

**MINUTES (corrected)**

~~June 11, 2009~~ July 9, 2009

I. A meeting of the Shingle Creek Watershed Management Commission was called to order by Chair Tina Carstens on Thursday, July 9, 2009, at 12:45 p.m., at Lancer at Edinburgh, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present were: Della Young, Brooklyn Center; Tina Carstens, Brooklyn Park; Janet Moore, Crystal; Karen Jaeger, Maple Grove; Diane Stauner, New Hope; Steve Parks, Osseo; Dawn Swanson, Plymouth; Wayne Sicora, Robbinsdale; Charles LeFevre, Kennedy & Graven; Ed Matthiesen, Wenck Associates, Inc.; and Judie Anderson, JASS.

Also present: Shelley Schwaninger, Brooklyn Center; Tom Mathisen, Crystal; Rick Lestina, Maple Grove; Dan Stauner, New Hope; Kyle Turner, Plymouth; Richard McCoy, Robbinsdale; Barb Peichel, Minnesota Pollution Control Agency (MPCA); and Randy Lehr, Three Rivers Park District (TRPD).

Not represented: Minneapolis.

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

III. Motion by Jaeger, second by Parks to approve the **minutes of the June 11, 2009 meeting**. \* *Motion carried unanimously.*

**IV. Reports from Officers.**

A. Motion by Jaeger, second by Swanson to approve the **Treasurer's Report**. \* *Motion carried unanimously.*

B. Motion by Swanson, second by Jaeger to approve the **July claims**. \* Claims totaling \$89,351.70 were *approved by roll call vote*: ayes - Young, Carstens, Moore, Jaeger, Stauner, Parks, Swanson, and Sicora; nays - none; absent - Minneapolis.

C. The Commissioners received copies of the **final 2008 Audit Report**. \*

**V. Open Forum.**

**VI. Communications.**

A. The Commissioners received copies of the **June Communications Log**. \* No action required.

B. The Commissioners also received copies of a notice of the second **Hennepin County Conservation Forum**, 9:00 to noon, Thursday, July 30, 2009.

C. The Commissioners were advised of receipt of a **letter from the City of Plymouth** formally objecting to the Commission's 2010 operating budget and requesting that the Technical Advisory Committee (TAC) be convened to make recommendations to reduce the 2010 budget. Motion by Carstens, second by Jaeger directing the TAC to convene to consider this request and that the Plymouth TAC member provide suggestions for reductions. *Motion carried unanimously.* The TAC will convene for this purpose at noon, Thursday, July 30, 2009, at Crystal City Hall.

**VII. Water Quality.**

A. MPCA approval of the **Crystal Lake TMDL Implementation Plan** is expected by July 15. The **Bass Lake chain TMDL** is currently on Public Notice, and the **Eagle Lake chain** is on temporary hold until the MPCA can resolve an issue with an industrial discharge permit holder. **Meadow and Magda Lakes** are in the MPCA/EPA review process.



**B.** The Commissioners received the final report on the **Chloride TMDL Prewetting Equipment project**. In 2007 the Commission was awarded a Clean Water Legacy Act Grant to assist road authorities in the watershed to implement prewetting practices. Five road authorities, Hennepin County, Brooklyn Park, Maple Grove, Minneapolis and Plymouth, agreed to retrofit snow and ice control trucks with specialized prewetting spreaders and install tanks used to mix and store the salt brine used for prewetting. Each jurisdiction agreed to test different types of equipment to evaluate performance, operations and cost-effectiveness. (Minneapolis was not able to complete its part of the agreement.) The Commission agreed to continue its routine monitoring of chloride and conductivity in Shingle Creek and to evaluate the impact the prewetting equipment has on chloride application per lane mile, whether any in-stream chloride reductions were observed and could be attributed to the load reduction, and the overall perceived and actual effectiveness of prewetting in helping to progress toward the necessary 71% load reduction. Based on the limited data amassed, it was difficult to determine the impact of prewetting on chloride loading or to see immediate impacts on chloride concentrations in Shingle Creek. An evaluation and summary of the project are included in the final report. Peichel queried where the Commission will go next in its efforts to address chloride load reductions. Are private applicators the next audience?

**VIII. Project Reviews.**

**IX. Watershed Management Plan.**

**A.** The Commissioners received copies of a June 16, 2009 letter from the City of Plymouth requesting the Commission to consider partnering on a **flood prevention project** at a wetland downstream from the Bass Lake outlet. The wetland lacks adequate capacity and flows could result in flooding adjacent homes. The recommendation from the June TAC meeting advised that the Commission does not usually fund projects wholly within a city. It was the consensus of the Commissioners that if the project would address water quality benefits downstream it may be considered for partial funding; however, it would not be included as part of the 2010 Capital Improvement Program (CIP). Staff will provide the city with the scoring sheet originally used to develop the CIP criteria.

**B.** The Technical Advisory Committee met on June 25, 2009 to hear presentations regarding potential **2009 capital projects**. These are projects for which the Commission would share in up to 25% of the cost, to a maximum of \$250,000 per project. Projects would be constructed in 2009 or 2010, with the Commission's share paid for by ad valorem taxes certified by Hennepin County at the request of the Commission, and collected in 2010. The table below shows the Commission's current approved CIP.

2008 Capital Improvement Program

Project	2005	2006	2007	2008	2009	2010
S Creek Restoration, Brooklyn Blvd to Candlewood	\$750,000					
New Hope-Wincrest Pond			\$290,000			
Maple Grove Pond P51			\$1,459,000			
Crystal Lake Water Quality					\$400,000 <sup>1</sup>	
Maple Grove Pond P57					\$648,000 <sup>1</sup>	
Twin Lake Wetland 639W Impr				\$120,000	\$570,000	
Crystal Twin Oak Pond				\$310,000		
New Hope 45 <sup>th</sup> Ave Pond					\$550,000	
Shingle Creek Restoration, CR 10 to I 694						\$430,000
Shingle Creek Restoration, Regent to Noble						\$750,000 <sup>2</sup>
Maple Grove Pond P33					\$574,000	
Maple Grove Pond P55						\$855,000
<i>Total Capital Projects</i>	\$750,000		\$1,749,000	\$430,000	\$2,742,000	\$2,035,000
<i>Subtotal, Commission Contribution</i>	\$75,000		\$322,500	\$137,500	\$685,500	\$508,750
<i>Subtotal, City Contribution</i>	\$675,000		\$1,426,500	\$292,500	\$2,056,500	\$1,526,250

<sup>1</sup> Project moved from 2008 to 2009 in 2008.

<sup>2</sup> To be added by major plan amendment in progress.



In preparation for consideration of the CIP and proposed projects for 2009, cities with projects on the current CIP for 2009 were asked to present a feasibility study to the TAC or to make a request to reschedule projects to alternate years.

1. The City of Maple Grove is currently constructing pond P-51 and expects this pond will be completed and functioning in 2010. The City expects each of the additional ponds in the CIP (e.g., P-57 etc.) to be delayed two years beyond their proposed completion and requests that the Commission accept a two-year deferment in the proposed completion of each of the additional ponds in the CIP.

2. The City of New Hope reports that construction of the 45th Avenue Pond will be delayed due to wetland issues and requests that the project be rescheduled to 2010.

3. Staff recommends that the Wetland 639W construction project be rescheduled to 2010. A recommended option is expected to be presented in August, with development of plans and specifications to follow. Some significant issues remain, including securing MAC approval to construct the project on MAC property. The result of this rescheduling is shown below.

Proposed 2009 Capital Improvement Program

Project	2005	2006	2007	2008	2009	2010
S Creek Restoration, Brooklyn Blvd to Candlewood	\$750,000					
New Hope-Wincrest Pond			\$290,000			
Maple Grove Pond P51			\$1,459,000			
Crystal Lake Water Quality					\$1,000,000	
Maple Grove Pond P57						\$648,000 <sup>1</sup>
Twin Lake Wetland 639W Impr				\$120,000		\$570,000 <sup>1</sup>
Crystal Twin Oak Pond				\$310,000		
New Hope 45 <sup>th</sup> Ave Pond						\$550,000 <sup>1</sup>
Shingle Creek Restoration, CR 10 to I 694						\$430,000
<u>Shingle Creek Restoration, Regent to Noble</u>						\$750,000 <sup>2</sup>
Maple Grove Pond P33						<sup>3</sup>
Maple Grove Pond P55						<sup>3</sup>
<i>Total Capital Projects</i>	\$750,000		\$1,749,000	\$430,000	\$1,000,000	\$2,948,000
<i>Subtotal, Commission Contribution</i>	\$75,000		\$322,500	\$137,500	\$100,000	\$737,000
<i>Subtotal, City Contribution</i>	\$675,000		\$1,426,500	\$292,500	\$900,000	\$2,211,000

1 Project moved from 2009 to 2010.  
 2 To be added by major plan amendment in progress.  
 3 Project moved to 2011 or 2012

The TAC heard a presentation from the City of Robbinsdale on the proposed Crystal Lake Improvement Project and recommended that the Commission advance this project to the public hearing process for further consideration. McCoy repeated the presentation for the Commissioners. After further discussion, motion by Sicora, second by Stauner to receive the feasibility report and call for a public hearing of this project. *Motion carried, Moore voting nay.* The hearing will take place as part of the Commission's September 10, 2009 meeting.

In accordance with the Joint Powers Agreement (JPA) and state statute, the process going forward is:

- a. Mail notice to member governmental units and Hennepin County at least 45 days prior to the hearing.
- b. Publish notice of the hearing at least twice no sooner than 30 days nor later than 10 days before the date of the hearing.
- c. Convene a public hearing to take comment on the project.
- d. Order the project.
- e. Enter into an agreement with a lead member agency to construct the improvement.
- f. Certify the Commission's share of the project cost to the county tax levy by October 1.

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**X. Special Studies.**

**A. Paired Intersection Study.** The City of Robbinsdale will begin installation of the pervious asphalt test section sometime this month. A notice to the Commissioners and TAC will be made prior to installation so interested parties can observe the installation. The City of Plymouth will install their test section in 2010.

**B. Wetland 639W Feasibility Study.** The TAC has been meeting to review collected data and discuss potential options for addressing the phosphorus export issue. It appears phosphorus export is most likely the result of drawdown in the central wetland that dries out the wetland. Large precipitation events then flash across the wetland, picking up both sediment-bound and particulate phosphorus as well as phosphorus released from the sediments from an upswelling of groundwater. In May Staff presented four possible options to address the phosphorus export:

1. Creating a dam or weir in the lower wetland to store more water in the wetland, keeping the wetland wetter, reducing the export of particulate phosphorus and sediment from flushing flows, and reducing the flow-through volume;
2. Creating a high-flow bypass channel or pipe to prevent high flows from flashing across the wetland and conveying phosphorus to the lake;
3. Chemical treatment, either active through alum injection at the outlet, or passive through soil amendment, crushed limestone berms, or alum columns, and
4. Rate control in the upstream watershed to reduce peak flows into the wetland.

At the June TAC meeting a fifth option was identified:

5. Divert flow from the channel into the upper wetland and allow it to infiltrate and flow by groundwater to the main wetland.

Staff is continuing to explore the feasibility of these options and preparing preliminary designs. Hydrologic and hydraulic modeling will be used to model the options, running a ten-year hydrologic record through the SWMM model to estimate channel flow, wetland bounce, and flow from the outlet. Some of these options may be found to be infeasible because of the hydrologic or hydraulic impacts, or may need to be revised. Staff has also met with the Metropolitan Airports Commission (MAC) staff to discuss potential options. Again, some of the options may need to be revised or may be infeasible due to airport operational concerns.

At their July 30 meeting TAC members will “walk” the wetland area to become more familiar with the project. The study schedule calls for identification of a preferred option by August so that a refined project description and cost estimate would be available for applying for grant funding.

**XI. Education and Public Outreach Program.**

**A. Water Quality Education Grants.** The Commissioners received the final report of the **2009 Patrick Henry High School project**. The students will present a recap of their project at the Commissions’ September meeting.

**B.** The Joint Education and Public Outreach Committee (EPOC) continues to develop the **2009-2010 education campaign, *Take a Step for Clean Water***. Official launch of the campaign was July 1, 2009. Hennepin County has created a new website that will serve as central source of information for residents and partner organizations who are interested in using the educational materials developed by the Joint EPOC. The County will also be sending occasional e-mails to partners to share new articles and highlight the resources available.

For residents: <http://www.hennepin.us/water>

For partners: <http://www.hennepin.us/environmentaleducation>

Over 50,000 copies of the ***Ten Things You Can Do to Improve Minnesota’s Lakes and Stream*** brochure are being printed for distribution in Hennepin County and should be available mid-July. The Commissions

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and member cities will be provided with 8,700 copies. The cities will also receive an e-file of the brochure to allow them to print additional copies as needed.

**C.** The next meeting of the **Joint Education and Public Outreach Committee** is scheduled for 8:30 a.m., Wednesday, July 15, 2009, at Plymouth City Hall. Commissioner Moore will present *Storm Water Runoff Versus Clean Water in our Lakes and Rivers*.

**D.** Staff's July 9, 2009 memo outlined options for alternative hosting and updating of the **Commission's website**. Staff will continue to investigate options, interview vendor candidates and report back to the Commission.

**XII. Grant Opportunities.**

Two grant solicitations are now open for TMDL-identified load reduction implementation projects. Projects must be described in a TMDL Implementation Plan approved by July 15, 2009. For Shingle Creek that includes the Chloride and Twin and Ryan Lakes TMDL Implementation Plans, with MPCA approval of the Crystal Lake TMDL Implementation Plan expected by July 15. The grant programs are the EPA/MPCA Section 319 and Section 319 DER grants and the Public Facilities Authority TMDL Grant Program. The programs have different requirements, and Staff recommends the Commission consider applying for the following grants:

**A. EPA/MPCA Section 319.**

**1. Wetland 639W Construction.** The Commission received a 319 grant to prepare the feasibility study that is currently underway. The working group scoring grant applications seemed very receptive to the whole project, but only funded the study because a specific option had not yet been selected. The TAC is honing in on a preferred option, although it is still being refined, and enough is known now to prepare a reasonable cost estimate and grant application. The grant request would be for 50% of the cost of construction, with the balance split between the Commission and the benefitting cities.

**2. Crystal Lake Alum Treatment.** The Section 319 grants cannot be used for stormwater projects but can be used for internal load management projects. The grant request would be for 50% of the cost of the alum treatment portion of the project.

**B. Public Facilities Authority TMDL Grants.**

**1. Crystal Lake Stormwater Treatment.** PFA grants must be used on stormwater load reduction projects. The grant request would be for 50% of the cost of the stormwater diversion and alum injection portion of the Crystal Lake project.

**2. Twin Oaks Pond.** The grant request would be 50%, or \$441,777.50, to finance the total anticipated stormwater pond construction cost of \$883,555.00. The Commission has awarded \$77,500 to this project through its 2008 tax levy and BWSR has provided grant funding of \$73,080.

**C. Section 319 DER Grant.**

The Commission's paired intersection study was funded from this program last year. Staff proposes a research project in partnership with the University of Minnesota St. Anthony Falls Lab, XCEL Energy and the Mississippi WMO to research and test various waste and bulk materials such as fly ash for their potential usefulness in reducing phosphorus and potentially other pollutants in stormwater.

Section 319 and PFA grant applications are due July 15, 2009, and July 31, 2009, respectively. They are relatively simple and electronic and, for the most part, can be prepared by "cut and paste" from information already available. The Commission currently has a balance of about \$5,100 in the 2009 grant writing budget; these applications can be prepared and submitted for an estimated \$3,500. Motion by Sicora, second by Carstens to authorize Staff to prepare and submit these applications. *Motion carried unanimously.* Sicora also commended Wenck Associates on their assertive position in seeking grant funding.

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**XIII. Other Business.**

**A. Performance Review and Assistance Program (PRAP).**\* Under [Minnesota Statutes 103B.102](#) the Board of Water and Soil Resources (BWSR) is required to periodically evaluate the performance of and, where necessary, provide assistance to each local water management entity. The Shingle Creek/West Mississippi WMCs are among the organizations BWSR will be evaluating in 2009. Staff has prepared Parts I and II for Commission review and BWSR will conduct its interactive performance review at the Commissions' August meetings. LeFevere will draft a data practices policy for consideration as part of the PRAP.

**B.** The Commissioners will consider a **tour of the watershed** prior to the October meeting. Sites would include the 639W wetland, stream restoration sites and possibly the Great River Energy testing facility.

**C. Adjournment.** There being no further business before the Commission, motion by Jaeger, second by Moore to adjourn. The meeting was adjourned at 2:20 p.m.

Respectfully submitted,



Judie A. Anderson  
Recording Secretary

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