to a smaller amount of work on Capital Improvement Projects
- There is an increase in staff costs. With fewer Capital Improvement Projects, staff effort will shift to complete some of the special studies called for in the new Watershed Management Plan
- An increase is proposed for the Maintenance Program, there is some maintenance needed for the Phase I Near Channel project
- Staff recommends including about one-half of the cost of implementing the McMahan Lake outlet in anticipation of a successful Flood Damage Reduction Grant to cover the other half.
 - If unsuccessful with the grant, the WMO will need to determine how to fund the other half through a budget amendment during the year
- The preliminary budget for 2020 will add about \$67,000.00 to the fund balance.

Motion by Commissioner Pint; Second by Commissioner Vierling to approve the 2020 Levy and Budget as presented. The motion carried unanimously.

2019 Tour Ideas

- Tuesday, September 24th – Joint tour date with the County Board and the SWCD
 - Meet at the SWCD Office (Fairgrounds)
 - Tour to include
 - Visit Phase II CIP site
 - Dairy Farm
 - SWCD Cover Crop Test Plot
 - Return to SWCD Office
 - Conservation Leader Award
 - Dinner

TACS Projects – Michael Hoppe, Shoreline Project

Presented by Ryan Holzer

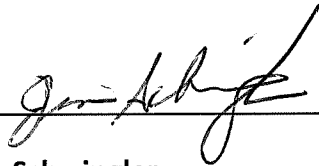
- The total estimated cost of the project is \$32,660.00 with a request of \$13,995.00 of WMO funds
- These funds are for cost-share and the request is for a little over 40% for the estimated costs
- The landowner would contribute \$9,798.00 and state cost-share would also contribute \$8,867.00

- The Scott SWCD Screening Committee reviewed the application at their August 20th Board Meeting and recommended Approval
- Funds are available through cost-share

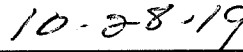
Motion by Commissioner Pint to approve the Michael Hoppe, Shoreline Protection application; Second by Commissioner Weaver to approve the Michael Hoppe Shoreline Protection Project as discussed and presented. The motion carried unanimously.

ADJOURN MEETING

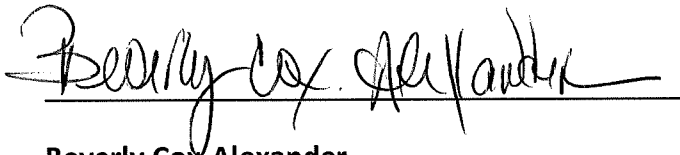
Motion by Commissioner Vierling; Second by Commissioner Schmidt to adjourn the meeting at 5:12 PM. The motion carried unanimously.



Jim Schwinger
Chair, Watershed Planning Commission



Date



Beverly Cox-Alexander
Secretary