

SPRING 2025 ISSUE

UPPER HAY LAKE ASSOCIATION

Official Newsletter of the Upper Hay Lake Association

Greetings From Your President

BRAD SCHULTZ

As the days get longer and the weather transitions from winter to spring, the Upper Hay Lake Association is ramping up for a productive and enjoyable summer. The board will meet soon to set the agenda for upcoming projects and activities.

High on the list are two endeavors. The first goal is to reduce weeds using a potential Lake Improvement District or other resources; the second is to clear the outlet to improve navigation through the creek into Lower Hay Lake. Over the winter Kellie McGowen and Deb Obermiller have explored weed reduction and Greg Thomas has investigated clearing the outlet. Their findings are explained in separate articles in this issue of the newsletter. We look forward to seeing you all at the annual meeting detailed below.

As usual we are planning a boat parade for the 4th of July (note the actual parade is on July 5th). Meet at the boat landing by 2:45 p.m. for a scheduled departure at 3:00 p.m. Everyone is encouraged to decorate a watercraft and join in the procession. Decorating your docks is also suggested.

Then in mid-August we hold a social gathering with a brief business meeting. Again, details will be set and communicated through the newsletter and email for this event.

The board has an opening for a member-at-large. If you are interested in this 3-year position, please contact me or any board member.

Our motto is: Environmental Stewardship Today, for Tomorrow.
Best wishes to everyone.

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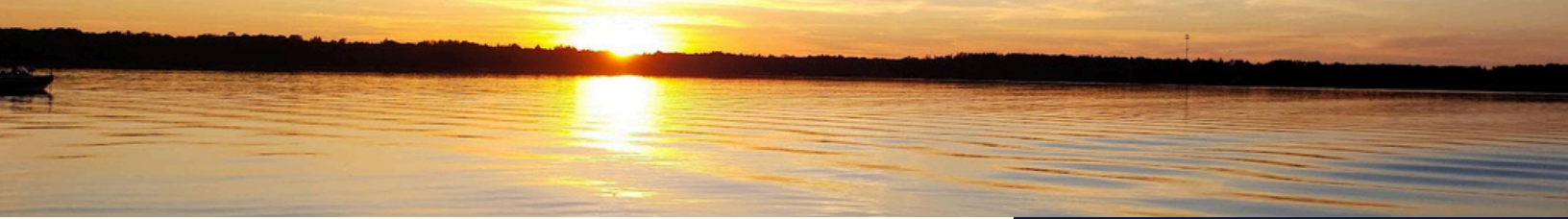
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Upcoming Events

Please join us for the annual membership meeting on June 12th at 5:00pm at the Jenkins VFW. We have a location change this year and look forward to seeing you all at 3341 Veteran's St. Jenkins, MN 56472. The speaker will be Jessica Shea, Operations Manager for Crow Wing County Land Services. She will present an overview on Lake Improvement Districts.

5:00-5:30 = Registration, Social Time, Order Food

5:30-6:00 = "Overview of Lake Improvement Districts " by Jessica Shea, Operations Manager at Crow Wing County Land Services

6:00-7:00 = Business Meeting

July 5th at 3:00pm is our annual Fourth of July Parade.

August social gathering proposed for August 7th, details to follow.

BIRDS OF SPRING

- The birds we love will soon be joining us! Keep your eyes peeled for some of our short-term colorful guests. Which of these birds have you seen at your feeders?
 - Scarlet Tanager
 - Indigo Bunting
 - Ruby-Throated Hummingbird
 - Baltimore Oriole
- Photos taken by Maddie Nelson





Weed Reduction Committee Report

The committee finds that the weeds are inherent for Upper Hay Lake. Deb Obermiller spoke with John Kemp, a representative from the DNR in the Brainard area, in mid-March. He responded to some of our questions regarding the presence of weeds in Upper Hay Lake.

- As far as last summer 2024 goes - the increase in weeds and (types) of weeds was most likely due to the very mild winter temperatures, lack of snow and lots of rainfall in the spring. Muscles may also play a part - cleaning up the water, but at the same time, allowing more sunlight to filter into the plants.
 - There is water movement in the channel although it is low, and the ground is very boggy. The 'boggy' conditions will never change, and this naturally supports weed growth - the lake doesn't 'die'.
 - In the 1950s there was some conversation around building a dam for the channel, but nothing ever came of it. He had not heard of anything recently about any claim or investigation into clearing that waterway. (I think the Core was involved and not the DNR - could follow-up with them).
 - In order to remove any emergent/aquatic plants we would need to have the DNR come out and take a look and we would need a permit to remove them - if they supported the need.
 - We could try a mechanical device to remove/decrease the weeds from our shoreline but may need a permit as well.
- Invasive or non-native plant species, like certain cattails, may need chemical treatment and a permit. A specialist would need to assess the situation first. Any removal or treatments are likely to be temporary. From this discussion, Deb is not sure there is much we can do to reduce Upper Hay weeds - it's just a 'weedy' lake - good for fishing and some water sport.

By Deb Obermiller, edited by Brad Schultz

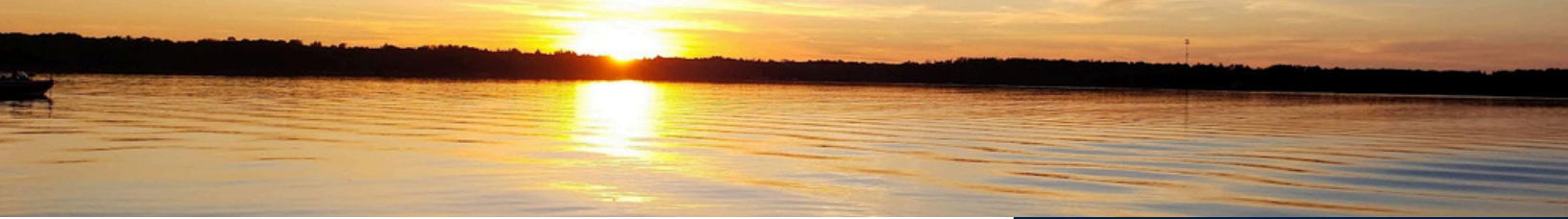


KEY TAKEAWAYS

- The lake is a natural habitat that supports a dynamic ecosystem that we as lakeshore owners choose to live by.
- If - we want to be on a 'clean' beach - we should look for that property as is. Existing 'weedy' lakeshore, lakes or waterways will naturally remain as they are no matter what we humans try to change.

NATURAL SHORES = HEALTHY SHORES





Lake Improvement Districts

The following article is intended for informational purposes. The Upper Hay Lake Association is exploring Lake Improvement Districts (LIDs) as a possible resource for improving the water quality of the lake. Specifically, the aim is to reduce weed growth in the lake. The Board of Directors is looking at options and is aware that LIDs have worked of other lakes.

LID's are a form of local government with specific powers and limitations within the boundaries established around a specific lake or watershed. Citizens can petition to form a Lake Improvement District through a detailed process. Funding for approved projects can be provided publicly and privately. The document, "Forming a Lake Improvement District by Citizen Petition" posted on the DNR website outlines the process and provides general information.

The initial steps require considerable time and effort to establish the foundation and inform property owners about the advantages of an LID. The article underscores the importance of thoroughly completing these steps to ensure property owners are fully aware of the benefits and financial responsibilities involved:

"Investing in time talking with your neighbors about the lake and what a LID can do for it and getting their support is critical to its successful establishment and operation. These are the people that will be petitioning for signatures in support of founding the LID, and if the LID is established, they will be your fellow citizens in it. Home owners will be paying fees, assessments, or levies to fund the LID's programs, which may be met with opposition if people don't understand the benefits of the proposed LID's programs, or if they think that they have been ignored in this process. People who feel ignored or left out may even get a newly established LID terminated by calling for a referendum to vote on its establishment, or they may be less willing to actively participate in the operation of the LID or serve on the Board of Directors. It also pays off to invest a significant amount of time early in the process working with your city or county staff. The city or county will collect fees on the LID's behalf, provide you with much of the information needed to complete the formation process (such as parcel data), carry out various supervisory and administrative tasks related to the LID's functioning, and make the decision on whether to establish the LID. This relationship is critical to the success of the LID."

Helpful Links

[The DNR's Q&A PDF offers more details on Lake Improvement Districts](#)

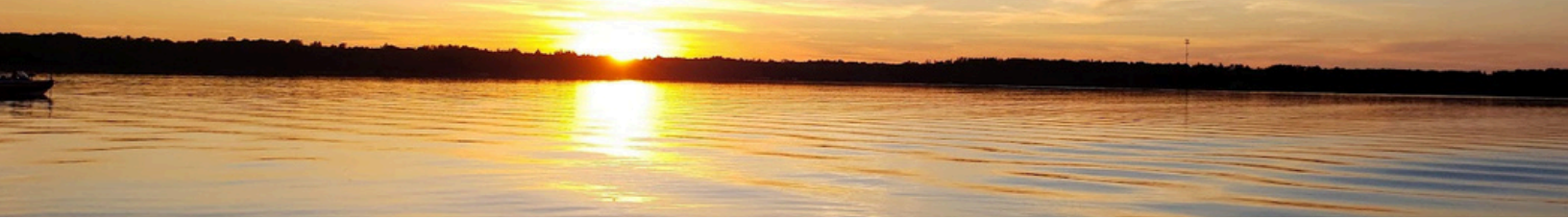
[PDF on creating a LID from Crow Wing County](#)

[Watershed Health Summary for Upper Hay Lake](#)



Conclusion

Creating a Lake Improvement District is a lengthy process. It takes time and effort to complete the preparatory steps. According to the document: "To establish a Lake Improvement District (LID) effectively, it is essential to have a comprehensive understanding of the lake's issues. Similarly, every lake is different, and a realistic course of action for one lake may not work for another."



Outlet Committee

Local Hydrologist Report Denies any Excavation to the Hay Creek Outlet from Upper Hay to Lower Hay Lake

Greg Thomas, a UHLA Board Member, contacted Jacob Frie, Area Hydrologist with the Minnesota Department of Natural Resources, about opening the Hay Creek outlet for kayaking or canoeing. After a recent site inspection, Mr. Frie submitted an eight-page report with photos to Greg on 3/20/2025. Basically, the response below denies any excavation of the site. Greg has also had phone conversations with Kevin Martini from the Department of Natural Resources regarding vegetation removal. The UHLA Board will continue to investigate this matter and will disseminate their findings to the membership in due course.

Email dated April 14, 2025 from Mr. Frie regarding the Hay Creek outlet:

From: "Frie, Jacob (DNR)" <jacob.frie@state.mn.us>

Date: April 14, 2025 at 10:50:36 AM CDT

To: gtbixby@gmail.com

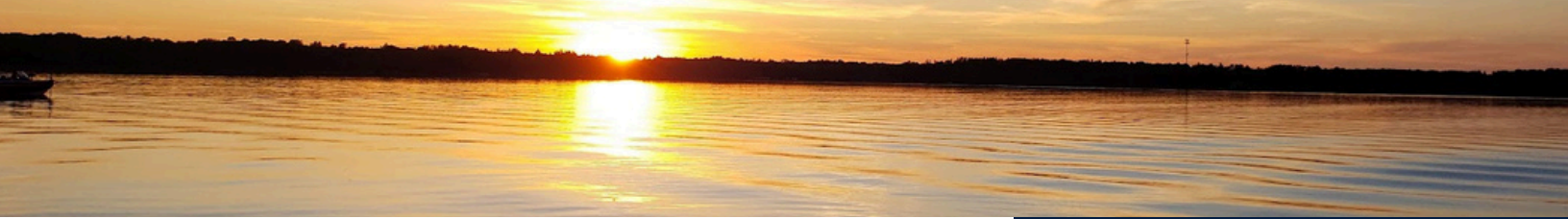
Cc: "Martini, Kevin J (DNR)" <kevin.martini@state.mn.us>

Subject: Hay Creek excavation proposal

Good morning Greg Thomas:

Late last fall, 2024, you (on behalf of the Upper Hay Lake – Lake Association) requested information about the possibility of excavating the bed of Hay Creek in the vicinity of where it intersects with Upper Hay Lake for the purposes of increasing kayak/canoe access within and through Hay Creek. For the record, Upper Hay lake is a “Lake basin” and Hay Creek is a “public watercourse”, and both are classified as public waters. As we initially discussed, there is no record of any past approved DNR public water works permits to allow such a proposal in the area of interest. This is where I looked first. I also mentioned that it is the goal of Minnesota Rules to protect and preserve the waters and adjacent lands from sedimentation and other adverse physical and biological effects (MN Rule 6115.0200 Subp. 1C). Further, excavation in public waters is prohibited in cases where there are feasible and practical alternative solutions which do not require excavation (MN Rule 6115.0200 Subp. 3F).

On 3/20/2025, I (Jake Frie) visited a few areas of Hay Creek in order to determine whether any obstructions or barriers were in-place in the stream that would alter the normal flow of water within Hay Creek. At the time of my site visit, the surface water elevation of Upper Hay Lake was 0.48’ higher than the DNR-listed Ordinary High-Water Mark (OHW) of the lake (OHW = 1231.4’ NGVD 29 datum). I surveyed this by utilizing the benchmark located at the public access to the lake. I found this water level to be unusual considering the lack of snow and overall precipitation since last July, 2024. See attached photos and maps that accompany this e-mail. I first visited the mouth of Hay Creek where it meets Upper Hay Lake. Although photos of this “mouth” were not taken in the field due to un-safe ice/swamp conditions at the time, it is clear from aerial photos and general observations that there is no physical obstruction (logs, decaying matter, etc) that is changing the course, current, or cross-section of Hay Creek. There is clearly more emergent aquatic vegetation (i.e., cattails) and sedges/grasses obscuring the main-channel of the creek from being evident, but nothing that would cause a change in surface water elevations. I observed the stream from its mouth to just past the footbridge on DNR land, apx. 460 feet downstream of Hay Creek’s mouth. No significant obstructions were noted. I then drove to the outlet of Upper Hay Lake, which is the upstream-invert (bottom-of) of the existing 154” concrete culvert (see “Exhibit C” and “Exhibit D”). I noticed a beaver dam had been established on the upstream apron of the culvert, and the low-point of the dam was 0.6’ below the surface water, but still much higher than the bottom (invert) of the upstream side of the culvert. This therefore explains why surface water elevations on Upper Hay Lake were higher than the established OHW. I should note, however, that as of 4/14/2025, Mike Knapp – Area Fisheries Supervisor with DNR – reports to me that his crew has removed this beaver dam and so surface water elevations should be reduced slightly as a result. With this obstruction being removed, there appears to be no non- plant-based restrictions to water flow in the channel of Hay Creek.



Outlet Committee cont.

Based on my field observations and general review of both Hay Creek and Upper Hay Lake as it relates to this (these) request(s), it is my determination that although excavation of muck/sediment from the bed of Hay Creek may increase canoe/kayak access through the mouth of Creek, there appears to be other feasible and practical alternative solutions to solve the issue, and performing excavations would only likely cause re-sedimentation of the stream after a short period of time. These adverse effects appear to outweigh any potential gain sought by removal of sediment at the bottom of the creek.

If vegetation removal is sought alone (not muck excavation), an Aquatic Plant Management (APM) permit could be sought from DNR – Division of Fisheries by contacting Kevin Martini at 218-203-4344 or kevin.martini@state.mn.us.

Thank you for your time in this regard. Should you have further questions about this issue, please contact me at my information below.

Sincerely,

Jacob Frie

Area Hydrologist | Division of Ecological and Water Resources
Minnesota Department of Natural Resources
1601 Minnesota Drive
Brainerd, MN, 56401
Phone: 218-203-4367
Email: jacob.frie@state.mn.us
mndnr.gov

Membership Fees Due

Please use the 2025 Membership Application to renew or start your membership for this year. It is attached to the UHLA 2025 Spring newsletter. Please update your email and indicate that you want your newsletters emailed to you (emailing saves on postage). Please submit it promptly and return with your annual dues.

Looking forward to a wonderful 2025 season at the lake

BRAD SHULTZ - PRESIDENT
NEIL BEAVERSON - VP
BRAD KAUS - TREASURER
MADDIE NELSON - SECRETARY
MEMBERS AT LARGE- WHITEY LARSON
GREG THOMAS
CLAIRE STEEN
JACK WOODRUFF

WE ARE LOOKING FOR ONE MORE BOARD MEMBER TO JOIN US, PLEASE REACH OUT TO UHLAMNORG@GMAIL.COM IF YOU ARE INTERESTED