

**Prior Lake-Spring Lake Watershed District
Monthly Meeting
Public Hearing Minor Amendment #3
June 10, 2003**

Members Present: William Kallberg, Larry Mueller, William Schmokel, Roger Wahl

Members Absent: Craig Gontarek

Staff Present: Bryce Huemoeller, District Attorney
Ed Matthiesen, Wenck Associates, Inc.
Shannon Lotthammer, District Administrator
Jim Eggen, District Technician
Yolanda Coleman, Office Assistant

Others Present: Scott Thompson, Tom Elander, Lee Koppy, Phyllis Miller, Timothy Bray, Kathy Gerlach, Kathy Osgood, Rod Osgood, Norm Shutrop

1. CALL TO ORDER: Meeting called to order at 7:00 PM by Vice President Kallberg. He then recessed the regular meeting.
2. PUBLIC HEARING: Minor Plan Amendment #3. Vice President Kallberg opened the Public Hearing for Minor Plan Amendment #3.

Shannon Lotthammer introduced herself as the District Administrator. She said the Watershed Management Plan was revised in 1999, the first amendment was about one year ago, and the second amendment was presented in a public hearing in April 2003. She said this is now the second of two public hearings for Minor Plan Amendment #3. She said there is a copy of the amendment available at this meeting, at the Prior Lake, Savage and Shakopee Public Libraries and at the Watershed District office. She said comments on the plan can be made at this meeting and written comments will be accepted at the District Office until June 25, 2003. She then explained the Watershed Plan and gave a brief overview of the proposed amendment. She said there are two elements to this amendment, the actual proposed changes to the Watershed Management Plan and a Prior Lake Outlet Channel Rate Volume Management study, which is the information on which the amendment is based. This study is also available at this meeting, at the Prior Lake, Savage and Shakopee Public Libraries and at the District Office for review. She said this is a minor amendment for these reasons, 1) the strategy is already in the plan, 2) they are not changing any elements of the plan. She acknowledged the various organizations that worked on the amendment. She then gave a brief review of the plan utilizing an overhead presentation.

Ed Matthiesen also reviewed and explained what he and staff from Wenck Associates, Inc. had researched and prepared for this amendment.

Shannon Lotthammer then summarized what is happening now with the outlet channel and what they foresee happening in the future, how to manage lake levels and the outlet channel in the future.

Vice President Kallberg asked if there were any questions or comments from the Board or the public. There were none. He then closed the public hearing and re-opened the regular meeting.

3. PUBLIC COMMENT:

Vice President Kallberg asked if there were any public comments to be made at this time. There were none.

4. ROUTINE BUSINESS:

A) Approve Monthly Minutes. Vice President Kallberg asked if there were any changes or corrections to the May Monthly Minutes. One correction was noted.

Motion to approve the May minutes with the above noted correction by Larry Mueller. Second by Roger Wahl. Motion passed 4 ayes.

5. TECHNICIAN'S REPORT:

A) Permits: Jim Eggen said there were two permit applications on the agenda.

Permit Application #03.09 Heatherton Ridge Office Condos. Jim Eggen pointed out the location of the project on some drawings and reviewed the project. He said Scott Thompson is in attendance as a representative of Construction 70 to answer questions if needed. Mr. Eggen reviewed the project and pointed out the dedicated stormsewer constructed by the applicant, the applicant has obtained approval from the Scott County Highway Department to construct and operate the stormsewer on the right-of-way of County Road 42.

Motion by William Schmokel to approve Permit Application #03-09 Heatherton Ridge Office Condos subject to recommendations listed on the application. Second by William Kallberg. Motion passed 4 ayes.

Permit Application #03.10 Elander Residence. Jim Eggen said Tom Elander is in attendance for the presentation of his application. Mr. Eggen pointed out the location of the project on a drawing. He explained the site is approximately 15 acres of which the majority is wetland or low lying with visible surface water. He pointed out an area of about four acres on which Mr. Elander proposes building a single-family residence. He said that watershed rules usually do not apply to single family residences, but due to the large size of this proposed residence it does require a permit. Mr. Eggen said he has looked at the site and it is mainly an erosion and sediment control project. He said due to the size there is not a requirement for stormwater treatment. He said the plan does include a silt fence. He pointed out that the applicant had proposed a buffer strip, but recently had stated that he is now not sure that he wants to propose a buffer strip. Mr. Eggen said a buffer strip is not required.

Mr. Elander said the reason he had changed his mind about a buffer strip is that he has not yet applied for a building permit from the City. He is concerned that recording the buffer strip may cause some set backs restricting future plans he may have for the area behind the residence. He said there would be berms to shield them somewhat from the golf course, but their intentions are to minimize the land disturbance as much as possible. He said that until he has gone through the building permit process with the City he is not willing to have buffer strips shown on a recorded document.

Jim Eggen said he has talked to the Engineer for the City of Prior Lake who said she is not very aware of this project at this time but did suggest that if the Watershed Board decided to approve the project it could be with the contingency that the applicant receive proper City permitting.

Mr. Eggen said he did receive a letter and a telephone call about the site and how it would affect the view of some of the houses to the west of the project.

Vice President Kallberg asked if there was anyone that wished to comment on the project.

A woman did say that she was a resident in the area and asked the applicant if he had plans for more houses or other future development of the land. She said they moved there because they like the wetland and natural vegetation of the land. Mr. Elander said they were not going to build other houses or any future development. He said there will be some sodded area around the house. He said the berms are basically for protection from the golf course. The resident asked if the access path to the property will be just the driveway to the residence or will it eventually become a thoroughfare. He said it will be only a driveway. Another resident asked if building the house required any setbacks from the wetland. Mr. Elander said that since the land disturbance of the project is over 10,000 square feet that is why the Watershed Permit is required and that the proposal does meet all the requirements.

Mr. Kallberg asked if counsel or anyone had any comments about the requested waivers from runoff, rate control, alternative BMPs, water quality and infiltration. Rules D.3.c and D.4.b indicate that these can be waived if the impervious area is less than one acre and runoff, and infiltration and water quality BMPs are incorporated to the maximum extent possible.

Jim Eggen said that the employment of the erosion control features during construction, the proposed BMPs and the full site stabilization meet these requirements.

Manager Schmokel asked if there would be an on-site sewage system or septic tank. Mr. Elander said they will use a sewage pump system that will basically move sewage through a pressurized system to the City sewage line. He said the line will run along the driveway, which is the closest route to tap into the City sewer and water utilities.

Attorney Huemoeller said the only comment he would have is that if the District is going to issue the permit based on the alternative BMPs, they should be specified and if the intention is that those BMPs would apply after build-out of the project that the owner would maintain them. He said this might be an instance where a document should be prepared that provides guidance to the owner and to any future owner on what the BMPs are, they are articulated and a maintenance agreement for their functioning be signed and filed with the project. He said that if the applicant is asking the District to waive their rules on the basis of alternate BMPs, one of which is some type of modified buffer, then that would be one of the requirements stated in the agreement. Manager Kallberg asked if this agreement would have to be legally recorded. Attorney Huemoeller said that in any case where there is a single purpose site, that has a drainage system, and particularly when a waiver or variance is involved, it is put in terms of a development agreement and is recorded. Manager Schmokel said he thought that as part of a best management practice, he must maintain a vegetative strip, not necessarily recorded, of some width between the site and the wetland during construction. Attorney Huemoeller said the maximum width is 30 feet. He said the City has a set back of 30 feet from the 100-year flood elevation. He said the District maximum is 30 feet if the buffer rule applies. He said if it doesn't apply then whatever width is required, as an alternative BMP would be determined to satisfy the rules. Manager Schmokel said another concern is the construction of the water and sewer line. He said State Law requires disturbed areas be reseeded within 14 days.

Manager Schmokel said the application states there will be BMPs but the width is not defined. Jim Eggen pointed out how the berms proposed by the applicant will create a swale that will slow runoff and cause more infiltration.

Attorney Huemoeller said the Board could approve the permit conditioned on; 1) getting a City Building Permit and other City required permits and 2) there be a development agreement that articulates the alternative BMPs. He said either the infiltration devices should be articulated narratively or site plans attached specifying the exact facilities that will be there. He said one or the other could or a combination could be worked into a development agreement. He said he feels this could be done at a staff level and if there is some confusion it may need to be brought back at the next meeting. He said this is what the rules require.

Motion by William Schmokel to approve Application #03.10 Elander Residence subject to the appropriate permits from the City of Prior Lake, defining the best management practices set

forth and incorporated into a Developer's Agreement. Second by Larry Mueller. Motion passed 4 ayes.

B) Spring Lake Floating Bog:

Jim Eggen reviewed the bog removal project. He said the bog is a floating mass of cattails that was floating around Spring Lake and ran ashore on the South Shore near Dean Cook's residence. He said the District had a contract with Rick Renslow to move the bog. He said this was done several weeks ago. He said the contractor was unable to move the pieces up the Buck Lake channel, which was the original intent, because the bog was too big and deep and the channel was too shallow. He said several small pieces of the bog were moved up the channel and it was decided to move the main larger portions back to their origin, which is in Spring Lake and just west of the Buck Lake channel where a large part of the bog already is located and has been for several years. He said they pinned it down with pieces of rebar and steel fence posts. One concern is how long the Board may want to leave those steel poles sticking out of the lake. He said an alternative is to replace the steel posts and rebars with pieces of wood, which can be driven in and then cut even with the surface of the lake or the top of the bog to prevent a hazard to potential snowmobilers that may drive over the area. The other alternative would be to drive the posts down in further to be even with the bog. Larry Mueller asked if all of the bog had been moved back into place. Jim Eggen pointed out on the map where the major part of the bog was now and explained that some of the smaller pieces had been moved up the Buck Lake channel. Shannon Lotthammer summarized that the suggestion is to wait until early winter to try to drive the rebars and posts down further and if that doesn't work to explore other alternatives. She said that in the meantime some of them are flagged.

C) Additional Updates:

Jim Eggen said another item to consider is the area where 195th St. comes in from the East and intersects with Vergus, which is a North-South street. He said the township has upgraded and raised the road around this intersection and widened it, and the roadsides slope down to the open water in the wetland. He said he talked to Steve Pierson of Spring Lake Township and advised him that there should be some erosion control measures taken soon in that area. He recommends that a letter be written to the Township.

Jim Eggen noted that the Post Office is pressing on with their permit application to obtain approval for their site. He said they have requested a special meeting. He said he hopes the application will be complete to hold the special meeting on June 23rd or 24th, rather than wait until the July meeting. He briefly reviewed the project and pointed out the location.

6. ENGINEER'S REPORT: Ed Matthiesen requested a move ahead in the Agenda to Other Old/New Business; A) Jeffers Development to accommodate Lee Kopyy who is in attendance to talk about this project. The Board agreed.

Lee Kopyy introduced himself as the project engineer from Schoell & Madson, Inc. working on the Jeffers Pond proposed residential development with the development team. He said the development team is making an application within the next week to the City of Prior Lake for preliminary Plat/PUD approval. He explained that Paul Oberg representing Robert Jeffers is the applicant of record and has two developers with split purchase agreements on the site; with Wensmann having the purchase agreement for the south end and Peter Andrea on the north. He said the School District also has an interest in developing on the site.

Ed Matthiesen said he, Shannon Lotthammer, Paul Nelson, Jim Eggen, Lee Kopyy and Paul Hudala met regarding water features on the project and to advise the engineers of the District's concerns. He said the District concern is how the proposed development can possibly fit into the site. He said he has been working with Paul Hudala, the water resources engineer, as it ties in with the City of Prior Lake's stormwater management plan where they have a very small discharge rate coming off the area, which is a number the District has added onto their 65cfs for a discharge at County Road 42 of

67cfs. He said they want to make it very clear that is the number the District is working with. He said he felt now was a good time to have Lee explain the current status of the project, as it is such a big project for the District.

Lee Kopyy thanked the Board for the opportunity to meet with the Board and reviewed the agenda and site plans that he distributed. This agenda covered a Project Update, Schedule for permits and applications, stormwater management, lake and wetland buffer and easements and access. He reviewed the charts and models he distributed. He said he was looking for feedback if the Board felt they could offer any at this time.

Lee Kopyy said he was also working on a project for Spring Lake Township on the Vergus Avenue sewer and water extension. He said they had a public meeting giving the local residents two different options to consider: one was similar to what was done on South Shore Drive putting trenches alongside the road and using existing ditches, and the other to cut out quite a few trees on the north side of the development and use a two cell pond with a dry cell and a wet cell and install curb and gutters on the road. He said the residents wanted the second option.

Vice President Kallberg asked if there were any questions or comments. There were none and he returned the focus to the Engineer's Report.

6. ENGINEER'S REPORT:

- A) West Spring Lake Wetland: Ed Matthiesen said that at the last meeting the Board had approved Wenck preparing the EAW. He said Paul Nelson is working on this. He said he did meet with Gregg Thompson of the Association of Metropolitan Soil and Water Conservation Districts who is the landscape architect doing the vegetation for the project. He reviewed the estimated costs in his memo. He said that if Shannon Lotthammer does some of the preparation outlined in the memo the estimated costs would be lower than stated in the memo. It was decided this would be on next month's agenda.
- B) Sandey Wetland Restoration: Ed Matthiesen explained that this is for a property owner who has decided to have a project done to restore a farmed wetland. He said last month the Scott County Soil and Water Conservation completed a topographical survey and has been working with them on the project. He reviewed his memo of June 5, 2003, which gives a brief background, what the project is, benefits, costs and a work plan. He said he felt this would be a good project for the District as it would provide an opportunity for flood storage, water quality improvement and he feels it would be a good success story for the District. He said another thing in the District's favor is the owner does not want to farm this area. He said that what he is asking for at this meeting is approval to proceed with investigating this project.

Motion by William Kallberg to approve continuing with discussions and investigations of the Sandey Wetland Restoration as a potential project. Second by Roger Wahl. Motion passed 4 ayes.

- C) Noecker Development (Eagle Creek Ponds) Ed Matthiesen referred to the last meeting when Randy Noecker presented his proposal for the District becoming involved with his project at Terry Hanson's farm. Mr. Matthiesen said he spoke to Mr. Noecker a lot since the last meeting and came to the recommendation that the District should not participate in a project with Mr. Noecker at this time. He said Mr. Noecker had asked for either a letter or a resolution from the Board stating their approval of the proposed channel location and cross section. He said Mr. Noecker needs this to go to the Shakopee City Council next Monday. Mr. Matthiesen said he has already provided Mr. Noecker with a letter stating that they concur with the location of the channel sides, but need to continue with the existing channel until that is constructed, be responsible for easements relocations, and be responsible for the entire construction plot. Mr. Matthiesen said he recommends approval of the relocation and cross section, but does not feel the District should take this on as a project at this time due to the reasons noted in his memo of June 3, 2003. He

said the Jeffers and Muhlenhardt projects have a higher priority at this time. He said he does not think there would be a substantial cost reduction, the proposed channel location does not show significant benefit to the District, and that as contractors gain experience in the use of willow stakes and other bioengineering methods the costs will drop. He also said that the longer the District waits for Shakopee to select and confirm a design flow, the better it will be for the District.

Shannon Lotthammer said she had spoken with Scott Smith, the Shakopee City Engineer, regarding Shakopee's concerns regarding the channel relocation and cross section. She said he indicated they did not have any concerns in that area but do have concerns as to whether Mr. Noecker has the easements necessary on the east side of the property.

Attorney Huemoeller asked Mr. Matthiesen to again explain what Mr. Noecker wants the requested letter to say. Mr. Matthiesen said Mr. Noecker is requesting a letter to him from the District stating they approve of the design of his proposed channel location and cross section. Mr. Huemoeller said the letter should say that a channel of that design would be adequate in the opinion of the District to handle the known flow through that area, but the letter is not an agreement to modify the easements or to contribute in any way to his project.

Norm Shutrop explained where his property is and asked if the channel is relocated where it would connect with his. Mr. Matthiesen said it would come in at the same spot where it is now. Mr. Shutrop said he has a CREP program buffer strip, which does not expire until 2007 and cannot be moved.

Mr. Huemoeller asked if the District has enough information to pass on Mr. Noecker's construction technique. Mr. Matthiesen said that Mr. Noecker has not proposed a technique, and has only shown the proposed relocation and cross section. Mr. Matthiesen said they should add a Figure A and Figure B to the letter showing what Mr. Noecker proposed and what the District is going with. Mr. Huemoeller said the letter should tie it into a specific drawing that fits the specific reach of the channel and to known flows. He said the letter should state they are not approving construction or new easements. He said they should state that any request to modify or realign the channel would need to comply with all the conditions set forth in prior correspondence from Ed Matthiesen and the Watershed District.

Mr. Huemoeller asked if Mr. Noecker was going to the Planning Commission. Shannon Lotthammer said she talked to Scott Smith and Michael Leek, the Planning Director, and her understanding is that Shakopee has additional concerns in addition to the realignment. Mr. Huemoeller recommended calling Mr. Leek and requesting the staff report to review and understand the issues and staff recommendations.

The Board directed staff to send a letter to Mr. Noecker as discussed by the District Engineer and Attorney.

- D) Pike Lake Outlet. Ed Matthiesen reviewed his memo of June 5, 2003 regarding the Kinney Driveway Culvert Quotes. He said that there is a high discrepancy in the bids and they are higher than originally estimated. Mr. Matthiesen said the Board could accept the lowest bid or he could re-bid the project. Manager Kallberg asked if the project is time critical. Mr. Matthiesen that it is not. The Board discussed, recommended several other contractors and directed Staff to solicit further bids.

Ed Matthiesen referred to his memo regarding Lemons from Lemonade dated June 2, 2003. He said it was just an idea for consideration regarding the potential for electrical generation from the lake discharge.

7. OTHER OLD/NEW BUSINESS:

- A) Jeffers Development (discussed prior to Engineer's Report)

B) Rules Revision:

Shannon Lotthammer said the only response received has been from the attorneys for the Builders Association of the Twin Cities. She said she, Paul Nelson and Bryce Huemoeller are working on a response to them. She said this should be ready for the next meeting.

C) Outlet Channel Greenway Planning.

Shannon Lotthammer said the City of Shakopee is moving forward on their greenway planning both for the Outlet Channel and the City overall. She said she talked to Mark McQuillan who is coordinating the project for them. She said they have a proposal from Kestrel Design for the Outlet Channel Greenway and for their overall City plan. She said the proposal for the Outlet Channel Greenway has a range of \$46,000. to \$76,000. She said Mark is planning to request Council action at their second meeting in June for these two separate projects to move forward. She said Mr. McQuillan is looking for cost share dollars and has asked her to approach the Board regarding the Outlet Channel Greenway. She said she has talked to Peter MacDonagh but has not had a chance to coordinate with Mr. McQuillan. She said Mr. McQuillan is hoping for about \$15,000. in cash contribution from the District and some in-kind participation. She said Mr. McQuillan is looking for a similar contribution from the Lower Minnesota Watershed District. She said she thinks he will also approach the City of Prior Lake. Ms. Lotthammer said she feels it is important that the District stay involved in that they have promoted and championed this idea and it fits in with the District's Management Plan. She said at this point the Board needs to decide if and what they can pledge. She said options for funding are that it could come from the ultimate outlet budget. She said there is also \$9,000. in the budget for looking at alternatives for the South Spring Lake Road and is a potential source for redirecting. She said being involved in this project shows commitment on the part of the District and does have benefit for the District in additional protection of wider easements, buffers etc. Mr. Kallberg asked if the Board needs to determine where the funds come from. Ms. Lotthammer said yes they need to determine how much the District is willing to commit and where the funds will be taken from. Larry Mueller asked if she knows what \$15,000. represents percentage wise. She said the range is between \$46,000. and 76,000. so it could be as much as one-third or as little as one-fifth or one-sixth. She said a lot of that depends on how the plan progresses. She said the range is so broad as it is not yet known how many property parcels are involved, how much coordination it is going to take to line up easements, etc. Mr. Schmokel asked if it would be better to cap the amount to a percentage figure or a set dollar amount.

Mr. Huemoeller read the statutory authority of the District and asked if the Greenway will further any of these stated statutory purposes. Mr. Matthiesen said it will provide better access to the channel, filter to provide better water quality and allow for better bank stabilization. Mr. Huemoeller said that if the Board wants to authorize this they should have a motion or a resolution that ties into the specific statutory purposes. He said as long as the improvements are tied into one of the stated purposes of the outlet project, there should be no problem. The Board discussed and Mr. Huemoeller said that if the Board agrees conceptually then Shannon Lotthammer can tell Mark McQuillan that the Board conceptually is on line and a contribution that appears to be this formula subject to verification of what will be done. He said she can tell Mr. McQuillan that the District can spend money for limited purposes that relate to water quality, control and management and as long as they get details to what is being done specifically and can verify it is within the District's statutory purposes the Board is inclined to vote favorably for a reimbursement or contribution. He said that if the information is obtained they can devise the appropriate resolution and submit to the Board at the next meeting.

Motion by Bill Kallberg to participate in those elements of the Shakopee Greenway Project for the Prior Lake Outlet channel that will result in improved conservation, protection and management of water resources within the District. The District's monetary contribution will not exceed 20% of the project or \$15,000.00, whichever is smaller and is contingent on

receiving additional information on the details of the project and how it fits with the District Manager Plan. Second by Larry Mueller. Motion passed 4 ayes.

D) Prior Lake Downtown Stormwater Management Plan.

Shannon Lotthammer said she met with Sue McDermott and the consulting engineer, Bob Barth from Bonestroo, for an update on their progress with the rainwater garden design. She said they are looking at four or five sites within the downtown re-development area for putting in rainwater gardens. She said they are hoping to start construction of some of the gardens in late summer or early fall as redevelopment occurs in that area. She said one issue brought up in the meeting was how the Watershed District Rules would apply to the development effort, i.e. would they need a permit, to what extent would they need a permit, given as it is redevelopment versus new development. She said after the meeting she met with Paul Nelson and discussed ideas. She said Paul Nelson suggested that for that redevelopment area the City develop a mini-stormwater management plan that identifies how the City will address stormwater management concerns within that development area, including water quality, rate control and infiltration requirements. She said water quality would apply across the board and rate control and infiltration would apply to the extent that any impervious surfaces increase within the redevelopment area. She said she discussed this with Sue McDermott and Craig Gontarek. She said the City is amenable to this approach. She said the benefit is that if the City designs the redevelopment stormwater plan, brings it to the Board for approval and the Board approves it, then the City would be able to basically develop according to that plan within that area and not need to acquire additional permits from the Board. Bill Kallberg said this was discussed before as an option to lot by lot permits. Shannon Lotthammer said this was correct. She said some of the City's plans are still in the conceptual stage and they do not know which lots or areas may include some increased impervious areas. She said she discussed this with Sue McDermott and that the plan should contain some contingencies; that if there are areas with increased impervious surface how the City would address that area, and if there were no increased impervious surface how the City would address the water quality requirements. She said Sue McDermott met with Bob Barth regarding this and he is taking an initial look at developing the plan. She said the time frame the City is hoping for is to bring the plan to the July meeting for consideration by the Board. Shannon Lotthammer said she is looking for approval that she is taking the correct direction with this project. The Board approved.

E) Sustainable Lakes Planning:

Shannon Lotthammer said they had a very good meeting. Bill Schmokel said more people attended and had more input than he had expected. He said he thinks people are gaining a better understanding of the problems. Shannon said the focus of the meeting was on what are the various management options, existing conditions, goals, etc. She said this meeting was primarily about options for moving forward. She said they discussed the dynamics between controlling CurlyLeaf Pondweed and phosphorous inactivation in Spring Lake and action the Board has taken to address the CurlyLeaf Pondweed before moving forward with an alum treatment or something along that line. She said they discussed continuing with the CurlyLeaf Pondweed treatment, following with some sort of phosphorus inactivation. She also discussed a two-stage alum treatment. She said some regulatory agencies have not been supportive of more than one alum treatment but are starting to reconsider in some of the urban lakes that have been heavily impacted. Larry Mueller asked if Shannon knows how effective these treatments have been. She said it depends on the lake, some where the treatment has been effective over a long period of time and others where it has only been effective for one or two years. She said a lot has to do with what else is in the lake, such as; CurlyLeaf Pondweed or what is coming in from the watershed.

F) CurlyLeaf Pondweed:

This was covered briefly under the summary of the Claims list.

G) NPDES MS4 Permit:

Shannon Lotthammer said she spoke with the Pollution Control Agency about the Board's questions regarding the permit. She said she also spoke with Bryce Huemoeller to coordinate the questions. She said a permit is required for municipalities, including Watershed Districts, that own or operate a stormwater conveyance system. She said the municipality is determined by the EPA. She said the PCA believes the District falls into this category based on the responsibility for the outlet channel. She said the PCA said that the responsibilities in the permit are proportionate to the District's authority. She said it is not expected that the District would have responsibility for requirements that would be outside their authority. She said the permit application that Paul Nelson prepared appears to be what is required and that they need to put together a stormwater pollution prevention program. She said that in talking to the PCA she thinks they can state the District's Management Plan serves as their stormwater pollution prevention program. She said there are six requirements that are part of the permit program and that about four of them are easily covered by the Management Plan. She said the other two are basically outside the District's authority and they will participate with the Cities of Prior Lake and Shakopee as they work on these types of projects.

Shannon said the other part of the permitting is that the District is required to have a public meeting to indicate what the District is proposing for its stormwater pollution prevention plan. She said this can be done concurrently with a regular meeting.

Ed Matthiesen said confirmation should be asked from the PCA about the reference to the District Management Plan and the stormwater pollution prevention plan. He said from working with another watershed regarding this permit it was their understanding that this needed to be a stand alone document. Shannon said she would check this again. Shannon said the Board basically has two options of how to move forward with this. They can try to say they don't own or operate the channel, but the indication she is getting is that will not be successful. The other option is to complete the permit requirement, which would involve developing the stormwater pollution prevention plan, and hold the public meeting. She said based on her conversations with the PCA that would fulfill the permit requirement and they would have a complete application. She said there is no fee associated with the permit, but there is staff time involved developing it.

Bryce Huemoeller said the expense of fighting the requirement would be considerable and the likelihood of winning because of partial control over the system is minimal. He said once the District submits to the jurisdiction of the permit there will be some evolutionary requirements that are probably legal and workable. He said he feels that Paul and Shannon have this to the lowest level of compliance they can and the Board should move forward with the public hearing, documenting the plan and submitting it.

H) Grant Opportunities: Metro Environment Partnership Grant, BWSR Challenge Grant:

Shannon Lotthammer referred to the memo in the packets regarding grant opportunities and proposal ideas. She said the BWSR Challenge Grant is due July 1, 2003 and the MEP Grant on July 18, 2003. She said the BWSR Challenge Grant is pretty limited as to how much money is available this year due to budget constraints on the State level. She said the priority projects this year focus on implementing management plans for lakes, rivers or drainage management systems or environmental ordinances. She said a couple ideas that Staff would recommend proposing would be an application to continue the Spring Lake CurlyLeaf Pondweed treatment and maybe expand into Upper Prior Lake or other areas. Another idea would be developing a management plan for Fish Lake. The Board directed Staff to pursue funding for a Fish Lake Management Plan.

Shannon said the Lake Friendly Project is funded under a MEP Grant. Earlier this year the Metropolitan Council sent out an inquiry for pre-proposals to which Paul Nelson had responded

with an agricultural BMP project. She said this idea had been very favorably received and the District was encouraged to keep it in mind to submit when the full grant applications become available. She said another idea would be a low impact development demonstration project, which could include a conceptual study of existing developments and what differences would there be if low impact development had been used. Another part would be to use a development being proposed and use low impact techniques with the District making up any cost differences between standard and low impact practices. This could include pre and post monitoring.

The Board discussed the above and said they also liked the bank stabilization using natural techniques. The Board directed Shannon to flesh out the MEP grant ideas and come the next meeting with a rough proposal.

I) Resolution and Signatures for Bank Accounts:

Shannon said new signature cards for the Bank and the Bank is also requiring new resolutions for each of the accounts. She passed around the documents to be signed.

Motion by William Kallberg to approve the resolution designating each Board Manager and the Administrator of the Prior Lake-Spring Lake Watershed District as authorized signatories for the Prior Lake-Spring Lake Watershed District checking account. Second by William Schmokel. Motion passed 4 ayes.

Motion by William Kallberg to approve the resolution designating each Board Manager and the Administrator of the Prior Lake-Spring Lake Watershed District as authorized signatories for the Prior Lake-Spring Lake Watershed District Money Market I account. Second by William Schmokel. Motion passed 4 ayes.

Motion by William Kallberg to approve the resolution designating each Board Manager and the Administrator of the Prior Lake-Spring Lake Watershed District as authorized signatories for the Prior Lake-Spring Lake Watershed District Money Market II account. Second by William Schmokel. Motion passed 4 ayes.

Motion by William Kallberg to approve the resolution designating each Board Manager and the Administrator of the Prior Lake-Spring Lake Watershed District as authorized signatories for the Prior Lake-Spring Lake Watershed District CD account. Second by William Schmokel. Motion passed 4 ayes.

Motion by William Kallberg to approve the resolution designating each Board Manager and the Administrator of the Prior Lake-Spring Lake Watershed District as authorized signatories for the Prior Lake-Spring Lake Watershed District safe deposit box. Second by William Schmokel. Motion passed 4 ayes.

8. ADMINISTRATIVE

A) Claims

Shannon reviewed the claims list and explained some added and handed out revised lists.. She said at the last meeting there were questions about additions meetings billed by Kestrel. She said there have been some clarification from Kestrel and one invoice has been corrected. She said another Lake Friendly invoice was added. She said both invoices for mechanical harvesting and chemical treatment are out this list, and the work has been completed. She pointed out the League of Minnesota Cities Insurance invoices were listed and said there is a 20% increase.

Motion by William Kallberg to approve the May 2003 revised Claims 03-131 through 03-173 totaling \$79,475.91. Second by Larry Mueller. Motion passed 4 ayes.

B) Financial Report

Shannon Lotthammer said under outlet maintenance the costs had jumped because the interceptor repairs were completed and paid in May. She said the rest of the report is pretty standard and asked if there were any questions. There were none.

9) ADJOURN

Motion to adjourn by William Kallberg. Second by Larry Mueller. Motion passed 4 ayes.

William Kallberg, Vice President

Larry Mueller, Secretary