

**Jean Wagenius**  
**State Representative**

District 63B  
Hennepin County



# Minnesota House of Representatives

December 18, 2017

Assistant Commissioner Barb Naramore  
Ecological and Water Resources Director Luke Skinner  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, MN 55155

Dear Assistant Commissioner Naramore and Director Skinner,

Thanks for meeting and sharing the outcomes of the meeting you arranged with the public entities that have responsibilities for managing water within the Minnehaha Creek Watershed District. I appreciate the leadership role you are taking as we work together to resolve the water problems that my constituents are dealing with.

I thought a summary of the issues would be helpful since they are interrelated in ways that we understand but also likely interrelated in ways that we don't yet understand.

Minnehaha Creek has been extraordinarily high during the summer and fall months, a time when the Creek has historically been low. This high flow follows other high flow years beginning in 2014. While we have had a lot of rain in these years, everyone who has responsibility for water is well aware that with climate change we should expect heavy rain events and that we must all be managing accordingly. Moreover, science is telling us that the rain we have seen in these last several years is a harbinger of what is to come.

Prolonged high velocities and water levels have scoured the Creek banks and put mature trees along its banks at risk. High flow velocities carry additional sediment. You can see the deposits [here](#). I am also including a representative picture of the Creek taken on October 22nd of this year.

Lake Hiawatha is a very small body of water that should not be expected to manage higher and higher levels of water passing through it. Shoreline has been lost. Neighbors around the Lake are rightly concerned about their homes and basements as alternative plans for water management of the Lake are considered. While very localized studies have been done related to pumping, the larger question of the impacts of Creek levels on groundwater levels around Lake Hiawatha needs to be answered. This is especially important since Lake Hiawatha once flowed freely into the Creek and now there is a weir that keeps the Lake artificially high.

Water best management practices have evolved. Now instead of moving water off the land as quickly as possible, best management calls for slowing water down in order to protect surface waters and recharge groundwater resources. Both are important. Recharging drinking water aquifers is especially important in the Minnehaha Creek watershed since aquifers upstream from Minneapolis are showing stress. Slowing water down should have multiple benefits, not just for those downstream but for those upstream especially since DNR must ensure sustainability when permitting wells including drinking water wells.

Lake Nokomis is high; much of its beachfront has been lost. You can see the change [here](#). Groundwater levels are similarly high. Over 70 neighbors, Minneapolis homeowners, are reporting impacts from high groundwater levels including very significant dewatering expense when sanitary sewer connections have broken, sinkholes developing under basement flooring and in yards, water percolating up in the middle of basement floors, and extensive settling and shifting of homes, garages, sidewalks and driveways. Groves of mature trees are dying in Solomon's Park and in Mother Lake. A representative picture is attached. Neighbors tell me that until now, nothing like this has happened in the memory of folks who have lived in the area for over 40 years.

Similarly, City Council Member John Quincy reports that the City infrastructure has been negatively impacted by the high groundwater levels in the area.

As we all have been moving toward problem solving, it has become clear that there is a need to understand the surface water/groundwater hydrology in the lower part of the Minnehaha Creek Watershed. Two things are important to consider. One, infrastructure changes over the years, including the construction of the interchange at Cedar and Highway 62, major construction at the airport, and storm water infiltration projects on the north and south sides of Highway 62 east of Portland Avenue have likely changed the hydrology, but these changes happened years ago and the high groundwater levels are new. Two, Lake Nokomis historically flowed freely into Lake Hiawatha, but that is no longer the case. Currently a weir prevents Lake Nokomis water from freely flowing out of the Lake. When it is open, it holds water back at a level that appears to be several feet higher than the level of the Creek even when the Creek is relatively full. When it is closed, as it was much of the summer and fall, the weir holds back substantially more water.

Along with your responsibility to approve permits for large wells, DNR is responsible for permitting dams. In the case of the dam at Grey's Bay, DNR also approved the plan for operating the dam so that it stays open until Lake Minnetonka dips below 928.6 feet above sea level. It stayed open this year until November 13.

I do not know whether DNR permitted the Lake Nokomis weir as a dam or as part of its responsibility to permit construction in a public water. However, since the permit was issued without understanding the hydrology in the area, I hope DNR sees the urgency in determining why both the Lake level and groundwater levels around they are so high.

In the long term we would all be better served with a DNR strategic plan providing multiple benefits for the whole Watershed. The DNR's ground water management plans might provide a useful model for developing a process. It is my understanding that the Watershed District is developing a new 10 year plan with priorities. That plan should be closely linked to DNR's strategic planning for the Watershed.

Citizens should be part of the process as we go forward. A DNR-managed website that both describes what steps DNR is taking and provides for citizen input would be welcomed and would enhance the cooperative effort that we will need in problem solving.

Finally, I gave John Jaschke a copy of proposed changes that would update our watershed laws that I also gave to you. I hope that this language or very similar language would be included in the Governor's package of proposed statutory changes.

Thanks once again.

Sincerely,

A handwritten signature in black ink that reads "Jean Wagenius". The signature is written in a cursive, flowing style.

Jean Wagenius  
State Representative

Cc: Commissioner Peter McLaughlin  
Commissioner Debbie Goettel  
Council Member John Quincy  
Council Member Andrew Johnson  
Commissioner Steffanie Musich  
Stephanie Zawistowski  
Council Member Maria Regan Gonzalez



