

October 6, 2017

R/E Public input to the high water levels in South Minneapolis at the Minnesota State hearing 8:30 AM this day October 6th 2017

My name is James Flescher, and I am a home owner at 5505 13th Avenue South Minneapolis, MN 55417. I have resided here for 40 years. This spring a neighbor 2 houses to the south, mentioned he had **water percolating up through the center of his basement floor for the first time ever**. Paul Olofson has lived in his house for the last 35 years.

Paul then said, directly across 13th Avenue from him, that house has a wet basement for the first time. Within the next two days I talked to Rick James directly east across the alley from me, and Rick had a sump pump system installed this spring because water saturated his basement floor. Immediately north of Rick, Dan Strom said he had a wet spot in the middle of his basement floor and not along the walls. Then, I heard Bob McNaughton ½ a block north of me on 13th Avenue had water in his basement for the first time ever this spring.

In speaking with Monica McNaughton, Bob's daughter; she said Joan Soholt on 16th avenue near Edgewater Blvd had begun comprising a spread sheet of people who had to have done; an **abnormal concentration of sewer repairs in the last 2 years**. That was the awakening point in that once combining the wet basements with the sewer repairs done, a spreadsheet of 49 properties on the south and west side of the Lake Nokomis Lagoon began to emerge.

I thought the high water in Lake Nokomis was a cause, and I began to talking with Rachael Crabb of the Minneapolis Park & Recreation Board. Rachael is the key operational person who interfaces with the Minnehaha Creek Watershed District (MCWD) on releasing excess water out of Lake Nokomis via the Nokomis weir dam.

Racheal Crabb calls Laura Domyancich of the MCWD, before Rachael can release water out of Lake Nokomis. The Lake Nokomis weir dam cannot release water if Lake Minnetonka's Grays Bay weir is releasing water. Also, neither weir is allowed to release if rain is predicted in the next 48 hours.

Grays Bay has the precedent. **Grays Bay releases water at 150 to 155 cubic feet per second**. Nokomis at optimum height of holding 12 inches of excess water behind the **Nokomis weir's six extension height bars**, that lake water pressure releases a maximum of **20 to 22 cubic feet per second**. A pure 7.26 to 1 disparity.

Lake Minnetonka has a surface area of 15,000 acres compared to Lake Nokomis's surface area of 200 acres.

A pure 75 to 1 unfair advantage.

The Lake Nokomis weir dam has a total length of 29 feet 8 inches. The six aluminum height bars that hold water in Lake Nokomis are 7 feet 8 inches long. The remaining 22 feet of concrete length could easily permit a second set of weir bars to open up a more efficient release of excess water.

A fun fact, or in soberness, a deadly reality—is the fact that the Minnehaha Creek Watershed District states the effluent water run off or surface water plain is 176 square miles that flows to the Lake Hiawatha area. Everything south of Lake Street, everything east of Lyndale Avenue, everything west of 46th Avenue in Minneapolis, and everything south of approximately 90th Street in Richfield.

Key Issue #1 The Minnehaha Creek Watershed District (MCWD)

The Minnehaha Creek Watershed District releases water from Lake Minnetonka's Grays Bay into Minnehaha Creek and it flows through the cities of Minnetonka, Hopkins, St Louis Park, Edina and Minneapolis. An important question is, "What quantities of water does each individual city put into Minnehaha Creek?"

If the city of Minneapolis is the dumping ground of everyone's upstream problem, it is only fair and equitable, that those entities share in the remedial requirements.

Further, the cities directly on Lake Minnetonka i.e. Wayzata, Woodland, Deephaven, Orono, Greenwood and Excelsior at minimum are similarly culpable.

Bottom line, the Minnehaha Creek Watershed District must be directly engaged in the fair and equitable water release within its jurisdiction and charter. If adverse results appear, and are documented, it is but one; of similarly engaged governing bodies, that must be held accountable.

Key issue #2 Surface Watersheds Directly Feeding Lake Nokomis

On Wednesday Sept. 27th 2017, three individuals took an electronic app on a cell phone that referenced GPS and elevation in feet. The water surface elevation at Lake Hiawatha measured 813 feet. Lake Nokomis measured 815 feet. Taft Lake measured 816 feet. And Mothers Lake measured 818 feet.

Mothers Lake on the northwest side of the Metropolitan Airport Commission Property (MAC), flows west via three culverts/tunnels under Cedar Avenue to Taft Lake. Taft Lake flows north through a 48 inch culvert into a surface water body between Crosstown Hwy 62 and 58th Street. That surface water body then flows into a 12 foot diameter culvert at 16th Avenue and 58th Street, then goes under the street two long city blocks, to Edgewater Blvd and Nokomis Lane. Then the 12 foot culvert empties into a northern water current flow of 150 yards directly flowing into the south end of the Lake Nokomis Lagoon. When looking at the culverts and water streams flowing, not only were currents visible, but $\frac{1}{4}$ inch high riffles of waves showed the positive direction of flow and strength of the current.

Scope of the emerging problem:

Dollar Devaluation of Private Property Homes, and Health Dangers of Mold, Mildew and Fungus.

The initial documentation of 49 properties on the south and west side of the Lake Nokomis Lagoon, in reality, underscores a more realistic systemic probability of 135 homes. A definitive direct contact study is required to reveal the scope of the rising water table. In two to three years, I would not be surprised if 350 homes were affected.

If a home suffers water intrusion into the basement, a diminishment of \$25,000 to \$50,000 was mentioned by a project manager of the Minneapolis Park & Recreation Board. If the mid- point of \$37,500 were multiplied to 135 homes, a potential damage value of \$5,062,500 exists. If \$37,500 were applied to 350 homes, the diminished value would be \$13,125,000.

This does not include Lake Hiawatha homes referenced in the Barr Engineering report that states if Pumping Plan B's reduced pumping is enacted, a current \$4 million of adjacent private home property value will be reduced to \$3 million.

Mold, Mildew and Fungus, are of critical concern once water provides an incubation environment. On an average winter day upwards of 600 different mold species can exist in a home. On a summer day with windows open 2,400 different species of mold may exist. The incredible danger of mold is that each different species of mold emits a toxic gas whose sole purpose is to kill off a different competing species of mold. It is a constant ongoing war for that individual species of mold to claim it's own space, to multiply.

Two types of mold that are known carcinogens are Aspergillus-Niger and Aspergillus-Versicolor. A wet or damp basement is the optimum breeding ground for black, grey, green, brown, yellow, reddish, white and a variety of added strains. Commonly the toxic gas that each individual strain emits, is inhaled to the human body. Further, if a hand or body part brushes against the molds they are

transferred to the body and absorbed into the skin and epidural layer. If the tainted hand touches moist lips or mouth the toxicity of the mold is ingested.

A case to ponder, “Has a study been done to track upper respiratory infections to incidence of wet home environments ever been done?” The health costs associated to exposure to an ongoing wet home environment, could be staggering, and dwarf the property valuation damages.

The Minnehaha Creed Watershed District, Minneapolis Park & Recreation Board, City of Minneapolis, and Minnesota Department of Natural Resources are the immediate crucial stewards of the surface water and its effects; on both the positive and/or detrimental value of the Public and adjoining Private Property. Further, the cities listed above in the MCWD Key Issue #1 must also be enjoined.

In summation, all cities and all appropriate water governing agencies must be required to follow proper water rules, and defined rules of procedure to protect assets entrusted to its governance as it affects the downstream assets of the City of Minneapolis, and those of the city tax payers.

Assets of the City of Minneapolis include the city sewer system and its functional infrastructure. The high water is undermining the horizontal and incline plain of drainage, along with the connectivity of the pipe system.

The assets of the city tax payers, include the value and functionality of private property homes and the dollars we are we are forced to pay for new and repeat repairs to the sewer “y” connections and street pavement patches after the repairs are made again and again.

If those entities, city and water resource governing agencies, do not conduct business to an ethical or proper equitable standard of preserving public and private assets, then these governing bodies must be held accountable for good and valuable legal consideration and damages, on the short term and long term basis.

Most respectfully submitted for the public record,

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October 6, 2017 JTF

R/E Minnesota State Hearing on high water in South Minneapolis main discussion points for further background.

One inch of rain fall equates to 2.1 inches to 2.6 inches rise in Lake Nokomis water elevation (DNR). In contrast, one inch of rainfall equates to 9 inches rise in the Minnehaha Creek at the Nokomis weir. Due to Minnehaha Creek Watershed District 176 square mile effluent water runoff delineated basin.

Sean Oberg (City of Minneapolis Sewer) and Pat Kravik removed a beaver dam in the north water flowage into the south end of the Lake Nokomis Lagoon. Beavers build dams only where ongoing water feeds into the resultant pool. (2 more times removed)

Rachael Crabb MP&R Board, stated Nokomis weir bars removed 15+ times in 2017, then 2+ times as of Oct 1. As compared to 8 times in previous year and 3 times prior year, and 2 times prior year. She also stated the Minneapolis Park & Recreation Board is seeing structural damage to the Little Beach and Big Beach of Lake Nokomis, also damage to the Sandcastle Restaurant on Lake Nokomis Sept 2017

Utility subcontractors for City of Minneapolis for sewer repairs stated they are reluctant to bid on jobs because dewatering costs affect potential bids as much as 300 per-cent. They do not want a bad reputation, hence-- they removed themselves from the process. (Four contractor companies)

Kessler, (Division Director of Surface Water and Sewer, City of Minneapolis) on the rising water table of water under the City of Minneapolis sewer plain. Spring 2017, water table is 12 inches under the sewers, then 7 weeks later said water table is 5 inches under the level of the sewers. Rise was one inch per week for 7 weeks.

Metropolitan Airports Commission (MAC) **failed to get permit** to alter Mothers Lake water shed. Cut trees 22+ without DNR permission, New North South runway **encroached on Mothers Lake**. Drastically changed effluent water runoff with New maintenance shed(s) construction at Cedar and 66th street. Also, new 28th Avenue 3 buildings, large modifications and new parking lots going in 2017. **Water is up to 5 feet above the root balls of trees on the north end of Mothers lake adjacent to the south side of the Crosstown Highway 62, directly west of 28th Avenue.** Three pronounced areas of drowned trees are dead and visible west of the MAC Landing Guidance System tower.

Mississippi River water volume increase 24 % since early 1970's. Impervious surface area increasing as a constant then accelerating.

Pump water from Hiawatha to River if dredging Minnehaha creek from 28th Avenue to Minnehaha Falls not advantageous.