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MINUTES
Regular and Public Meetings
May 11, 2017

(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 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 12:50 p.m. on Thursday, May 11, 2017, at the Clubhouse at Edinburgh, USA, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present for Shingle Creek were: Dave Vlasin, Brooklyn Center; John Roach, Brooklyn Park; Janet Moore, Crystal; Karen Jaeger, Maple Grove; Gary Anderson, Minneapolis; Bill Wills, New Hope; Harold E. Johnson, Osseo; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Kyle Hartnett, Kennedy & Graven; Ed Matthiesen and Diane Spector, Wenck Associates, Inc.; and Judie Anderson, JASS.

Present for West Mississippi were: Dave Vlasin, Brooklyn Center; John Roach, Brooklyn Park; Gerry Butcher, Champlin; Karen Jaeger, Maple Grove; Harold E. Johnson, Osseo; Kyle Hartnett, Kennedy & Graven; Ed Matthiesen and Diane Spector, Wenck Associates, Inc.; and Judie Anderson, JASS.

Also present were: Andrew Hogg, Brooklyn Center; Mitch Robinson, Brooklyn Park; Todd Tuominen, Champlin; Mark Ray and Burt Orred, Crystal; Rick Lestina, Maple Grove; Bob Grant, New Hope; Ben Scharenbroich, Plymouth; Richard McCoy and Marta Roser, Robbinsdale; Steve Woods, The Freshwater Society; and Eric Lund, Sara Gaffin, and Dale Finnesgaard, Barr Engineering, for item IV.

The meeting was preceded at 12:14 p.m. with a presentation by Steve Woods, Executive Director of The Freshwater Society. Woods recapped **35 years of metro watersheds**. 2017 is the 35th year of the Metropolitan Surface Water Management Act and Woods discussed how its numerous failures have added up to success. This unique-to-Minnesota law has brought funding and focus to urban water management that have helped municipalities and watershed organizations prove that an ounce of prevention beats a pound of cure (or taxes).

II. **Agendas and Minutes.**

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

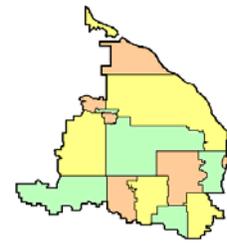
Motion by Butcher, second by Jaeger to approve the **West Mississippi agenda**.* *Motion carried unanimously.*

Motion by Vlasin, second by Moore to approve the **minutes of the April meeting**.* *Motion carried unanimously.*

Motion by Butcher, second by Jaeger to approve the **minutes of the April regular meeting**.* *Motion carried unanimously.*

[The regular meeting was suspended at 12:52 p.m. in order to convene a public meeting.]

III. **Public Meeting for Minor Plan Amendment**.* The Commissions' Third Generation Plan Capital Improvement Programs (CIPs) are proposed to be amended by Minor Plan Amendment (MPA) to add a second phase to an existing project in the Shingle Creek CIP, the DO Art Reaeration Project. The MPA would also add specificity of description to a second project in the Shingle Creek CIP – the Bass Creek project will now be known as the Palmer Creek Estates Bass



Creek Stream Restoration Project. Three other projects in each watershed will be moved to future years. This amendment does not approve projects for funding, simply the revisions to the CIP as presented. The Board of Water and Soil Resources (BWSR) agreed to the Commissions' April 13, 2017 request to proceed as a Minor Plan Amendment as long as Hennepin County does not object.

The Commission received a request from Hennepin County* to extend its review deadline to June 28, 2017. The request was approved by consensus.

A. Open public meeting. The public meeting was opened at 12:55 p.m.

1. A letter* was received from the Minnesota Dept. of Natural Resources (DNR), stating they have no comments to propose.
2. **Emails** were received from the MN Dept of Agriculture, Metropolitan Council, and BWSR, each stating they had no comments on the amendment.
3. No comments were received from the member cities.
4. No one was present from the general public.
5. The **public meeting was closed** at 12:56 p.m.

B. Commission Discussion.

Motion by Sicora, second by Wills to adopt **Resolution 2017-01 Adopting a Minor Plan Amendment Revising the Capital Improvement Program.*** *Motion carried unanimously.*

Motion by Butcher, second by Jaeger to adopt **Resolution 2017-01 Adopting a Minor Plan Amendment Revising the Capital Improvement Program.*** *Motion carried unanimously.*

[The regular meeting was reconvened at 12:57 p.m.]

IV. Open Forum.

Representatives from Barr Engineering were present to provide a briefing on the **Joslyn site clean-up.*** Barr is working with the Minnesota Pollution Control Agency (MPCA) to complete the clean-up of the Joslyn Superfund Site West Area adjacent to Middle Twin Lake. Their presentation included an overview of the project, a summary of impacts to wetlands and the floodplain, and the results of stormwater and water quality monitoring.

V. Finances and Reports.

A. Motion by Sicora, second by Wills to approve the **Shingle Creek Treasurer's Report.*** *Motion carried unanimously.*

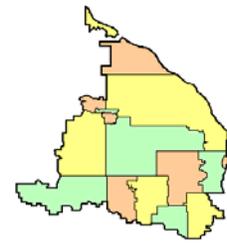
Motion by Jaeger, second by Sicora to approve the **Shingle Creek May claims.*** Claims totaling \$58,746.16 were *approved by roll call vote: ayes – Vlasin, Roach, Moore, Jaeger, G. Anderson, Wills, Johnson, Polzin, and Sicora; nays – none.*

B. Motion by Jaeger, second by Butcher to approve the **West Mississippi Treasurer's Report.*** *Motion carried unanimously.*

Motion by Jaeger, second by Roach to approve the **West Mississippi May claims.*** Claims totaling \$18,673.33 were *approved by roll call vote: ayes – Vlasin, Roach, Butcher, Jaeger, and Johnson; nays – none.*

VI. Project Reviews.

A. WM2017-003 Zachary Lane Retail, Maple Grove.* Development of a retail center on a vacant 1.92-acre site located at 9580 Zachary Lane. The site will include two retail buildings, parking lots on the south, east and north sides of the buildings, and an infiltration basin to accommodate new impervious surface. Following development the site will be 65% impervious, an increase of 1.25 acres. A complete project review application was received on May 4, 2017.



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-inch storm event, or BMPs providing a similar level of treatment - 80-85% TSS removal and 50-60% TP removal. If a sump is used the MnDOT Road Sand particle size distribution is acceptable for 80% capture.

Runoff from Drainage Area P2 will be routed to an existing infiltration basin on the adjacent Parnassus Preparatory School property via a grass swale. The grass swale will have 2:1 side slopes, a depth of one foot and a length of 56 feet, providing sufficient pretreatment. Runoff from Drainage Area P3 will be routed to a proposed infiltration basin via a proposed storm sewer system. Three-foot sumps provide pretreatment at both catch basin manholes immediately upstream of the proposed infiltration basin. However, SHSAM calculations are required to demonstrate that these sumps provide adequate removal of TSS and TP. While the applicant likely meets Commission water quality treatment requirements, SHSAM output must be provided to demonstrate that sumps provide adequate pretreatment.

Commission rules require that site runoff be limited to predevelopment rates for the 2-, 10-, and 100-year storm events. The applicant proposes to direct site runoff to an onsite infiltration basin (water draining south), an adjacent infiltration basin (water draining west), and into the Zachary Lane right of way (water draining north). 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 48,784 SF, requiring that 4,065 CF be infiltrated within 48 hours. The applicant meets Commission volume requirements.

The NWI does not identify any wetlands on site. There are no Public Waters or floodplain on this site.

An erosion control plan was submitted with the project review, and includes a rock construction entrance, perimeter silt fence, inlet protection, and native seed specified on the pond slopes. The erosion control plan meets Commission requirements.

A public hearing on the project was conducted on September 12, 2016 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

The Commission requests documentation that the owners of the Parnassus Preparatory School have given permission for runoff from this site to be routed to their property.

Motion by Jaeger, second by Vlasin to advise the City of Maple Grove that approval of Project 2017-003 be granted with the following conditions:

1. Provide SHSAM results to demonstrate that sumps provide appropriate pretreatment of water entering the infiltration basin on the Zachary Lane site.
2. Provide documentation that the owners of the Parnassus Preparatory School have given permission for runoff from Zachary Lane Retail to be routed to their property.

Motion carried unanimously.

B. WM2017-005 The Cove at Northwoods Park, Brooklyn Park.* Development of 55 low-density residential lots, with new impervious area including roads, sidewalks, buildings and garages, and wet detention ponds to accommodate new impervious surface on a 18-acre site located at 7848 107th Avenue North. Following development the site will be 82.6% impervious, an increase of 5.02 acres. A complete project review application was received on April 25, 2017.

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. If a sump is used the MnDOT Road Sand particle size distribution is acceptable for 80% capture.



Runoff from the site and from offsite is proposed to be routed to three NURP ponds. Two of the ponds are small and are allowed to equalize with the larger pond, so the three ponds are treated as one pond for NURP calculations. The NURP pond has a dead storage volume that holds runoff from a 2.5" storm event, meeting Commission water quality treatment requirements.

Commission rules require that site runoff be limited to predevelopment rates for the 2-, 10-, and 100-year storm events. There is no runoff from the site, even during the 100-year storm event. The applicant meets the Commission's rate control requirements.

Commission rules also require the site to infiltrate 1.0" of runoff from new impervious area within 48 hours. The new impervious area on this site is 5.02 acres, requiring that 18,223 CF be infiltrated within 48 hours. The applicant proposes that infiltration will occur in the NURP pond above 863.5 feet, providing 69,226 SF of filtration surface area. This area has the capacity to infiltrate the required volume within 48 hours, meeting Commission requirements.

The NWI identifies a wetland on site. The Commission is the LGU for WCA administration. A wetland delineation has been conducted for the site. The delineation demonstrates that the majority of area that was historically wetland no longer meets wetland hydrology criteria. A small wetland basin was delineated in the northwestern corner of the site. This wetland is proposed to be impacted by the proposed stormwater treatment pond, and wetland credits will be purchased to mitigate for proposed impacts. Additional fees will be required as part of the separate WCA process to review and approve the mitigation plan and purchase of credits.

The proposed NURP pond is within an area designated as a DNR public water. However, the hydrology in the area has been altered and the area no longer holds water. Therefore, the DNR is planning to allow the proposed excavation within the public water as long as the NURP pond provides a similar volume as did the historic DNR water.

There is no FEMA floodplain on this site. However, the Commission asked the applicant to assess the risk of flooding on site by running a HydroCAD model for a back-to-back 100-year storm event with the NURP pond's normal water level at 869.1 feet. This value of 869.1 feet is the pond's run-out elevation, whereas 863.5 feet was the reported normal water level. HydroCAD modeling shows that this back-to-back 100-year storm event would cause a high water level of 871.9 feet. Although the lowest floor elevation on site is 872.4 feet, less than the Commission's requirement of two feet above high water level, the applicant meets Commission requirements. This is because only under a very rare event would the NURP pond's normal water level be at 869.1 feet and experience a back-to-back 100-year storm event. Furthermore, the lowest floor elevation adjacent to the pond is 875.0. With these factors taken into account, the applicant meets Commission flood elevation requirements.

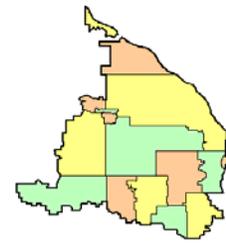
An erosion control plan was submitted with the project review, and includes a rock construction entrance, perimeter silt fence, slope checks, and native seed specified on the pond slopes. The erosion control plan meets Commission requirements.

A public hearing on the project was conducted on May 10, 2017 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

Motion by Butcher, second by Jaeger to advise the City of Brooklyn Park that approval of Project 2017-005 be granted with no conditions. *Motion carried unanimously.*

C. SC2017-002: Donegal South, Maple Grove.* Construction of a medium-density single-family residential development consisting of 133 single-family "detached" town homes and associated roads, parking areas, and landscaped areas on a 13.5-acre site located in the north quadrant of Hemlock and Forestview Lanes. Following development, the site will be 56% impervious, an increase of 5.94 acres. A complete project review application was received on April 20, 2017.

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. If a sump is used the MnDOT Road Sand particle size distribution is acceptable for 80% capture.

This project falls within The Gravel Mining Area at Arbor Lakes (GMA) and all water leaving the site has been accounted for by the regional ponds under city ownership. Runoff from the site is proposed to be routed to Central Park Regional pond. The applicant meets Commission water quality treatment requirements.

Commission rules require that site runoff be limited to predevelopment rates for the 2-, 10-, and 100-year storm events. Since this project falls within the GMA the applicant meets the Commission's rate control requirements.

Commission rules require the site to infiltrate 1.0" of runoff from new impervious area within 48 hours. The new impervious area on this site is 7.63 acres. This project falls within the GMA and the applicant proposes to use the city infiltration credit that has the capacity to infiltrate the required volume within 48 hours. The applicant meets Commission volume control requirements.

The NWI identifies a small wetland on the northeast portion of the site. The City of Maple Grove is the LGU for WCA administration. According to Peter Vickerman, Maple Grove City Planner, the wetland was eliminated years ago, as the entire site has been mined. The applicant meets Commission wetland requirements.

There are no Public Waters or floodplain on this site.

An erosion control plan was submitted with the project review and includes a rock construction entrance, perimeter silt fence, and inlet protection. The erosion control plan meets Commission requirements.

A public hearing on the project was conducted on April 24, 2017 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

Motion by Sicora, second by Jaeger to advise the City of Maple Grove that approval of Project 2017-002 be granted with no conditions. *Motion carried unanimously.*

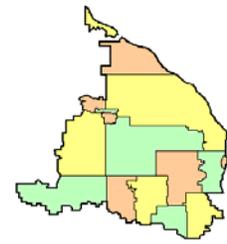
VII. 2018 Operating Budgets.

A. Shingle Creek. Staff's May 5, 2017 memo presented a proposed 2018 budget* for Commission discussion and comment. The budget is separated into an operating budget and a project budget and continues the same activities at the same level of effort as in 2017. The annual operating budget revenue source is primarily city assessments, and funds the Commission's core activities. Projects and studies are funded through a variety of grant and other sources, most of which do not proceed on an annual fiscal-year basis. The Commission must report its budget to the member cities by July 1, 2017.

The assessment cap in the Commission's JPA limits the annual city assessment increase to the June-to-June increase in the Consumer Price Index-Urban (CPI-U), using the assessment in 2004 as a base. For the 2018 assessment, the increase is limited to the CPI-U change between June 2016 and June 2017. However, since the CPI-U for June of the previous year is not available, the June to March change (1.2%) is used to set the assessment. Because of the accumulated inflation lag, the Commission could assess up to \$348,710. This preliminary recommended draft 2018 budget assumes an assessment of \$348,710, an increase of 2.4%. There was no assessment increase in 2015 and 2016 and a 0.8% increase in 2017.

The format of the 2018 proposed budget has changed slightly. The USGS site monitoring has been removed from the general stream monitoring line item and shown separately to acknowledge the partnership more clearly. This budget also shows a separate line item for Stream Biomonitoring to fund fish and invertebrate surveys at four monitoring sites. This expense is partially offset by reducing River Watch and WHEP monitoring in 2018.

In addition, WMWA accounting will be shown differently in the budget. Shingle Creek acts as the fiscal agent for WMWA. In past budgets WMWA programs and projects have been shown within the Commission's budget. Beginning in 2018 WMWA will be established as a segregated fund. The Commission's budget will show



only its contributions to WMWA. The exception is the line item for Raingarden Workshops, which are funded by the cities and invoiced through the Commission as a convenience.

Along with member assessments,* revenue in the proposed 2018 budget includes \$24,000 in project fees, \$6,000 in education reimbursements, and \$1,000 in interest and dividends, for a total of \$379,710.

Expenses include \$84,500 for administration, \$121,000 for technical services, and \$24,700 for legal and other general expenses. Programming includes Monitoring (\$83,010), Water Quality Education (\$35,500), Management Plans (\$21,000), and Projects (\$10,000). These total \$379,710, with no monies taken from reserves.

Discussion occurred regarding the anticipated costs of the Fourth Generation Plan. Staff indicated that a significant expense related to the next generation plan would be development of a Hydrologic and Hydraulic (H&H) model. They will bring back an estimate of the cost of this project.

Motion by Jaeger, second by Sicora to table approval of the 2018 operating budget to the June meeting. *Motion carried unanimously.*

B. West Mississippi. Staff's May 5, 2017 memo presented a proposed 2018 budget* for Commission discussion and comment. As with Shingle Creek, the budget is separated into an operating budget and a project budget and continues the same activities at the same level of effort as in 2017. The annual operating budget revenue source is primarily city assessments, and funds the Commission's core activities. Projects and studies are funded through a variety of grant and other sources, most of which do not proceed on an annual fiscal-year basis. The Commission must report its budget to the member cities by July 1, 2017.

An assessment cap is also included in the West Mississippi Commission's JPA. The Commission could increase member city assessments for 2018 to \$158,530. (The 2017 assessment was \$145,000.) The draft 2018 budget assumes an assessment of \$150,000, an increase of 3.4%. In past years the Commission supplemented the assessments with a contribution from the cash reserves to draw down what was a substantial balance. The unrestricted fund balance at the end of 2016 is estimated to be about \$77,490, and Staff recommends that assessments be increased by steps over a few years to fully fund the operating budget without that supplement.

Along with member assessments,* revenue in the proposed 2018 budget includes \$20,000 in project application fees and \$500 in interest and dividends, for a total of \$170,500.

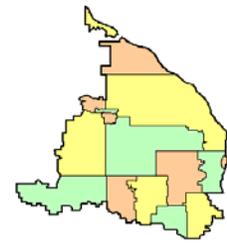
Expenses include \$36,000 for administration, \$58,500 for technical services, and \$17,500 for legal and other general expenses. Programming includes Monitoring (\$26,000), Water Quality Education (\$29,500), Management Plans (\$11,000), and Contribution to Construction/Grant Match (\$5,000). These total \$183,500, with \$13,000 taken from reserves.

The Technical Advisory Committee (TAC) recommends that the Commission consider segregating an amount in the reserves specifically for the Fourth Generation Plan, and Staff recommends that amount be \$25,000 and that no contribution from the annual budget be made.

Motion by Jaeger, second by Butcher to table approval of the 2018 operating budget to the June meeting. *Motion carried unanimously.*

VIII. Water Quality Monitoring.

A. Sometime over the winter one of the Commission's **Joboxes**,* metal boxes in which stream monitoring equipment is secured, was stolen. The box was located at the SC-0 monitoring site in Webber Park, near Colfax and 45th Avenues in Minneapolis. The box was locked to a large tree, and the thieves cut through the lock. The heavy steel 4' x 3' x 3' box has some minor scrap metal value. The box was empty at the time. A police report was filed and the theft was reported to the Commission's insurance carrier. The Commission had a spare box that could be used so the equipment could be deployed, but that spare was going to be used on Pike Creek this spring. Staff request authorization to replace the box. The Commission's insurance deductible is \$250.



Wenck staff will work with their Emergency Response group to install the replacement box with helical anchors securing the four corners to the ground. The additional installation cost will be funded from the regular monitoring budget.

Motion by Sicora, second by G. Anderson to authorize \$250 from reserves to purchase a replacement box. *Motion carried unanimously.*

[At the meeting the Commissioners were informed that the deductible is \$500. This was later determined to be incorrect and the actual deductible is \$250. Action on this item was rewritten to reflect that correction.]

[Butcher departed 2:39 p.m.]

B. Motion by Jaeger, second by G. Anderson to approve the Intergovernmental Agreement between the Commission and Metropolitan Council for the monitoring of Bass, Eagle, Pike and Schmidt Lakes through the Council's **Citizens Assisted Monitoring Program (CAMP)***. *Motion carried unanimously.* Volunteers are needed for the latter two lakes.

IX. Education.

A. Included in the meeting packet was an **update* of WMWA activities**. The Watershed PREP educators are doing their final classroom visits for the school year. Because they get requests from some teachers for follow-up, they will be developing some additional lessons and hands-on activities that can be completed by the classroom teachers. WMWA will work with the TAC and cities to get some additional publicity for the program within the schools that have not yet participated in the program.

B. WMWA has also been coordinating with cities and native plant growers and is targeting a variety of events for sponsored **native plant sales**. Events in the SCWM watershed include the Father Hennepin Festival, Champlin, June 10; the Camden Farmers Market, Minneapolis, July 13; and the New Hope Farmers Market, August 12.

C. The next **WMWA meeting** is scheduled for 8:30 a.m., Tuesday, July 11, 2017, at Plymouth City Hall. Commissioners are encouraged to attend.

X. Grant Opportunities and Updates.

A. DO Art Reaeration Project. Matthiesen reported that the artist's re-design of the Brooklyn Center City Hall art structure is still above budget and alternatives to the design are being considered.

B. Iron and Biochar-Enhanced Sand Filter Retrofit Project. Construction at the Champlin site began yesterday. All permits have been obtained for the Crystal site; Staff is still awaiting the permit from the City of Minneapolis.

C. Twin Lakes Carp Removal Project. The carp have been finding their way through the fencing. Staff is considering fish barriers north of Twin Lakes and in Ryan Lake.

D. Becker Park. At the March meeting the Commission authorized Staff to prepare a Metropolitan Council Stormwater Grant application in the amount of \$200,000 for this project. Staff recently learned that the project has been awarded a \$150,000 grant from this program.

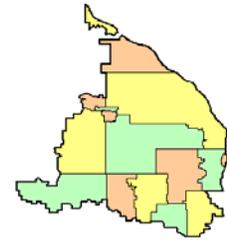
XI. Communications.

April Communications Log.* No action required.

XII. Other Business.

XII. Adjournment.

There being no further business before the Shingle Creek Commission, motion by Sicora, second by Jaeger to adjourn. *Motion carried unanimously.*



There being no further business before the West Mississippi Commission, motion by Jaeger, second by Vlasin to adjourn. *Motion carried unanimously.*

The meeting was adjourned at 2:58 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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