

REGULAR MEETING MINUTES

March 11, 2021

(Action by the SCWMC appears in blue, by the WMWMC in green and shared information in black.
*indicates items included in the meeting packet.)

I. A joint virtual meeting of the Shingle Creek Watershed Management Commission and the West Mississippi Watershed Management Commission was called to order by Shingle Creek Chairman Andy Polzin at 12:49 p.m. on Thursday, March 11, 2021.

Present for Shingle Creek were: David Vlasin, Brooklyn Center; Adam Quinn, Brooklyn Park; Burton Orred, Jr., Crystal; Karen Jaeger, Maple Grove; Ray Schoch, Minneapolis; Bob Grant, New Hope; John Roach, Osseo; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Ed Matthiesen and Diane Spector, Wenck/Stantec; Troy Gilchrist, Kennedy & Graven; and Judie Anderson and Amy Juntunen, JASS.

Present for West Mississippi were: David Vlasin, Brooklyn Center, Alex Prasch, Brooklyn Park; Gerry Butcher, Champlin; Karen Jaeger, Maple Grove; Harold Johnson, Osseo; Ed Matthiesen and Diane Spector, Wenck/Stantec; Troy Gilchrist, Kennedy & Graven; and Judie Anderson and Amy Juntunen, JASS.

Also present were: Andrew Hogg, Brooklyn Center; Mitch Robinson, Brooklyn Park; Todd Tuominen, Champlin; Derek Asche, Maple Grove; Megan Hedstrom, New Hope; Leah Gifford, Ben Scharenbroich and Amy Riegel, Plymouth; and Richard McCoy, Robbinsdale.

II. Agendas and Minutes.

Motion by Schoch, second by Jaeger to approve the **Shingle Creek agenda**.* *Motion carried unanimously.*

Motion by Butcher, second by Johnson to approve the **West Mississippi agenda** as amended.* *Motion carried unanimously.*

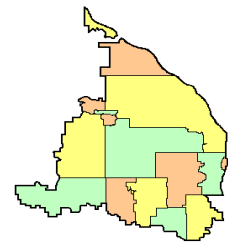
Motion by Jaeger, second by Schoch to approve the **minutes of the February 11, 2021 regular meeting**.* *Motion carried unanimously.*

Motion by Johnson, second by Jaeger to approve the **minutes of the February 11, 2021 regular meeting**.* *Motion carried unanimously.*

III. Finances and Reports.

A. Motion by Jaeger, second by Schoch to approve the Shingle Creek **March Treasurer's Report* and claims** totaling \$25,892.72. Voting aye: Vlasin, Quinn, Orred, Jaeger, Schoch, Grant, Roach, Polzin, and Sicora; voting nay – none.

B. Motion by Johnson, second by Jaeger to approve the **West Mississippi March Treasurer's Report* and claims** totaling \$9,690.93. Voting aye: Vlasin, Prasch, Butcher, Jaeger, and Johnson; voting nay – none.



IV. Open Forum.

Polzin reported that the **Minnesota Environmental Quality Board (EQB)** is considering changes to its Environmental Review Program to address climate change. The EQB has identified climate change as an important issue facing Minnesota and has made it the main organizing focus for its biennial work plan. <https://www.eqb.state.mn.us/>

V. Project Review.

WM2021-003 Avery Park, Maple Grove.* Construction of single-family and row-home residential development on a 24.6-acre site located at 9533 Jefferson Highway. Following development, the site will be 36 percent impervious with 8.8 acres of impervious surface, an increase of 8.6 acres. A complete project review application was received on February 24, 2021. **Note:** This project was originally reviewed by Staff as a Shingle Creek project (SC2021-02); however, a review of the overall site determined that it was actually within the West Mississippi watershed boundaries.

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 - 85% TSS removal and 60% TP removal. Infiltrating 1.3-inches of runoff, for example, is considered sufficient to provide a similar level of treatment. If a sump is used the MnDOT Road Sand particle size distribution is acceptable for 80% capture.

Runoff from the site is proposed to be routed to three stormwater ponds and two infiltration basins on site. The infiltration basins alone meet the Commissions standards and do not account for any additional treatment provided by the stormwater ponds. The applicant meets Commission water quality treatment requirements. Commission rules require that site runoff is limited to predevelopment rates for the 2-, 10-, and 100-year storm events. The majority of the site (19.1 acres, 80%) ultimately drains to the MnDOT pond northwest of the development. The rest of the site drains to existing storm sewer on the east side of the site. The applicant meets Commission rate control requirements.

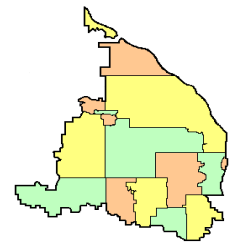
Commission rules also require the site to infiltrate 1.0 inch of runoff from new impervious area within 48 hours. The new impervious area on this site is 8.8 acres, requiring infiltration of 35,300 CF within 48 hours. The applicant proposes two infiltration basins that have the capacity to infiltrate 38,700 CF which is more than the required volume within 48 hours. The applicant meets Commission volume control requirements.

The erosion control plan includes a rock construction entrance, perimeter silt fence, silt fence surrounding wet ponds and infiltration basins, inlet protection, rip rap at pond and basin inlets, and native seed specified on the pond slopes. The erosion control plan meets Commission requirements.

The National Wetlands Inventory does not identify any wetlands on site. The applicant meets Commission wetland requirements. There are no Public Waters on this site. The applicant also meets Commission Public Waters requirements.

There is no FEMA-regulated floodplain on this site. The low floor elevations of the buildings are at least two feet higher than the high water elevation of the ponds/infiltration basins according to Atlas 14 precipitation. The applicant meets Commission floodplain requirements.

The site is located in a Drinking Water Management Area (DWSMA) with high vulnerability but is outside of the Emergency Response Area. Therefore, infiltration is permitted, but infiltrated water must first



filter through three feet of soil before contacting groundwater. The groundwater elevation onsite is >3 feet below the infiltration basin bottoms. The applicant meets Commission drinking water protection requirements.

A public hearing on the project was conducted on November 9, 2020 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

A template Operations & Maintenance (O&M) agreement between the applicant and the City of Maple Grove was provided.

Motion by Butcher, second by Jaeger to advise the City of Maple Grove that approval of Project WM2021-003 is granted with the following conditions:

1. Provide a complete O&M agreement between the applicant and the City of Maple Grove for all stormwater facilities on the project site.
2. Demonstrate by double ring infiltrometer or witness test that the site's infiltration basins can meet the design infiltration rate of 0.4 inches/hour.
3. Provide verification that extending the two new storm sewer pipes to MnDOT pond is allowable.

Motion carried unanimously.

VI. Watershed Management Plan.

McCoy recapped the **Technical Advisory Committee meeting** held earlier today. Topics discussed at the meeting included proposed additions to the 2021 Capital Improvement Program, the NPDES general permit application, and the partitioned TMDL Wasteload allocations, and two presentations – the HUC 8 Model status, and the Wild Wings Western Wetland project. The next TAC meeting is scheduled for 11:30 a.m., prior to the Commissions' April 8, 2021 regular meeting.

VII. Water Quality.

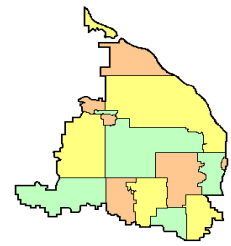
A. HUC 8 Model Status.*

Matthiesen and Spector repeated the presentation that Erik Megow gave at the TAC meeting. Hydraulic and hydrologic modeling was completed in EPA-SWMM, allowing for easier updating and more detailed modeling. They were calibrated using two storm events:

1. Storm 1: This June 14-18, 2014 event consisted of a 4.33" rainfall event, approximately a 5-year (4.51") event.
2. Storm 2: This September 17-21, 2018 event consisted of a 6.03" rainfall event, between a 10-year (5.23") and 25-year (6.37") Atlas 14 storm event. Storm 2 was used for the hydraulic calibration as it represented the record USGS (Queen Avenue) discharge.

Included in the presentation were the hydraulic results for Shingle Creek, 13 lakes (the Twin Lakes counted as one lake), three ponds and one wetland.

Staff will submit the preliminary floodplain areas and profiles to the Minnesota Department of Natural Resources (MnDNR) for processing and review on March 15-16. The DNR will publish the Preliminary Floodplain Maps for the Federal Emergency Management Agency (FEMA) Review



Meeting, April 1. City staffs will work with the Commission and DNR to review and discuss where large rises occur before the Floodplain Areas and Profiles are published and mapped by FEMA.

B. The State of Minnesota **Clean Water Council*** submits a biennial report to the legislature summarizing Clean Water Fund activities that have taken place in the previous two years and recommendations, including funding recommendations, for the coming biennium. This item is included in the meeting packet for information and background purposes. Staff thought the Commissioners would be interested in this high-level overview of water resources policy and how it can inform the work of local organizations such as the Commissions. The FY 22-23 Clean Water Fund and Policy Recommendation Report can be found at <https://www.pca.state.mn.us/sites/default/files/lr-cwc-1sy20.pdf>

Of particular interest are three policy initiatives that have newly risen to prominence, discussion of which starts on page 19 of the report:

1. Reducing de-icing chloride (road salt) pollution (revised policy statement)
2. Reducing chloride pollution from water softening
3. Disclosure of well water quality at time of sale

While few, if any, households in the two watersheds still obtain their drinking water from private wells, road de-icing continues to be a major issue for Shingle Creek and other developed areas of the state. Chloride pollution from water softeners is a small but important source that has been only minimally addressed to this point. Both of these issues are also addressed in proposed legislation SF 884/HF 1660 discussed under agenda item IX.B.2. below.

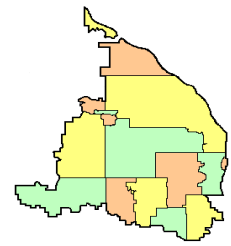
C. Wild Wings Western Wetland.*

Riegel presented this flood mitigation and drainage improvement project. The project consisted of recreation of a wetland channel and installation of an emergency overflow structure to protect against flooding on a 0.89-acre site located at 5220 Yorktown Lane in Plymouth. The project excavated a depth of about 4 feet of sediment along 2,068 linear feet of the 18-foot-wide channel; 3,100 CY of material were excavated. Permits/approvals were obtained from the US Army Corps of Engineers (USACE), the DNR, the Shingle Creek Commission, and the Wetland Conservation Act (WCA). The project took seven days to complete, including five days of excavation.

VIII. Grant Opportunities.

Meadow Lake Management Plan and Connections II Stream Restoration Clean Water Fund grants.* As a final step in processing these grants, the Board of Water and Soil Resources (BWSR) requires that a Project Assurance Agreement be completed. Essentially, this agreement states that the Commission as the grantee commits to ongoing monitoring to assure project outcomes are met and sustained for at least 20 years, and if that outcome does not last for 20 years, the Commission agrees to see that additional actions are taken using Commission or local funds. The Commission executed a similar agreement for the Bass and Pomerleau Lakes Alum Treatment Project a few years ago. Enclosed in the meeting packet is the **proposed agreement*** for Meadow Lake. It is the same as the Commission's attorney drafted for Bass and Pomerleau Lakes, modified for Meadow Lake and is recommended for approval.

Staff have not yet received guidance from BWSR whether a formal agreement is necessary for the Connections II project or whether that assurance can simply be made in the grant workplan. If so, Staff will work with the attorney to have a draft agreement for the Connections II project ready for consideration at



the April 8 meeting. That assurance must commit to provide financial assurance from local sources for repairs and maintenance. In this (and the Meadow Lake) case, the Commission levied for the full cost of the project, more than what is necessary for the required grant match. Those excess levy funds would be deposited into the Commission's Closed Projects account and would be available to fund future projects, including any maintenance beyond routine maintenance expected of cities. Details of maintenance responsibilities will be negotiated with the cities and included in the cooperative agreement ordering the project.

Motion by Schoch, second by Roach to approve and authorize the Chair to sign the agreement. *Motion carried unanimously.*

IX. Education and Public Outreach.

A. Included in the meeting packet is a draft of the **2020 National Pollutant Discharge Elimination System (NPDES) Phase II Education and Public Outreach Program.*** Contents of this document may be used by the member cities to fulfill their education and public outreach goals. The report will be forwarded to the city managers and members of the Technical Advisory Committee.

Motion by Jaeger, second by Schoch to accept the 2020 report. *Motion carried unanimously.*

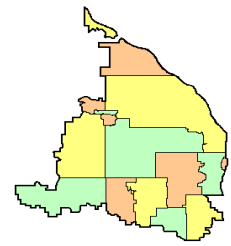
Motion by Butcher, second by Johnson to accept the 2020 report. *Motion carried unanimously.*

B. Hennepin County Chloride Initiative.* The eleven WMOs in Hennepin County elected to set aside 10 percent of the BWSR Watershed Based Funding from the 2018 Pilot Program, or \$101,800, specifically for joint, countywide chloride reduction initiatives. The Initiative is comprised of one representative designated by each WMO. Ben Scharenbroich represents Shingle Creek and Andrew Hogg represents West Mississippi. The Riley-Purgatory-Bluff Creek Watershed District serves as coordinator and fiscal agent for the Hennepin County Chloride Initiative (HCCI). At its meeting on March 3, the group elected to proceed with two initiatives:

1. The group has contracted with Fortin Consulting to prepare *Winter Maintenance Chloride Management Plan templates* for private applicators and property managers. The templates will help those users to contract for and implement Smart Salting techniques. Fortin, with the help of HCCI, is assembling a focus group of property managers and applicators to be sure the templates are usable and useful. Those templates are expected to be completed in time to use next winter.

2. The City of Plymouth and Bassett Creek WMC are partnering to intensively *study a subwatershed upstream of Parker's Lake*, which is impaired for excess chloride concentration. The intent is to implement the best, most effective BMPs in this subwatershed to significantly decrease chloride (road salt) export to Parkers Lake. The HCCI agreed to cost share in the first phase, which is an intensive study and data gathering phase. The partners will work with Young Environmental to bring together a diverse group of stakeholders and knowledgeable professionals to better understand the sources of chloride and the structural and nonstructural BMPs that are likely to have the most impact. The outcome will be a written implementation plan.

The Initiative also discussed pending legislation regarding the proposal for limited liability for state certified salt applicators. This legislation had previously been received favorably by several committees in the state legislature but did not make it into a final bill. The legislation has been broadened to include other provisions, so it must go through the committee process again. The two bills are [SF 884](#) and its companion [HF 1660](#). The bill includes additional provisions beyond those relating to salt; the applicable sections are shown in Staff's March 5, 2021 memo.



SF 884 Draft as of March 5, 2021. A bill for an act relating to environment; establishing program to certify salt applicators; limiting liability; prohibiting water softeners that cause excessive chloride pollution; requiring report on process to adopt and amend water quality standards; appropriating money for water quality programs; proposing coding for new law in Minnesota Statutes, chapters 116; 325F.

The advocacy group *Stop Over Salting* has been lobbying in support of the legislation, as they did last session. They periodically ask for help contacting key legislators to help them understand the importance of the bill in helping protect our surface and groundwater and in meeting our obligations to reduce chloride load to Impaired Waters, and we in turn pass that along to Commissioners/alternates in districts of key legislators as the bills pass through the various committees.

C. Hennepin County has prepared and submitted for public input a **Climate Action Plan*** (<https://www.hennepin.us/-/media/hennepinus/your-government/projects-initiatives/documents/hennepin-county-draft-climate-action-plan.pdf>). Prepared in consultation with county departments, cities, watershed and park districts and public partners, the County also held a series of sessions with community groups, youth and the newly formed Race Equity Advisory Council. More than 2,300 residents responded to a survey.

In the plan the most important values to residents and community partners in creating a climate-friendly future are:

1. Ensuring a healthy environment for future generations
2. Protecting the most vulnerable people and reducing racial disparities
3. Protecting wildlife and nature
4. Responsibly using resources and minimizing wastefulness

To accomplish this, the plan includes "...initiatives to reduce greenhouse gas emissions and strategies to adapt to the changing climate in ways that reduce vulnerabilities and ensure a more equitable and resilient Hennepin County. This plan serves as the foundation for a coordinated approach to planning, policy development, and responses to climate change."

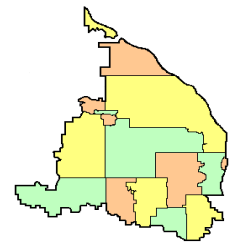
Of particular interest to the Commissions are strategies identified to prepare for and respond to extreme weather events, flooding, stormwater volumes and landslides, and to extreme heat and cold that are discussed in pages 25-35. The strategies target infrastructure such as roads, highways, and bridges; storm drainage systems; and natural resources.

This item is presented for information and background. While the public input period extended through March 3, the County would still be appreciative of any comments you may have. Staff encourage you to review the related work done in preparation for the climate action plan, which can be found at: <https://www.hennepin.us/your-government/projects-initiatives/climate-action>

Motion by Jaeger, second by Schoch to send a statement of support of the Plan to the County. Motion carried unanimously.

Motion by Jaeger, second by Johnson to send a statement of support of the Plan to the County. Motion carried unanimously.

D. The **West Metro Water Alliance (WMWA)** met on March 9, 2021, with the primary topic of discussion being education and outreach items in the new NPDES General Permit. A working group of city representatives had previously gone through the permit to list all the education and outreach requirements and identify which could be completed with the help of WMWA. A WMWA subgroup has been formed for each of the areas of concentration listed below. Members will focus on refining proposed deliverables and

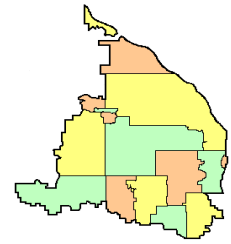


estimating resources (e.g., design assistance, fabrication, printing) necessary as well as a plan for disseminating the materials.

At the April WMWA meeting these will be combined into a proposal to complete the work using the WMWA Special Projects budget, which had a balance of \$10,700 at the end of 2020. The agreement between the four WMOs in WMWA (Bassett Creek, Elm Creek, Shingle Creek and West Mississippi) requires that Special Projects be approved by the four WMOs before expenditures can be made. This proposal is expected to be submitted to the Commissions for consideration at their May meetings. The goal is to have all the work identified below completed by the end of 2021. Areas of concentration include:

1. **Chloride.** Reduction in chloride use is a priority in the latest NPDES permit. Three of the four WMOs also have at least one chloride stream impairment. Potential WMWA work could include:
 - a. Commercial – Multi Family – Institutional Property Maintenance Guide. Update the guide that already exists, Coordinate with the HCCI project that is developing Winter Maintenance Chloride Management Plan templates for private applicators and property managers.
 - b. Residential brochure - Residential one-page handout / rack card
 - c. Sample Ordinance?
2. **Pet Waste.** This is an area also called out in the permit for specific actions, including education and outreach. Potential WMWA work could include:
 - a. Standardized educational signage to put at dog parks
 - b. One-page handout or brochure for distribution at events and at dog parks
 - c. Signage near pet waste bag distribution areas in parks and other publicly owned properties?
 - d. Sample Ordinance?
3. **Training and Materials Library.** WMWA’s website will become a depository for both education/outreach and training materials. Cities, WMOs, agencies and other interested parties may submit material to the website administrator. The intent is to have a library of educational materials, newsletter articles, social media content, photos, video, etc., that cities can draw on to meet their education and training needs. This will provide an opportunity, for example, for cities to rotate training videos so employees don’t watch the same one every year. The subgroup will also identify gaps where a professional writer or photographer may be hired to prepare additional content.
4. **Education and Outreach Plan.** Each MS4 is required to develop and maintain an Education and Outreach Plan. One subgroup will revise the WMWA Education and Outreach Plan with an activity that specifically relates to the NPDES General Permit and how WMWA undertakings at a regional level dovetail with locally-focused undertakings at the city level. This will clarify that city actions supplemented by WMWA actions will meet the NPDES education and outreach requirements.

The next **West Metro Water Alliance (WMWA)** meeting is a virtual meeting and is scheduled for 8:30 a.m., Tuesday, April 13, 2021. The **Zoom number** is <https://us02web.zoom.us/j/922390839>. Or call in at any of these numbers using **meeting ID: 922 390 839**: (1) +1 301 715 8592 US (Germantown); (2) +1 312 626 6799 US (Chicago); (3) +1 929 205 6099 US (New York); or (4) +1 253 215 8782 US (Tacoma). The **passcode is water**.



X. Communications.

A. February Communications Log.* No items required action.

B. March Staff Report. No report this month.

C. HF1586.* Included in the packet was correspondence regarding legislation being proposed by State Representative Paul Torkelson regarding funding for a feasibility study to consider merging watershed districts and soil and water conservation districts. Staff will monitor the progress of this proposed legislation.

D. Scharenbroich reported on the **Canadian Pacific train derailment** which occurred on March 7, 2021, along the tracks at Northwest Boulevard, north of Schmidt Lake Road in Plymouth. Twenty-two train cars containing molten sulfur, asphalt and lumber derailed. The Plymouth Police and Fire departments have continually monitored the situation and no leaks have been discovered.

CP crews have worked around the clock to clear the derailed cars and lay new railroad tracks to resume normal operations. CP has been monitoring the air quality and has not obtained any unusual readings. A hazmat team will remain at the scene 24/7 until the site has been restored. No injuries have been reported. Restoration of the site is dependent upon ground and weather conditions, so the timeline is yet to be determined. Restoration work will occur primarily during daylight hours.

XI. Other Business.

Stantec is preparing new **professional services agreements for technical services.**

Motion by Schoch, second by Jaeger to approve and authorize the Chair to sign the Shingle Creek agreement pending approval of the attorneys of the parties. *Motion carried unanimously.*

Motion by Johnson, second by Prasch to approve and authorize the Chair to sign the West Mississippi agreement pending approval of the attorneys of the parties. *Motion carried unanimously.*

XII. Adjournment. There being no further business before the Commissions, the joint meeting was adjourned at 2:50 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Judie A. Anderson".

Judie A. Anderson,
Recording Secretary
JAA:tim

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