

LSLID Board Meeting – May 16, 2020

Via Zoom Conference Call

Attendees: Cindy Kevern (Chair), Bob Koll (Vice-Chair), Rick Rosar (Secretary/Administrative), Fred Comb (Treasurer/Finance), Ardis Sandstrom (Director). Fifteen audience members attended.

1. Welcome

Cindy Kevern opened the meeting by welcoming Board members and the audience. She noted that the audience would be able to ask questions at the end of the meeting by using the chat feature on Zoom. She also noted that agenda items 4 (High-Water Project) and Item 5 (EAW) will be discussed together.

2. Minutes of Board Meeting

Rick Rosar noted the minutes from the April 10, 2020 Board meeting. Board Members have had a chance to review and they have been posted to the website. Cindy Kevern made the motion to approve and Bob seconded. Cindy called for a Roll Call Vote.

Rick Rosar	Yes
Fred Comb	Yes
Bob Koll	Yes
Ardis Sandstrom	Yes
Cindy Kevern	Yes

3. Treasurer's Report

Fred Comb reviewed the current Treasurers report ending April 30, 2020. Cindy Kevern asked for a motion to approve. Ardis made the motion and Rick seconded. Cindy called for a Roll Call Vote.

Rick Rosar	Yes
Fred Comb	Yes
Bob Koll	Yes
Ardis Sandstrom	Yes
Cindy Kevern	Yes

4. High Water Project Update and 5. Environmental Assessment Worksheet (EAW)

Cindy Kevern provided an update on the high-water project, which included background, status and next steps. The following items were noted:

Background

- Last summer the LSLID announced a plan to pump water to an infiltration site at a gravel pit to the NE of the lake. In developing plans and the route, data was gathered through drillings, observation wells and data modeling. At the Annual Meeting, the members voted to approve a plan for a High-Water Outlet for Lake Shamineau.
- After the Annual Meeting and through the Fall, the LID, through the engineering firm of WSN, now called Widseth, developed more detailed plans, including a route from the lake to the infiltration site. Letters of Intent were obtained from the property owners at the pumping site and along the route to the infiltration site.
- This past winter we learned that there was a lack of consensus with the owners of the gravel pit for the use of the infiltration area. Given this lack of consensus, and at the suggestion of an adjacent property owner, we moved the design of the infiltration basins to an area east of the gravel pit (East site). Additional borings, surveys and design work was completed for the new East site. Signed letters of intent from all property owners along the route including the pumping site, the force main (pipe) route to the infiltration site, and with the property owner of the new East infiltration site were obtained. In addition, drafting of documentation for permitting began and an initial draft of the Operations and Maintenance Plan was completed. The LID and Widseth held meetings and corresponded with neighboring property owners to the project.
- Per MN Rule 4410.4300 the LID, as the Responsible Governmental Unit, a discretionary Environmental Assessment Worksheet (EAW) was issued on February 24, 2020 regarding the need for an Environmental Impact Statement, which included hundreds of pages of detail on the high-water project. A 30-day public comment period began on February 24, 2020 and closed on March 25, 2020. Thirteen written comments were received from agencies and from the public. Widseth is developing responses to the comments and both the comments and responses will be released next week.

- The Lake Shamineau Lake Improvement District Board of Directors reviewed the comments and discussed them with the DNR and concluded that additional information is needed prior to deciding on the need for an Environmental Impact Statement. It was also noted that there was difficulty in conducted needed meetings due to the COVID-19 crisis. On April 10, 2020, the LSLID Board voted to delay the issuance of the Finding of Facts, Conclusions and Record of Decision for the EAW issued on February 24, 2020 regarding the determination of the need for an Environmental Impact Statement for the Lake Shamineau High-Water Control Project, to no later than June 30, 2020.

Status

- In recent conversations with down gradient property owners Rick and I have determined that we will not be able to obtain needed flowage easements from key property owners. For this reason, we believe the infiltration site to the east of the gravel pit is no longer be viable as a primary infiltration location.
- Today, the LSLID will consider action to withdraw the EAW. The reasons for withdrawing the EAW include: 1) the LSLID will be exploring another water deposit site; 2) the LSLID needs to gather more data and conduct more testing in the area and 3) the LSLID will be working with adjacent property owners.
- The LSLID has had recent conversations with the owners of the gravel pit infiltration area which indicate they are now in agreement to having discussions to use the gravel pit for infiltration. These discussions will take place over the next couple of weeks. In addition, there are ongoing discussions with down gradient property owners.
- We have received information that the DNR is able to provide additional grant funding for the design, testing, permitting and other services. The LSLID will consider action today to accept the grant amount of \$52,000 with the match coming from the LSLID 2020 project budget.
- Cindy Kevern and Rick Rosar had a recent online meeting with Bob Meier, DNR Assistant Commissioner, and Dan Lais, Regional Hydrologist. The Assistant Commissioner arranged the meeting to discuss how the DNR and LID can work together. The DNR officials communicated that they want to work with us and be advocates. In addition, they stated that they are committed to remaining engaged for an effective solution and assist with hurdles.

Next Steps

The following next steps are anticipated:

- Action to withdraw the EAW; and pass a resolution to execute an agreement with the DNR for the grant funds for additional testing and services.
- Determine design of the gravel pit infiltration site.
- Continue meetings with the DNR and property owners to discuss the details of the project plan.
- Determine additional data collection and testing that is needed.
- Determine the timeframe for completion of project tasks.
- If the gravel pit infiltration site and project is determined to be viable, then testing, and final design would be completed. In addition, an EAW would be developed and issued and work would be completed on permitting.

Timeline: Cindy Kevern provided an update on the status of the timeline. She noted that completion of Step 3 is in process of final completion as the responses to the comments will be issued and the EAW will be withdrawn. Preliminary work has been completed on Step 4 as plans and specifications, landowner meetings, and gathering geologic data for the East Infiltration site were completed, as well as the first draft of the Operations and Maintenance Plan. She also noted that since it has been determined that the East site is no longer viable as a primary infiltration site, Wiseth has paused work on Step 4. Step 4 work will continue if the gravel pit site and project is determined to be viable.

- 5. Environmental Assessment Worksheet (EAW):** Rick Rosar gave an update on the EAW. He noted that action was taken at the previous Board meeting to delay the decision on the issuance of a decision on an EIS to June 30, 2020. Rick presented a report that provided background, a recommendation, and a motion for the Board to consider. Bob seconded. Cindy called for a Roll Call Vote.

Rick Rosar	Yes
Fred Comb	Yes
Bob Koll	Yes
Ardis Sandstrom	Yes
Cindy Kevern	Yes

6. DNR Grant Update: Rick Rosar provided background on information that the DNR will be able to provide additional grant funding for the design, testing, permitting and construction selection step. Rick read a resolution regarding the DNR grant and offered a motion to approve. Fred seconded the motion. Cindy called for a Roll Call Vote.

Rick Rosar	Yes
Fred Comb	Yes
Bob Koll	Yes
Ardis Sandstrom	Yes
Cindy Kevern	Yes

7. Emergency Task Force

Ardis Sandstrom provided an update on recent activities of the Emergency Task Force including ditch work and plans to install and maintain an emergency water removal project for Lake Shamineau.

Ardis noted that the Morrison County Engineer, Soil and water and Commissioner LeMieur has been actively engaging with the task force to discuss problem areas with the watershed areas.

The task force has approached a property owner in cleaning a ditch through their property which we hope to move water out of the east end of the watershed. This property owner's ditch is in the process of being cleaned as they now have a permit from soil and water.

The task force is also working with soil and water to explore the possibility of creating an impoundment on 203 that will be used to pump water to the 30th Ave ditch.

Ardis also noted that they are also working with landowners on the east end of Shamineau in the hopes of getting a syphon working for emergency temporary water removal.

Ardis offered the following motion:

1st, to utilize the \$4,000.00 in the Non-Project Operations Budget, headed Inflow Study, which was slated for the study of wetlands, culverts and ditches that flow into Lake Shamineau, to be used for emergency temporary water removal to assist with high water on Lake Shamineau, and

2nd, payment to the task force will be based on a written project proposal including a signed quote for costs with a formal approval of task force members to be sent to the LSLID treasurer which will be paid upon approval of the two LSLID board directors that are working with the Lake Shamineau Emergency Task Force.

Rick seconded the motion. Cindy called for a Roll Call Vote.

Rick Rosar	Yes
Fred Comb	Yes
Bob Koll	Yes
Ardis Sandstrom	Yes
Cindy Kevern	Yes

8. AIS Updates

Bob Koll provided an update on the Ambassador program. Bob noted that the Morrison County Board of Commissioners approved our grant request in the amount of \$8,700.00 for: AIS Management \$5,000.00 (scuba and chemical treatment); AIS Early Detection Surveying \$3,500.00; and AIS public access sign repair \$200.00 (due to flooding). The Ambassador Program was not awarded funding from Morrison County. LSLID is funding our Ambassador Program this year. The trained Ambassadors who worked for us last year are working again this year. The DNR West Access is closed because of flooding, so, our Ambassadors are working at the East Scandia Valley Township Access. They will be working am. and pm. shifts, Fridays through Sundays over the summer.

Rick Rosar provided an update on surveys and treatment for aquatic invasive species on the lake.

9. Other Updates

- Legislative – Bob announced that Representative Ron Kresha called a board member, recently, reporting that because of some resistance to our Project, the legislators are pulling our Bill for Bonding support. They want to see all interested parties in cooperation before they request Bonding funds. We need all property owners to contact their home district Representative and Senator, immediately, to encourage them to support the Bonding of the Flood Hazzard Mitigation Assistance Grant, for Asset Preservation. Voting on this is happening in the next two days!
- No Wake Zone – Fred reported that the Sheriff has continued the 300 foot no wake zone. Bob noted that the Ambassadors are making boaters aware of the no wake zone.
- Closing of West Landing – Bob noted that the west landing has been closed due to flooding which has put pressure on the East landing for parking.
- Newsletter – Cindy Kevern noted that a newsletter will soon be sent out, as well as a mailed letter to property owners.

10. Other Business

- Cindy Kevern announced that a Board Meeting will be held online on June 1, 2020 at 6 PM.
- Audience Questions and Comments – There were audience questions regarding:
 - Downstream property owners' concerns
 - The approach of the project for the new infiltration area
 - Testing of water quality for swimming
 - Whether pumping rates could be altered for downstream property owners
 - Why the gravel pit is any difference to downstream property owners
 - Concerns with vehicles or equipment that may need to be removed from the flooded properties.

- 11. Motion to Adjourn-** Fred Comb made a motion to adjourn and Ardis seconded the motion. The Meeting adjourned at 11:00 am.