

## LSLID Board Meeting – January 17, 2022

Attendees: Rick Rosar (Chair) Bob Koll (Vice-Chair), Tim Rice (Secretary/Administrative), Fred Comb (Treasurer/Finance), Bob Ingle (Director), and Cindy Kevern (Administrator). Eleven audience members also attended.

### 1. Welcome

Rick Rosar called the meeting to order at 6:02 pm and opened the meeting by welcoming Board members and the audience. Rick noted that the audience would be able to ask questions at the end of the meeting by raising their hand through Zoom. He also noted that after they are recognized by the Chair, each audience member will be limited to one-minute period for comments. Rick asked all to mute cell phones.

### 2. Minutes of Board Meeting

Tim Rice reviewed the minutes from the November 10, 2021, Board meeting. He stated that Board Members have had a chance to review them, and they have been posted to the website. Rick Rosar asked for a motion to approve. Rick Rosar made the motion and Tim Rice seconded. Rick called for a Roll Call Vote.

Fred Comb	Yes
Bob Koll	Yes
Tim Rice	Yes
Bob Ingle	Yes
Rick Rosar	Yes

### 3. Treasurer's Report

Fred Comb reviewed the Treasurers report as of December 31, 2021. Fred reported on the current revenues and expenses. He noted revenues were higher than projected due to grants and all expense categories were under budget. The cash balance as of 12/31/21 was \$137,006.93. Rick Rosar asked for a motion to approve. Rick Rosar made the motion and Bob Koll seconded. Rick called for a Roll Call Vote.

Fred Comb	Yes
Bob Koll	Yes
Tim Rice	Yes
Bob Ingle	Yes
Rick Rosar	Yes

### 4. High Water Project Update

Cindy provided a review of the most recent high water project tasks:

- Bi-monthly meetings with the local DNR have been held to keep them informed of the project, to provide detailed project information, to seek input and to inquire regarding technical issues.
- Houston Engineering has completed many technical tasks including soil borings, surveys, and further route and right of way design. They have continued work on the construction design and have had meetings and conversations with the appropriate agencies
- Houston has started the DNR permit application process with the submittal of initial documentation and project information. Houston has also provided an overview of the design and route to the DNR to receive input on design details.
- The EAW was completed with assistance from Houston Engineering and responses to comments for the EAW were developed and will be discussed in the next agenda item.
- Approval has been received from Fawn Lake Township for use of the road right of way.

Next steps include continued work on completed Task 4 services including further development of construction plans. The design work will include the advancement of designs of key project features, including hydraulic features (piping, pumps, valves, pump station, etc.); AIS filtration; force main and outlet; channels, pipes, and drainage system; and the lake inlet. Houston continues to complete value engineering to determine ways to minimize costs and they are in process of updated engineer's opinion of probable cost. The deliverables associated with these tasks will include a preliminary construction plan set, a geotechnical report, and the updated engineer's opinion of probable cost. Task 4 also includes permitting related efforts, including DNR and wetland permits, county zoning

permits, and coordination with road authorities for necessary authorizations and permits. Other tasks include continued outreach with landowners, agencies, and project management. It is anticipated that these Task 4 design and permitting services will be completed during the next several months.

At the conclusion of Task 4, the final engineering tasks will be ready to be completed prior to construction. These next tasks, that will be called Task 5, and will include completing the Detail Design, Right of Way, Construction Plans, Bidding, and Contractor Selection. It is anticipated that Task 5 will be completed during the Spring/Summer 2022 with the contractor selecting in the Summer of 2022 and construction beginning in the Fall of 2022.

## **5. Environmental Assessment Worksheet (EAW)**

Cindy Kevern and Rick Rosar reviewed the EAW process and schedule, noting that the oversight agency for the EAW process is the MN Environmental Quality Board. The purpose of the EAW process is to disclose information about potential environmental impacts of the project. It is not an approval process. The purpose of the EAW, comments and comment responses are to provide the record on which the RGU can base a decision about whether an EIS needs to be prepared for a project. The Lake Improvement District is the RGU for the High-Water Outlet Project.

The EAW was prepared and filed with the Minnesota Environmental Quality Board (EQB) and circulated for review and comment to the required distribution list and to those persons known by the LSLID to be interested in the proposed project. A notice of availability was published in the EQB monitor on November 23, 2021. A notice was also published in the Morrison County Record newspaper. The EAW was made available electronically on the LSLID website and hard copies were available at the Scandia Valley Town Hall, Morrison County Land Services, and the Todd County Soil, Water, Conservation, and Development Services.

The 30-day public comment period began on November 23, 2021 and closed at 4 pm on December 23, 2021. The opportunity was provided to submit written comments on the EAW to Rick Rosar by US Mail or through email. Four written comments were received from agencies (MPCA, DNR, and State Historical Preservation Office) and from the public (Crookneck Lake Improvement District). The comments were made available to the LSLID Board and responses were developed with input from Houston Engineering

Based on the information in the record, which is composed of the EAW for the proposed project, the comments submitted during the public comment period, the response to the comments and other supporting documents, a document called Findings of Facts, Conclusions of Law, and Order for the record of decision has been developed for the determination of the need for an Environmental Impact Statement for the Lake Shamineau High-Water Project.

Cindy reviewed the Findings of Fact, Conclusions of Law and Record of Decision document with the Board and noted that after execution the document will be posted on the website. After reviewing the Findings of Fact, Cindy noted that based on the information contained within the EAW and provided in written comments received and in the responses to those comments, the LSLID has identified no un-mitigated environmental effects that would require the need for an EIS for the Lake Shamineau High Water Outlet Project.

Further, she noted the following Conclusions of Law:

- The Lake Shamineau Lake Improvement District (LSLID), which is the RGU for the project, has fulfilled the procedural requirements of law and rule applicable for the need of a Discretionary EAW.
- There are adequate and appropriate state and local regulations governing the activities of this project that will limit and control environmental effects, specifically the impacts to wetlands, public waters, and rare/natural resources.
- It has been determined that the proposed project does not present a potential for environmental impacts of such significance that an Environmental Impact Statement would be required.

Rick Rosar stated the LSLID Board has the responsibility to make the decision about whether an EIS needs to be prepared for the project. Given the EAW, the comments to the EAW and the responses to the comments, Rick made the following motion: The Lake Shamineau Lake Improvement District Board of Directors hereby makes a Negative Declaration on the need for an Environmental Impact Statement. An EIS is not required for the Lake Shamineau High Water Outlet Project in Morrison and Todd County, Minnesota. Bob Koll seconded the motion. Rick asked if the LSLID Board had any comments prior to voting. Comments included: Bob Koll expressed appreciation for all the

work completed by Rick and Cindy on the application and their work with the DNR. Rick Rosar made note that the 203 ditch identified in the application is also known as the blue line ditch. Fred Combs concurred with Bob Koll and recognized that it took a lot of work to put this together and hats off to everyone who worked on this. Rick Rosar shared that we learned a lot from the previous submission which was more complex as well as what was learned working with the DNR. Houston Engineering was very helpful in completing this application. Bob Ingle stated he went through the EAW document and feels the operating plan has the controls in place to address any concerns that may exist. Tim Rice stated that he feels there are adequate state and local regulations governing the activities of this project that will limit and control any environmental effects. Rick Rosar stated that this project is further along than the previous submission as we have been meeting with property owners, agencies and townships.

Rick called for a Roll Call Vote.

Fred Comb	Yes
Bob Koll	Yes
Tim Rice	Yes
Bob Ingle	Yes
Rick Rosar	Yes

Rick Rosar stated the report and decision will be sent to the appropriate agencies as well as to those who submitted comments.

## 6. Other Business

- Rick provided an update on the legislative process and possible funding for the High-Water project through the bonding process. Rick stated that there continues to be positive support from the legislators, and he is hopeful that funding will be received. The next legislative session begins in 30 days. Contact has been made with both the house and senate bonding committees, MMB and Governor's office. If the DNR is able to receive funds from the federal allocation, it could increase our probability of receiving funds.
- Cindy noted the following:
  - Communications – a newsletter will be sent to subscribers in the next few weeks.
  - The current website will no longer be available after March and the LSLID Board is working on a new website for the LID.
  - The next regularly scheduled board meeting will be held on May 16, 2022 at 6 PM.
- Bob Koll shared that we have applied for the 2022 AIS Morrison County Partnership GRANT program. The maximum grant for AIS Management (Chemical and Scuba) is \$5000. Our projected budget includes \$3500 for AIS vegetation surveys, \$200 to update AIS signs, \$5,000 for AIS management and \$10,000 for trained ambassadors. Rick and Bob shared the ambassadors are very important for the lake and if you know of anyone interested in doing that work next summer to please have them contact us. An ambassador must be 18 years of age, complete a criminal background report and take the required Ambassador training by a DNR Water Resource agent. This training can be done online with no cost to the applicant.

## 7. Audience Questions and Comments –

Rick Rosar opened it up for comments or questions from the audience. He noted that participants should use the chat feature, wait to be recognized and limit their time for comments and questions to 1 minute.

a. Following is a summary of the Comments and Questions:

- There was a question to clarify discussion at the DNR meetings and the Administrator stated that DNR design input has been key to the project and the board does not see any impending DNR technical issues.
- An audience member thanked the Emergency Task Force for all the ground work they did on pumping and the blue line ditch which allows this project to move forward. The blue line ditch allowed the LID to get to the Todd County line.
- An audience member stated he has talked to the Chair about setting up a timeline budget for this upcoming project and he noted he would be willing to help out doing this.

- An audience member suggested area colleges be contacted about the ambassador job positions for summer employment.

#### **8. Motion to Adjourn**

Tim Rice made a motion to adjourn, and Bob Ingle seconded the motion. The Meeting adjourned at 6:48 PM.

Notes Submitted by: Tim Rice