

MINUTES
October 8, 2009

I. A meeting of the Shingle Creek Watershed Management Commission was called to order by Chair Tina Carstens on Thursday, October 8, 2009, at 12:00 noon., at the Clubhouse 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; Jeff Johnson, Minneapolis; Diane E. Stauner, New Hope; Dawn Swanson, Plymouth; Wayne Sicora, Robbinsdale; Ed Matthiesen, Wenck Associates, Inc.; and Judie Anderson, JASS.

Also present: Shelley Schwaninger and Steve Lillehaug, Brooklyn Center; Todd Tuominen, Champlin; Tom Mathisen, Crystal; Rick Lestina, Maple Grove; Dan Stauner, New Hope; Kyle Turner and Kevin Springob, Plymouth; Richard McCoy, Robbinsdale; and Don Buckhout and Brad Wozney, Board of Water and Soil Resources (BWSR).

Not represented: Osseo.

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

III. Buckhout presented the **Summary of Performance Review Results** from the Shingle Creek and West Mississippi Performance Review and Assistance Program (PRAP) Level II Reviews.

(Shingle Creek) The review is used to determine if the Commission is accomplishing what is set forth in the Watershed Management Plan (WMP). For the most part, the answer is yes. Deficiencies noted included timeliness of annual activity reports, lack of a data practices policy, and non-receipt of two unapproved local water management plans.

(West Mississippi) Deficiencies included timeliness of annual activity reports and the lack of a data practices policy. Buckhout also noted that, since the WMP is a joint-Commission plan, distinctions should be noted regarding the responsibilities/missions of each Commission. West Mississippi should carve out a more prominent identity.

Staff will review the comments and provide responses for the Commissions' consideration at their November meetings.

[Jaeger arrived 12:20 p.m.]

IV. Motion by Johnson, second by D. E. Stauner to approve the **minutes of the September 10, 2009 meeting** with the following corrections:

Motion by Jaeger, second by D. E. Stauner to approve the **minutes of the August 13, 2009 meeting.** *Motion carried ~~unanimously~~, Young abstaining.*

Motion by Jaeger, second by D. E. Stauner to approve the **notes of the August 13, 2009 Performance Review and Assistance Program (PRAP) Work Session.** *Motion carried ~~unanimously~~, Young abstaining.*

Motion carried unanimously.

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

VI. Motion by Sicora, second by Jaeger to approve the **October claims.** Claims totaling \$35,764.92 were *approved by roll call vote*: ayes – Young, Carstens, Moore, Jaeger, Johnson, D. E. Stauner, and Sicora; nays - none; absent – Osseo and Plymouth.

VII. **Open Forum.**

VIII. **Communications.**

A. The Commissioners received copies of the following:



1. Communications Log.*
 2. Email correspondence* relating to **insurance liability from pond maintenance and dredged material disposal** that is not currently covered by the League of Minnesota Cities Insurance Trust policy. The Commission may want to consider requesting the LMC policy be revised to include some protection or purchase supplemental "pollution" coverage.
 3. Article in October 6, 2009 *StarTribune* re Cedar Island-Pike Eagle Lakes TMDL.*
- B.** The Commissioners received notices of the following:
1. MN Landscape Arboretum RFP 2010 Exhibition.*
 2. Stormwater U Raingarden Maintenance Workshops.*
 3. MN Water Resources Conference.*
 4. Stormwater Retrofitting Webcast.*
 5. Renewable Energy: How Much, How Fast, and at What Cost.*
- C.** Motion by Johnson, second by Sicora to accept the Commission's **2008 Annual Report*** pending review and comment by October 16, 2009. *Motion carried unanimously.*

IX. Watershed Management Plan.

X. Water Quality.

- A.** Staff's October 2, 2009 memo* provided an update on the status of the **lake TMDLs** in the watershed.
1. The **Pomerleau-Schmidt-Bass Lakes TMDL** was approved by the Environmental Protection Agency (EPA) on September 25, 2009. Minnesota Pollution Control Agency (MPCA) comments on the draft Implementation Plan were reviewed with the City of Plymouth and the revised Implementation Plan has been forwarded to the MPCA for final approval.
 2. **Cedar Island-Pike-Eagle Lakes TMDL.** The Public Notice period for this TMDL is September 28 - October 28, 2009. Following review and response to any comments received, the TMDL will be sent to the EPA for final approval. The Implementation Plan is being reviewed by the MPCA.
 3. The Public Notice period for the **Meadow Lake TMDL** is also September 28 - October 28, 2009. Following review and response to any comments received, the TMDL will be sent to the EPA for final approval. The Implementation Plan is being reviewed by the MPCA.
 4. The **Lake Magda TMDL** is at the EPA for review. When comments are received the necessary revisions will be made and the TMDL will be circulated internally to prepare for the Public Notice period as described above.
- B. 2010 Impaired Waters List.** The draft 2010 303(d) list of Impaired Waters has been released and includes new listings in the Shingle Creek watershed. **Bass Creek** is proposed to be listed for chloride. It is likely that this will require minimal work on the part of the Commission as the entire watershed including Bass Creek was covered under the Shingle Creek TMDL. No action is required at this time.

The three **Twin Lakes** are proposed to be listed for PFOS (Perfluorooctane Sulfonate). The Commission discussed PFOS and the Minnesota Department of Health (MDH) revision to the fish consumption advisory for Twin Lake last March. PFOS is part of a general class of perfluorochemicals (PFCs) now being found to contaminate at least some of the Metro area's waters. Part of a 2007 Consent Order between the MPCA and 3M, the primary manufacturer of these chemicals, was funding for more extensive testing of the environment to determine the nature, severity, and extent of PFC contamination in Minnesota. Testing throughout the state has found traces of PFCs in the air, soil, surface water,



ground water, humans, and animals. A partnership of MPCA, the Department of Natural Resources (DNR), and MDH are undertaking a program to test fish in popular fishing waters throughout the Metro area. It was in the course of this testing that the high levels of PFOS were found in fish caught in Twin Lake. It is not clear if the MPCA will be doing a regional TMDL to cover all PFOS exceedances or if there will be individual TMDLs. No action is required at this time.

[Swanson arrived 12:35 p.m.]

XI. Project Review.

A. SC2009-04 Bass Lake Road Streetscaping, Brooklyn Center. Installation of a new bicycle trail, lighting, landscaping, and other streetscaping features and conversion of wide-turfed medians to infiltration basins. Preconstruction, the linear project area contains 1.04 acres of impervious area. Following construction it will contain 2.07 acres, an increase of 1.03 acres or 99%. A complete Project Review was received on September 23, 2009.

To comply with the Commission's water quality treatment requirement, the site must provide ponding designed to NURP standards with dead storage volume equal to or greater than the volume of runoff from a 2.5" storm event, or BMPs providing a similar level of treatment - 80-85% TSS removal and 50-60% TP removal. The project will create four large infiltration basins in the wide, turfing medians of Bass Lake Road. Runoff from Bass Lake Road will be directed through curb cuts into long infiltration basins that, in some locations, will be planted with native vegetation and, in other locations, will be filled with a cobblestone bed. Low-flow runoff will pass through sediment containment systems prior to discharge into the infiltration basins. The applicant has provided P8 model results indicating an annual phosphorus removal efficiency of 87% and a TSS removal efficiency of 93%, meeting Commission standards.

Commission rules require that site runoff be limited to predevelopment rates for the 2-, 10-, and 100-year storm events. The applicant has not provided model results demonstrating this requirement is met. However, the infiltration basins have the capacity to store just over 3" of runoff from the new impervious surface, meeting the 2-year event requirement, and to infiltrate an additional 3" of runoff within 24 hours, meeting the 10-year and 100-year rate requirement, thus meeting the Commission's rate control requirements.

Commission rules also require the site to abstract or infiltrate 0.5" of runoff from new impervious area, or 1,870 CF, within 48 hours. The four basins provide 11,958 CF of storage, and meet the Commission abstraction requirement. The project does not propose to impact any wetlands.

The project crosses Shingle Creek, a Public Water. Commission rules require a minimum 20-foot, average 30-foot buffer to be provided adjacent to public waters. The project provides buffers adjacent to Shingle Creek as part of the median improvements. A 40-foot buffer of prairie dropseed will be planted on the west bank of Shingle Creek adjacent to one of the infiltration basins and a 30-foot buffer of daylilies will be planted on the east bank.

The project does not propose to impact any floodplain. The Erosion Control Plan includes bioroll silt fence, inlet protection, slope protection and floating silt curtain in Shingle Creek and meets Commission requirements.

The City will hold a public meeting on the project when the Council considers the plans and specifications on October 12, 2009.

Motion by Jaeger, second by D. E. Stauner to advise the City of Brooklyn Center Grove that approval of Project 2009-04 is granted with no conditions. *Motion carried unanimously.*

B. Camden Bridge Rehabilitation, Minneapolis. Retrofitting water quality BMPs on public improvement projects is now routinely considered when designing these projects, even if there is no specific requirement to provide a retrofit. Such was the case with the upcoming Camden Bridge Rehabilitation project in the city of Minneapolis. The project does not meet the threshold for Commission review as it is mainly a superstructure rehab project with some bike trail relocation. However, the City incorporated some BMPs into the project and asked for Staff review of the project. Staff had no comments but thought it was a good project to present to the Commissioners to illustrate how these retrofits can occur.



The Camden Bridge spans I-94, the Soo Line RR, North Mississippi Park and the Mississippi River. In this area the Mississippi River is classified by the MPCA as an impaired water. The bridge has approximately 2.8 acres of impervious area. If the project was constructing a new bridge, it would be required to treat 0.5 inch of runoff from the new impervious area. The resulting water quality volume would be 5080 CF.

The new deck drain system for the bridge will collect runoff from 1.0 acre and convey it to an existing natural infiltration area in North Mississippi Park. Additionally, runoff from 0.8 acre of bridge deck will be captured on the east bank and routed through a water quality treatment structure. The total water quality treatment volume provided by the project is 3175 CF, with 1815 CF draining to the infiltration area and 1360 CF draining to the water quality treatment structure. The proposed project will treat 63% and infiltrate 36% of the water quality volume that would be required if it was a new project.

XII. Special Studies.

A. Wetland 639W. At the September meeting the Commissioners authorized Staff to present a preferred wetland 639W design option to the Metropolitan Airports Commission (MAC) to initiate the review process. On September 15, 2009 Crystal Public Works Director Tom Mathisen and Commission Staff met with staff from MAC to present the Commission's preferred option which would construct a sheetpile weir at the outlet and an upstream weir that overflows into an open channel along the west side of the wetland. MAC staff was supportive of the preferred option and offered some initial comments.

To begin the MAC review process, MAC requested that a letter be submitted to them describing the proposed project and the hydrologic and hydraulic modeling results and requesting that the existing lease agreement between MAC and the cities of Crystal and Brooklyn Center be revised to provide for this construction. Staff is currently drafting that letter for review by the two cities and anticipates it will be mailed soon. MAC staff expects that it will take several weeks for internal review and agreement drafting, after which it will be presented to the Metropolitan Airports Commission for review and approval in December or early January. Following receipt of MAC approval, plans and specifications will be developed for construction in fall-winter 2010-2011.

B. Paired Intersection Study. Both the control and test sections of pavement have been completed at the Robbinsdale site. Instrumentation installation except for the cameras has also been completed. Monitoring will begin with this winter season and continue for two winters. This site is included on today's watershed tour.

Plymouth has tentatively identified its site; however, it is located in the Bassett Creek watershed. The site is in a commercial/industrial area near their Public Works Maintenance Facility, 23rd and 25th Avenues at Niagara Lane. While this is outside the Shingle Creek watershed, Bassett Creek has been listed for chloride on the draft 2010 303(d) of Impaired Waters, so the research study would be relevant to that watershed. Motion by Sicora, second by Swanson to approve the site in Plymouth and direct Staff to send a letter to the Bassett Creek Watershed Management Commission informing them of the study and requesting their participation with this test site. *Motion carried unanimously.*

A proposed contract between the MPCA and the Commission for completion of the Paired Intersection Study is currently being updated by MPCA. It will be reviewed by the Commission's attorney prior to execution, after which the Commission will submit a request for reimbursement for costs incurred to date. The Commission approved a professional services contract with Wenck Associates for this work at the February 2009 meeting.

XIII. Education and Public Outreach.

A. Water Quality Education Grants.

B. Staff is continuing discussions with two website providers re options for alternative hosting and updating of the **Commissions' website.**



C. The next meeting of the **Joint Education and Public Outreach Committee** is scheduled for 8:30 a.m., Tuesday, October 13, 2009, at Plymouth City Hall. The group will begin developing the education and public outreach program for the coming year.

XIV. Grant Opportunities.

A. The **Crystal Twin Oak Pond project** did not score high enough on the Public Facilities Administration TMDL project list to be assured funding. The City intends to initiate this project late this fall for spring construction. The Commission did receive a grant from BWSR for this project on behalf of the City.

B. **Hennepin County Stream Grants.** Both Brooklyn Center and Brooklyn Park have expressed interest in pursuing grants for work on Shingle Creek. Staff is currently working with those cities to develop short grant requests, which are due October 16, 2009.

C. Notices* have been received for three grant programs. They are MPCA's **Environmental Assistance Grants**, BWSR's **Clean Water Fund and Competitive Grants**, and MPCA **Surface Water Assessment Monitoring Grants**. Staff will review and identify projects for which applications could be made.

XV. Other Business.

A. A tour of sites in the eastern portion of the watershed will begin after this meeting. The Commissioners will view the following sites:

1. Brooklyn Park Stream Restoration Hampshire Avenue to Brooklyn Boulevard.
2. Brooklyn Park Stream Restoration Zane Avenue to Regent Avenue.
3. Crystal Lake, Twin Oak Pond.
4. Wetland 639W.
5. Robbinsdale Paired Intersection Study test section.
6. Crystal Lake – Lakeview Terrace Park.
7. Minneapolis Webber Park – meet with Patrick Henry High School students.

The Commissioners will tour sites in the western portion of the watershed after the November meeting. Motion by Sicora, second by Carstens to reschedule the November meeting to begin at noon, Thursday, November 12, 2009. *Motion carried unanimously.*

B. **Adjournment.** There being no further business before the Commission, motion by Sicora, second by Carstens to adjourn. The meeting was adjourned at 12:48 p.m.

Respectfully submitted,

Judie A. Anderson
Recording Secretary

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