

Douglas County Lakes Association

Public Works Building

August 12, 2015

I. Meeting called to order at 4:30 p.m. by President Jan Beliveau. Attendees: Jan Beliveau - Mary, Jim Peterson - Ida, Linda Dokken-McFann - Mary, Juanita Bolinger - Mary, Sue Engstrom - Darling, Dian Lopez - Ida, Dave Rush - DC Land & Resource Director, Steve Kogler - Lobster, Justin Swart - DC Land & Resource Shoreland/AIS Tech., David Jones - Rachel, Don Clausen - Rachel, Vern Lorsung - Latoka, Delmar DeBilzan - Victoria. A quorum was present.

II. Juanita Bolinger moved, seconded by Sue Engstrom to approve the agenda as written. Motion carried.

III. Juanita Bolinger moved, seconded by Dian Lopez to approve the revised April 2015 minutes. Motion carried.

Sue Engstrom moved, seconded by Juanita Bolinger to approve the July 8, 2015 minutes as read. Motion carried.

IV. Treasurer Jim Peterson provided monthly financial update. Don Clausen moved, seconded by Juanita Bolinger to pay Info Link \$180.00 for annual website host fee. Motion carried. The following lake associations have not paid dues as of this date: Devils/Little Chippewa, L'Homme Dieu, Milona and Vermont. Per Peterson need the follow up to find the correct contact person for Maple Lake.

V. Committee Reports:

Public Relations: Per Jan Beliveau via email from Steve Henry, Sr. He plans to place announcements in the paper and on the radio for DCLA meetings. He also asked should we plan an Open Line guest for September and what topic. Any ideas please contact Mr. Henry at henry5369@charter.net.

Website Update: Per Don Clausen, he updated the postings of minutes on the website.

Zoning & Environment: Per Sue Engstrom, she and Jan Beliveau will attend the onsite viewings for lake issues this Friday. Application for Jesse Wohfeil for a variance to allow a septic system not meeting the 150 foot setback from the OHW on Lake Mina. Application of Tessmer for a variance to allow a 344 sq ft accessory structure not meeting the setback to the OHW on Lake Alvin. Application of Radil Farms for a variance to allow 2 accessory structures with combined total of 1868 square feet on a proposed lot of 2.5 plus acres RS Long Lake. Preliminary Plat of Wrucks Hideaway Zoning RS (GDS) Lake Osakis. The appeal of issuance of permit to install subsurface treatment system to Knutson on Lake Cowdry will not be on site visit this Friday as it has been viewed before.

Water Planning Update: Steve Henry Jr. was not present to provide an update. Jan Beliveau and Linda Dokken-McFann attended Soil & Water monthly Board meeting on August 10, 2015. We received a four page handout on funding sources available for clean water projects, buffer zone initiatives and other farm programs. Our local SWDC office has offered to assist lake associations in completing the funding application requests. The applications need to be completed by August 28, 2015. Steve Henry, SWDC Water Tech is assisting lake associations on the clean water projects data and information. The following

lakes were identified by SWDC for clean water projects that provided the most benefit in the County: Ida, Miliona, Pocket, Victoria, Mary and Winona.

VI. Annual meeting. General consensus was to have Pizza Ranch cater the event. Jan Beliveau will make meal arrangements. Jan Beliveau will follow up with Conservation MN for a guest speaker.

Executive Committee: Jan Beliveau, Dick Kuehn, Vern Lorsung and Jim Peterson.

Board of Directors: Jan Beliveau, Sue Engstrom, Dick Kuehn, Vern Lorsung, Chris Risbrudt, Jim Peterson and Bob Reynolds.

VII. Buffer Notes:

Jan Beliveau, Juanita Bolinger and Linda Dokken-McFann attended the August 6, 2015, Public Works Bldg. Douglas County Commissioner Special Meeting on Buffer Zone Rule. Presenter was Kurt Deter, Ditch Law Attorney with Rinke Noonan Law Firm out of St. Cloud that represents somewhere between 30-50 watersheds. He indicated there are more water related issues in MN. before the buffer rule passed. He remarked that the buffer zone bill is Governor's Dayton's legacy. Many thought it would not pass but did so in the Special Session. He further indicated that there are some who did not think the bill was strong enough. Another concern was no rule making authority was established for this law, leaving many areas in question.

Buffer means an area consisting of perennial vegetation, excluding invasive plants and noxious weeds, adjacent to all bodies of water within the state that protects the water resources of the state from runoff pollution, stabilizes soils, shores, and banks and protects and provides riparian corridors. Mr. Deter indicated that canary and brome are considered invasive grass types.

The landowner is responsible, not the County Commissioners, DNR or SWDC. Landowners owning property adjacent to a water body identified and mapped on a buffer protection map must maintain a buffer to protect the state's water resources. Public Waters require a 50 foot average buffer width with 30 foot minimum width. No length was specified however. Public Ditches for public drainage system established under Chapter 103E, a 16 1/2 foot minimum width, continuous buffer of perennial rooted vegetation on ditches within the benefitted area of public drainage systems. This includes all private ditches and any other waters determined by SWDC's and adopted into Water Management Plans.

Timeline for buffer *protection map prepared by DNR for public water and public drainage systems* is set for July 2016. *SWDC summary of water courses* shall be done by July 2017. Buffers shall be in place by November 1, 2017 for public waters and November 1, 2018 for county drainage systems and private systems. Mr. Deter does not believe there is enough seeds in the state of MN to complete this task.

Possible funding sources are 103E buffer strips compensation for public drainage systems., RIM buffer easements, USDA Conservation Reserve Program, RIM/CREP Easements easement and 22 million set aside from the Clean Water Legacy Fund. Landowner does not have to sell an easement, can voluntarily put buffer in.

Compliance: SWDC or Water Conservation District notifies County or Watershed District of non-compliance. Must provide landowner with list of corrective actions and timeline.

County or Watershed may enforce under 103B.101, Subd. 12(a). for continued non-compliance but before exercising this authority must adopt a plan containing procedures for administrative penalty orders. If County or Watershed fails to adopt a plan, SWDC may enforce. *The State may withhold funding from a County if it fails to implement this section. Funding subject to withholding includes Soil & Water Program Aid, Natural Resources Block Grant and other project or program funding.*

Possible Impacts according to Mr. Deter: Redistribution of property taxes - everyone pays not just the landowner whose property is adjacent to public waters. Amendments to land rental agreements. Unfunded staff time. Increased redetermination of benefits. Farming difficulty depending on maps. Buffers within private property along roads. Discrepancy between public ditch systems and altered natural water courses. Weed Control issues. Increased tiling to replace smaller ditches. Possible increase in petitions for laterals to make private systems into public systems. More trained viewers will be needed.

Exemptions are land enrolled in CRP program. Public or private water access or recreational use, including stairways, landings picnic areas, access paths, beach and watercraft access areas. Covered by road, trail, building or other structure. Regulated by NPDS permit. Municipal separate stormwater sewer system. Construction stormwater. Industrial stormwater. Part of water inundation cropping system (wild rice is example). In a temporary non-vegetative condition due to drainage tile installation and maintenance, alfalfa or other perennial crop or plant seeding or construction or conservation projects authorized by federal, state, or local governmental unit.

Buffers are not a new idea by any means. In the past, the County had the choice to require them or not. It is not known at this point what shape Douglas County is in. There are areas that still need clarification. The idea of a buffer zone is good but "one size fits all" makes it more complicated. For complete language on the bill please go to <https://www.revisor.mn.gov/statutes/?id=103E.021> . Josh Meissner is the local farm program specialist who can answer questions on the different programs. Telephone number is 320-763-3191, ext. 130.

VIII. Lake Winona - Per Jan Beliveau, the MPCA should be ready for public comment the end of September, 2015.

IX. Deadline for clean water project grant applications is August 28th, 2015.

X. Items from the floor.

WAKE BOARD BOATS: A representative from Lake Victoria reported that they have had several complaints on the use of Wake Board boats being too close to the shoreline areas. This is a relatively new water activity called wake surfing. They load the boat with water to increase the weight, want calm water area so they can make waves for the person to surf behind the boat. Concern is this wave action too close to the shoreline will expedite erosion. The Sheriff Water Division and Dave Rush, L&R Department are aware of this activity. County is exploring options such as posting signs restricting this activity near shorelines, possible boat restrictions on lakes or creating a no wake/wave ordinance within X amount of feet from shoreline. Continue to log incidents. No other lakes are reporting this problem .

SECRETARY FEES: Bylaws were reviewed with reference to any restriction who can hold this position and receive fees. None were found. Per Vern Lorsung, he indicated that when the DCLA first organized, the meeting was attended by only the Presidents of each lake association. They felt that a secretary

should be hired and paid for their services to prepare minutes. As of January this year, the secretary resigned. The membership voted to select a member to take over this position. With that said, several options were explored to address any concerns. General consensus was to ask at the beginning of each meeting if anyone wanted to volunteer to take minutes. If no one offers, current person will continue to prepare the minutes with pay.

AIS UPDATE by Justin Swart, DC Shoreland/AIS Tech: The County has set up a Courtesy Decontamination Unit Website for individuals to locate a decon unit if they want their boat cleaned. Go to mndnr.gov/courtesydecon for the schedule. Call the contact person listed for the site to confirm the unit is present. Arrive at least 30 minutes prior to the posted end time. Questions and feedback please contact wip.dnr@state.mn.us.

Over all compliance is good for AIS laws. Violations have dropped from 17% to 11% this year. ***No new AIS infestations to report in Douglas County.***

Per Mr. Swart, his department is aware of the Wake Board Boats. They have attended a training how to decontaminate these specialize boats with bags in them that are filled with lake water. The bags inside are emptied of lake water and then filled with 120 degree water and flushed. Most boats must dump the water out before loading or will break their trailers due to excess weight.

With no further business, Juanita Bolinger moved, seconded by Sue Engstrom to adjourn the meeting at 6:10 P.M.

Minutes recorded and prepared by Linda Dokken-McFann, DCLA Secretary