
MINUTES

January 14, 2010

I. A meeting of the Shingle Creek Watershed Management Commission was called to order by Chair Tina Carstens on Thursday, January 14, 2010, at 12:47 p.m., at the Clubhouse at Edinburgh, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present were: Tina Carstens, Brooklyn Park; Janet Moore, Crystal; Karen Jaeger, Maple Grove; Jeff Johnson, Minneapolis; Dan Stauner, New Hope; Dawn Swanson, Plymouth; Wayne Sicora, Robbinsdale; Charles LeFevre, Kennedy & Graven; Ed Matthiesen and Jeff Strom, Wenck Associates, Inc.; and Judie Anderson, JASS.

Also present: Shelley Schwaninger, Brooklyn Center; Jon Knutson, Champlin; Kyle Turner, Plymouth; Richard McCoy, Robbinsdale; and Alison Fong, Dustin Maddy and Kara Grones, Minneapolis Environmental Services.

Not represented: Brooklyn Center and Osseo.

II. Motion by Sicora, second by Stauner to **approve the revised agenda.*** *Motion carried unanimously.*

III. Motion by Stauner, second by Sicora to approve the **minutes of the December 10, 2009 meeting.*** *Motion carried unanimously.*

IV. Motion by Swanson, second by Sicora to approve the **Treasurer's Report.*** *Motion carried unanimously.*

V. Motion by Johnson, second by Sicora to approve the **January claims.*** Claims totaling \$84,197.80 were *approved by roll call vote*: ayes - Carstens, Moore, Johnson, Stauner, Swanson and Sicora; nays - none; absent - Brooklyn Center, Maple Grove and Osseo. The payment to the City of New Hope will be held until terms of the Wincrest Pond agreement are satisfied.

VI. **Open Forum.**

Johnson announced that April 17 will be the date of the **Minneapolis watershed cleanup**. A presentation by the University of Minnesota Raptor Center will be part of the cleanup program.

Stauner attended the **Northern Green Expo**. The expo featured a session on the maintenance of best management practices (BMPs).

The City of Bloomington will gauge the interest of local residents when it undertakes a plan to construct six **rain gardens** in conjunction with its Pavement Management Program (PMP) reconstruction project.

Moore visited the new salt storage facility in Crystal and noticed that salt had spilled outside the containment. She asked whether the Commission should consider requiring licenses for private suppliers. This will be a topic for the West Metro Water Alliance (WMWA).

VII. **Communications.**

A. The Commissioners reviewed the **Communications Log.*** Moore provided updates on a number of e-cast items.

B. The Commissioners received notice of two reports released by the U. S. Geological Survey (USGS).

1. *Chloride in groundwater and surface water in areas underlain by the glacial aquifer system*, available at: <http://pubs.usgs.gov/sir/2009/5086/>. Contact: Dave Lorenz (lorenz@usgs.gov).

2. *Occurrence of volatile organic compounds in selected urban streams in the United States*, available at <http://pubs.usgs.gov/sir/2009/5203/>. Contact: James Fallon (fallon@usgs.gov).

C. The Commissioners received a copy of the Board of Water and Soil Resources (BWSR) **Level II Performance Review Report.*** It will be posted at <http://www.bwsr.state.mn.us/PRAP/index.html>.

[Jaeger arrived 1:05 p.m.]

VIII. Water Quality.

A. Staff's January 8, 2010 memo* provided an update on the status of the **DO/Biotic TMDL**. Strom presented an overview of the dissolved oxygen model development and calibration and discussed the preliminary findings. After Minnesota Pollution Control Agency (MPCA) approval of the model, Staff will begin running model scenarios to predict what the dissolved oxygen response would be if various types of improvements are made. Staff will present the results at the February 25 TAC meeting and March 11 Commission meeting. They will also have the results of the Stressor Analysis being conducted for the Biotic Integrity TMDL available at the February and March meetings.

The work plan includes two public open houses - one to present initial findings and gather input on possible implementation actions and one near the end of the process to review final findings and potential implementation actions. The Commission can undertake additional stakeholder and public outreach activities from its Education budget. Work on the TMDL must be completed by March 1, 2010.

Staff will work with local newspapers in Camden, Brooklyn Center, Brooklyn Park, New Hope and Plymouth to publish articles about the TMDL, publicizing the Open Houses, and providing email and telephone input methods for those unable to attend the meetings. Additional TAC meetings will be scheduled to continue to review findings and develop implementation actions.

B. Two documents have been added to the **Upper Mississippi Bacteria TMDL*** webpage. The first is the final version of the report, *Data Analysis, Source Assessment, and Monitoring Recommendations Report for the Upper Mississippi River Bacteria TMDL*. It addresses comments received from stakeholders. The second, *Literature Review of Bacteria and Environmental Associations*, summarizes the pertinent literature reviewed to date. They are posted at <http://www.pca.state.mn.us/water/tmdl/project-uppermiss-bacteria.html>.

IX. Watershed Management Plan.

A. The **City of Robbinsdale*** submitted its Local Water Management Plan update for review on December 22, 2009. The Commission has 60 days in which to review and approve the Plan, unless the city approves an extension to the review period. That review period extends through February 16, 2010. Robbinsdale is also within the boundaries of the Bassett Creek WMO.

The Plan was also submitted to the Metropolitan Council for its statutory 45-day review. The Commissions are required to consider Met Council comments in their review of the Local Plan. The Council's comments were received December 24, 2009, and state that the Plan is consistent with their policy requirements.

The draft Plan requires minor revisions to meet the requirements of the Commissions' Second Generation Plan. Revisions are set forth in Staff's January 8, 2010 memo. Staff recommended that the Plan be approved subject to the completion of these revisions, and that the revised Plan should be submitted within one month. Motion by Sicora, second by Swanson to approve Staff's recommendation. *Motion carried unanimously.*

B. Cost Share Program.* One of the ongoing concerns discussed with BWSR is the lack of flexibility in funding and implementing projects imposed by the Major Plan Amendment (MPA) process. Other WMOs are developing or have established cost share programs to participate financially in local projects and BWSR has suggested that the Commissions consider establishing a cost share program and fund projects through that mechanism. The CIP would list one project: a Cost Share Program (CSP). This would eliminate the need to constantly revise the CIP if the Commission desires to cost share in a project that is not on the current CIP.

Implementing the CSP would require an MPA. It would also require the concurrence of Hennepin County, which must approve the CIP and any projects funded through it by the ad valorem tax levy. The MPA would revise the CIP to include the cost share program and would add language to Section 7, Capital Improvement Program and Work Plan, and Appendix G, Capital Improvement Program, to adequately describe the program. Brad Wozney, BWSR Metro

Board Conservationist, has provided guidance on what needs to be included in a Plan Amendment in order to implement a cost share program. The proposed program description included as part of Staff's January 8, 2010 memo is organized according to that BWSR guidance. The TAC reviewed this proposal at its January 7 meeting and recommends approval. If the Commissions desire to proceed, then Staff would bring the concept to BWSR and Hennepin County for review and craft proposed Major Plan Amendment language. If all parties are amenable to proceeding, the Commissions could initiate the MPA process in February or March to consider adoption of a Cost Share Program.

Some cities have already indicated they are interested in adding projects to the CIP. It is further recommended that cities be requested to submit CIP proposed revisions by February 1. If the CSP Plan Amendment becomes delayed or parties would like to take more time, a Major Plan Amendment to revise the CIP can go forward in a timely manner. Motion by Sicora, second by Swanson directing Staff to present the concept to BWSR and Hennepin County and to proceed with the Major Plan Amendment process. *Motion carried unanimously.*

X. Project Review. There were no projects.

XI. Special Studies.

A. Wetland 639W. No update.

B. Paired Intersection Study. Matthiesen provided a graphical update showing temperature at the surface and 18" below the surface for the test and control sections. The data shows the temperature is the same at the surface for the two sections, but at 18" below the pavement the porous section is 10 degrees centigrade warmer.

Motion by Stauner, second by Sicora to approve execution of an amendment to the Consulting Agreement with Wenck Associates. *Motion carried unanimously.* The agreement is amended so that Wenck will undertake all duties and responsibilities of the Commission under the Grant Agreement except those that can only be performed by the Commission, and perform all duties and responsibilities of a Subcontractor under the Grant Agreement. Further, the Commission will not be obligated to pay Wenck any amount in excess of funds received by the Commission under the Grant Agreement.

Motion by Swanson, second by Sicora authorizing the Chair to execute an authorization to release appropriate information re the study to individuals and organizations having interest in the project. *Motion carried unanimously.*

XII. Education and Public Outreach.

A. Water Quality Education Grants. No applications were received.

B. The West Metro Water Alliance (WMWA) has concentrated its efforts in developing a west metro-wide education and public outreach plan. Members of the committee, representing the Bassett Creek, Elm Creek, Pioneer-Sarah Creek, Shingle Creek and West Mississippi WMOs, Three Rivers Park District and Hennepin County Environmental Service, reviewed a third iteration draft plan at their January 5, 2010 meeting. A final draft will be presented to the Commissions at their February meetings. At that time prospective members will be asked to:

1. Recognize the West Metro Water Alliance as a consortium of organizations working to provide coordinated education and outreach on water resources issues in the West Metro Area.
2. Authorize [staff, Commissioners, Managers] and volunteers to participate in the WMWA.
3. Designate a formal representative as the representative from the Commission to the WMWA.
4. Provide comments on the vision, mission, goals, and draft Plan and administrative structure.

Others expressing interest in being members of this group include the Minnehaha Creek and Nine Mile Creek WDs, and the Mississippi WMO.



C. Motion by Moore, second by Sicora to approve the Professional Service Agreement with Metro Blooms to provide **rain garden workshops** in Champlin, Plymouth, Robbinsdale and Crystal/Golden Valley/New Hope at a cost not to exceed \$11,700.00. *Motion carried unanimously.*

XIII. Grant Opportunities.

The Commission has received word that the **Shingle Creek Restoration I-94/CR 10 project** was not funded.

XIV. Other Business.

A. Motion by Stauner, second by Sicora to approve execution of the **EPDB Conditional Use License Agreement*** with Hennepin County. *Motion carried unanimously.*

B. Commissioners were reminded that the **terms of representatives from Maple Grove, Minneapolis, and New Hope** will expire January 31, 2010. Jaeger has been reappointed for Maple Grove and Dan Stauner has been appointed to replace Diane Stauner for New Hope. Johnson will check on the status of his reappointment.

C. **Election of officers and annual appointments** will occur at the February meeting. Moore volunteered to serve on the Nominating Committee.

D. **Adjournment.** There being no further business before the Commission, motion by Jaeger, second by Swanson to adjourn. The meeting was adjourned at 1:50 p.m.

Respectfully submitted,

Judie A. Anderson
Recording Secretary

*item included in meeting packet
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