

MINUTES
Regular Meetings
May 12, 2016

(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 Andy Polzin, Chair, and Gerry Butcher, Chair, respectively, on Thursday, May 12, 2016, at 12:46 p.m., at the Clubhouse at Edinburgh, USA, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present for Shingle Creek were: David Vlasin, Brooklyn Center; John Roach, Brooklyn Park; Janet Moore, Crystal; Bill Wills, New Hope; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Troy Gilchrist, Kennedy & Graven; Ed Matthiesen and Diane Spector, Wenck Associates, Inc.; and Judie Anderson, JASS.

Not represented: Maple Grove, Minneapolis, and Osseo.

Present for West Mississippi were: David Vlasin, Brooklyn Center; John Roach, Brooklyn Park; Gerry Butcher, Champlin; Troy Gilchrist, Kennedy & Graven; Ed Matthiesen and Diane Spector, Wenck Associates, Inc.; and Judie Anderson, JASS.

Not represented: Maple Grove and Osseo.

Also present were: Andrew Hogg, Brooklyn Center; Todd Tuominen, Champlin; Mark Ray, Crystal; Rick Lestina, Maple Grove; Shawn Markham, New Hope; Leah Gifford and Ben Scharenbroich, Plymouth; and Richard McCoy, Robbinsdale.

II. **Agendas and Minutes.**

Motion by Butcher, second by Roach to designate Polzin as chair of this meeting and all future meetings except when Polzin is not present, in which instances Butcher will assume the chair. *Motion carried unanimously.*

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

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

Motion by Sicora, second by Polzin to approve the **minutes of the April 14, 2016 Shingle Creek regular meeting*** as written. *Motion carried unanimously.*

Motion by Butcher, second by Vlasin to approve the **minutes of the April 14, 2016 West Mississippi regular meeting*** as written. *Motion carried unanimously.*

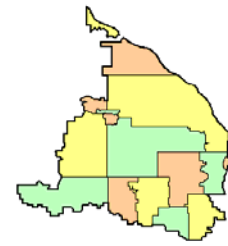
III. **Finances and Reports.**

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

Motion by Roach, second by Sicora to approve the **Shingle Creek May claims**. * Claims totaling \$46,588.22 were *approved by roll call vote*: ayes – Vlasin, Roach, Moore, Polzin and Sicora; nays – none; absent – Maple Grove, Minneapolis, New Hope, and Osseo.

Staff reported that they are continuing to review the **2015 Audit Report**. Their findings will be brought back to the June meeting.

*items are included in meeting packet



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

Motion by Roach, second by Butcher to approve the **West Mississippi May claims.*** Claims totaling \$15,195.81 were *approved by roll call vote: ayes – Vlasin, Roach, and Butcher; nays – none; absent – Maple Grove and Osseo.*

[Wills arrived 12:53 pm.]

IV. Open Forum.

Roach recounted a class he attended, "**Sustainable Yard Care,**" presented by Sam Bauer, lawn turf specialist at the U of M. He stated the class had a lot of good information about sustainable yard practices. <http://www.extension.umn.edu/garden/yard-garden/lawns/> has links to pages that have specific information on alternative turf grasses that use less water and fertilizer and need less mowing. Click on *alternative lawns - ground covers for rough sites.*

Scharenbroich described the **City of Plymouth's Water Efficiency Rebate Program.** Rebates up to \$200 will be given for replacing old, inefficient toilets, washing machines and irrigation controllers. More information is available at plymouthmn.gov/waterefficiencyrebate.

Moore noted the **absence of Commissioners** at recent meetings. Staff responded that Commissioner Jeff Johnson has notified the City of Minneapolis that he is unable to serve. The City will publish a notice seeking individuals to replace Johnson and to fill the Alternate position. Under MN Statute 103.227, the Commission must notify the Board of Water and Soil Resources of member appointments and vacancies in member positions within 30 days. Appointing authorities must fill vacant positions by 90 days after the vacancy occurs.

Tuominen announced the **Elm Creek Dam Grand Opening and Ribbon Cutting ceremony** will occur on Saturday, June 25, at 10 a.m. Commissioners will receive invitations to the event.

V. Project Review.

SC2016-05 8201 Brooklyn Boulevard, Brooklyn Park.* Redevelopment of a 41-acre site for office/shop and warehouse/office facilities. Following development the site will be 49% impervious, an increase of 9.7 acres. A complete project review application was received April 14, 2016.

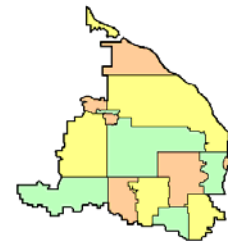
To comply with the Commission's water quality treatment requirement, the site must provide ponding designed to NURP standards with dead storage volume equal to or greater than the volume of runoff from a 2.5" storm event, or BMPs providing a similar level of treatment - 80-85% TSS removal and 50-60% TP removal. If a sump is used the MnDOT Road Sand particle size distribution is acceptable for 80% capture.

Runoff from the site is proposed to be routed to two infiltration basins, three sediment basins and 25-foot native buffer. The applicant meets Commission water quality treatment requirements. Commission rules also require that site runoff be limited to predevelopment rates for the 2-, 10-, and 100-year storm events. Runoff from the site is proposed to be routed to two infiltration basins and three sediment basins. 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 9.7 acres, requiring that 35,293 CF be infiltrated within 48 hours. The applicant proposes two infiltration basins that have the capacity to infiltrate the required volume within 48 hours, meeting Commission requirements.

The NWI does identify wetlands on site. The Commission is LGU for WCA administration in Brooklyn Park. Wetland buffers a minimum of 20 feet in width and averaging 30 feet in width are provided, meeting Commission requirements. Applicant must apply for a No Loss Determination or wetland replacement plan for the excavated basins in the wetland. There are no Public Waters on this site. This site is adjacent to Shingle Creek.

*items are included in meeting packet



There is floodplain on this site. The low floor elevations of the buildings are at least two feet higher than the high water elevation of the infiltration basins according to TP-40 precipitation, meeting Commission requirements. The 100-year flood elevation is 874 according to the Flood Insurance Map; the required freeboard is met.

An erosion control plan was submitted with the project documents, and includes rock construction entrance(s), 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 will be conducted as part of Planning Commission and City Council review, meeting Commission public notice requirements.

Motion by Sicora, second by Polzin to advise the City of Brooklyn Park that project SC2016-05 is approved contingent on the Applicant applying for a No Loss Determination or wetland replacement plan for the excavated basins in the wetland. *Motion carried unanimously.*

VI. Operating Budgets.

A. Shingle Creek. Staff's May 6, 2016 memo presented a proposed 2017 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 2016. 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, 2016.

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 2017 assessment, the increase is limited to the CPI-U change between June 2015 and June 2016. However, since the CPI-U for June of the previous year is not available, the June to March change (-0.2%) is used to set the assessment. Because of the accumulated inflation lag, the Commission could assess up to \$340,610. This preliminary recommended draft 2017 budget assumes an assessment of \$340,610, which is an increase of \$2,640 or 0.8%. There was no assessment increase in 2015 and 2016.

Along with member assessments, revenue in the proposed 2017 budget includes \$25,000 in project application fees, \$38,000 in education reimbursements, and \$100 in interest and dividends, for a total of \$403,710.

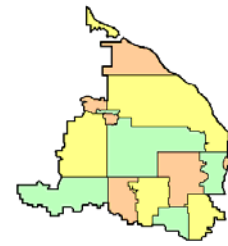
Expenses include \$84,500 for administration, \$113,410 for technical services, and \$23,000 for legal and other general expenses. Programming includes Monitoring (\$83,800), Water Quality Education (\$67,000), Management Plans (\$22,000), and Projects (\$10,000). These total \$403,710, with no monies taken from reserves.

Motion by Wills, second by Sicora to adopt the 2017 Budget as presented. *Motion carried unanimously.*

B. West Mississippi. Staff's May 6, 2016 memo presented a proposed 2017 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 2016. 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, 2016.

An assessment cap is also included in the West Mississippi Commission's JPA. The Commission could increase member city assessments for 2017 to \$154,840. (The 2016 assessment was \$135,700.) The draft 2017 budget assumes an assessment of \$145,000, an increase of 6.8%; the first increase in assessments since 2013. 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 2015 was estimated to be

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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 2017 budget includes \$18,000 in project application fees and \$100 in interest and dividends, for a total of \$174,600.

Expenses include \$36,500 for administration, \$49,500 for technical services, and \$16,600 for legal and other general expenses. Programming includes Monitoring (\$26,000), Water Quality Education (\$29,000), Management Plans (\$12,000), and Contribution to Construction/Grant Match (\$5,000). These total \$174,600, with no monies taken from reserves.

Motion by Butcher, second by Vlasin to adopt the 2017 Budget as presented. *Motion carried unanimously.*

VII. Water Quality.

A. The Commissions have asked the Technical Advisory Committee (TAC) to discuss some potential revisions to their development **Rules and Standards*** and make recommendations for any changes. Several items were discussed by the TAC at its April 28, 2016 meeting. In general the TAC agreed that rather than revise the Rules, except for the revised infiltration zones, these issues could be addressed through Best Practices standards similar to the rain garden and soil amendment designs previously adopted by the Commissions (shinglecreek.org/standard-details.html.) Staff will provide proposed standard designs to the TAC at its next meeting, and the TAC will make recommendations to the Commissions for adoption.

B. Drinking Water Protection. To help limit the risk of contamination of groundwater-sourced drinking water, the Commissions' rules and standards prohibit infiltration in the following conditions:

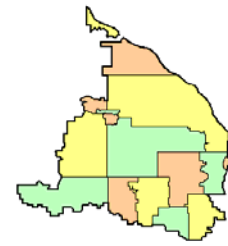
1. Fueling and vehicle maintenance areas;
2. Areas with less than 3 feet separation from the bottom of the infiltration system to the elevation of seasonal high groundwater;
3. Areas with runoff from industrial, commercial and institutional parking lots and roads and residential arterial roads with less than 5 feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater;
4. Areas within 400 feet of a community water well, within 100 feet of a private well, or within a delineated 1-year time of travel zone in a wellhead protection area;
5. Sites containing contaminated soils or groundwater.

The TAC spent some time discussing the purpose of having prohibitions, which potential contaminants were of most concern, and in what drinking water supply zones. Staff presented a concept for infiltration within each zone and a pre-treatment filtration basin design for discussion and will develop a combined filtration/infiltration augmented section for smaller spaces where a separate pre-treatment basin is not feasible. For simplicity, the TAC recommended that any of these new standards be applied uniformly across the watersheds rather than just within wellhead protection areas.

C. Application of Rules to Sidewalks and Trails. Linear projects such as sidewalks and trails do not lend themselves well to traditional bioinfiltration BMPs to accomplish the 1.3" of infiltration needed to meet water quality and infiltration requirements. These linear projects are typically sloped to sheet flow runoff to the boulevard or shoulders of the trails. Staff have developed a preliminary standard that would allow the applicant to meet that requirement by amending the soil receiving the sheet flow to a certain width depending on soil type. This would be a voluntary standard. The TAC asked Staff to determine whether the width of the infiltration area could be reduced with additional soil amendment.

D. BMP Banking. At a previous TAC meeting the members discussed the subject of BMP banking. For example, a City has an opportunity to install a BMP with a project that would not require it, or that would go

*items are included in meeting packet



above and beyond what the Commission requires. Can they “bank” that extra treatment capacity to be used on a future project where treatment is required but infeasible? The TAC is amenable to this as long as the banking is within the same drainage area (for example, lakeshed) and a tracking system is available. As examples, the current Rules document and the website includes, special guidelines for the Arbor Lakes area where Maple Grove is providing regional infiltration for certain parts of the undeveloped area; and in Brooklyn Center where regional TSS removal for a subwatershed was provided with a large underground treatment device near the Regal Theater on TH 252 and I-694.

Motion by Moore, second by Sicora to add items C and D to the Commissions’ BMP library of standards. Motion carried unanimously.

Motion by Roach, second by Vlasin to add items C and D to the Commissions’ BMP library of standards. Motion carried unanimously.

E. Sump Sizing Standardization. For administrative ease Staff discussed with the TAC establishing sizing standards for sump manholes based on the model SHSAM and on a method set forth by the EPA. The TAC also discussed methods that can reduce the overall size of the sump by incorporating hydrodynamic separation. Two economical options are SAFL Baffle (<http://upstreamtechnologies.us/products/safl-baffle>) or The Preserver™ (<http://www.momentumenv.com>), both of which have design guidelines for optimal water quality treatment. Staff will return with a written standard sizing procedure for the TAC to review.

Motion by Moore, second by Sicora to add item E to the Commissions’ BMP library of standards. Motion carried unanimously.

Motion by Roach, second by Butcher to add item E to the Commissions’ BMP library of standards. Motion carried unanimously.

F. The MnDNR has published the Notice of Hearing to adopt the **Mississippi River Corridor Critical Area (MRCCA) rules.*** While these rules primarily affect only the cities in the corridor (Champlin, Brooklyn Park, Brooklyn Center, and Minneapolis), the Commissions’ Rules and Standards and other practices should be consistent with these requirements. It is also beneficial for the Commissioners to be familiar with these revisions since those cities will be required to modify their Critical Area overlay ordinances.

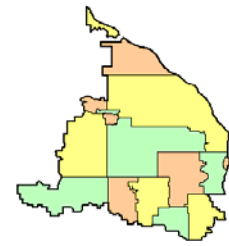
It is anticipated rule adoption will occur in late 2016. The DNR will coordinate with Metropolitan Council to develop a notification schedule, model plans and ordinances with additional resources, training and guidance for LGUs. That process will last into 2018. Then, each LGU within the MRCCA boundary will be formally notified in phases by the DNR that local plans and ordinances must be made consistent with the MRCCA rules. LGUs will then have one year from the time of notification to update their ordinances and plans. It’s anticipated that LGUs will be required to have ordinances consistent with MRCCA rules by 2019-2020.

Most of the Commissions’ current Rules and Standards are already consistent with or go beyond the proposed MRCCA rules. Staff’s memo of May 6, 2016, provides a summary of potential areas of the Rules and Standards that may be silent to the specific MRCCA rules and development standards and, therefore, may need to be incorporated. Further, the individual LGUs within the watersheds will need to review and amend their ordinances to ensure compliance to the site specific standards of setbacks, height restrictions, and land use compatibility within the MRCCA jurisdictional boundary.

The MRCCA rules also include conservation area set aside provisions for the permanent protection of open space. Those set aside standards require permanency through public acquisition, permanent conservation easement, deed restriction or other arrangement as determined by the LGU. The set-aside standards are based on a percentage of the parcel within the six districts as defined within the MRCCA rules.

G. Motion by Sicora, second by Moore to approve the 2016 Intergovernmental Agreement between the Commission and Metropolitan Council for the **Citizen Assisted Monitoring Program (CAMP).*** The agreement

*items are included in meeting packet



calls for the volunteer monitoring of Crystal, Ryan, Upper Twin, Lower Twin and Middle Twin lakes. *Motion carried unanimously.*

VIII. Watershed Management Plan.

2016 Capital Improvement Program and Minor Plan Amendment. The Commissions must report their 2016 maximum levies to Hennepin County by June 1. In May or June 2016 the TAC must receive feasibility reports for the projects proposed in 2016 and make a recommendation to the Commissions. In July the Commissions must consider which projects should proceed to a September public hearing. Following the public hearing, the Commissions must certify the actual levies to the County. At their April meetings the Commissions approved to move forward in 2016 with the projects shown below. At that time they also authorized Staff to move forward with the Minor Plan Amendment process. The public meeting to receive comment on the Minor Plan Amendment will occur as part of the regular June 9 meeting.

Recommended Shingle Creek/West Mississippi 2016 CIP Projects.

Project	Total Estimated Cost	Commission Share	Recommendation
Cost share (city projects)	\$200,000	\$100,000	Proceed as is
Iron and Biochar-Enhanced Sand Filter Retrofits	\$126,900	\$126,900	Minor Plan Amendment
Partnership cost share (private projects)	\$100,000	\$50,000	Proceed as is
TOTAL	\$426,900	\$276,900	
Cost share (city projects)	\$50,000	\$50,000	Proceed as is
Iron and Biochar-Enhanced Sand Filter Retrofits	\$40,000	\$40,000	Minor Plan Amendment
TOTAL	\$90,000	\$90,000	

IX. Education and Outreach.*

A. Matthiesen, Spector, and WMWA educator Jen Schaust attended the **Brooklyn Center cleanup** of Shingle Creek on April 16 and hosted a Shingle Creek WMO table.

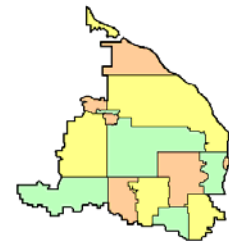
B. The Shingle Creek Watershed Management Organization **Facebook page** has 28 Likes. Commissioners and TAC members are encouraged to Like the page, and to invite their own friends who may be interested. Photos or posts can be submitted to Diane for posting as the Commission, or you can post directly on the Commission’s Facebook. Judie and Amy at JASS are admins on the site as well.

Included in the update were the **analytics for the website** for April 2016 – 934 total page views in April, with 433 total and 346 unique page views of the Home Page and the rest spread among the other pages. The most popular pages are Minutes and Meeting packets page and the Rules and Standards page. An interactive map feature will be added to the site in the coming month.

C. WMWA Update. The *Planting for Clean Water and Pollinators* project is underway. An article and graphics will be forwarded to all the member cities for their newsletters and to place a link on their websites and social media. Attached to the update was a mock up of a rack card for information kiosks and to hand out at events. Hennepin County has offered to print the cards at no cost. A feather banner will be obtained to use at events. The campaign site can be visited at <http://www.bluethumb.org/pledge/>.

D. The **WMWA Educators** are winding down the spring semester classroom visits. One of the educators, Jen Schaust, has left for a full time job. WMWA has met with two educators interested in taking over and recommends that the Shingle Creek Commission, acting as fiscal agent for WMWA, contract with both. Both Tracy Leavenworth and Sharon Meister are certified science teachers, and Leavenworth is currently a contract employee for the Ramsey-Washington WD providing youth education and outreach.

*items are included in meeting packet



Motion by Moore, second by Sicora to contract with Leavenworth and Meister. *Motion carried unanimously.*

Motion by Roach, second by Butcher to contract with Leavenworth and Meister. *Motion carried unanimously.*

E. The **next WMWA meeting** is June 14, 2016.

X. Grant Opportunities and Updates.

A. Ray has been advised that the Becker Park Infiltration Project is not eligible for this round of Metropolitan Council's **Stormwater Grant Program**.

B. Matthiesen presented slides showing the progress of the **Connections project**.

C. He also updated the Commissioners on the selection process for artists for the **Reaeration project**.

[Wills departed 2:21 pm.]

XI. Communications.

A. The **April communications log*** was included in the meeting packet. No action required.

B. Matthiesen distributed copies of "**The Water Underground: Reframing the local groundwater picture.**" This report, from the Freshwater Society, is targeted at public water supply managers – the public works directors, council members, and mayors of those municipalities operating water supply systems. The report — the first in a series of three planned for 2016-17 — tackles head on which portions of the state and metropolitan area currently have long-term water supply issues. The report can be accessed at <http://freshwater.org/publications/>.

XII. Other Business.

A. Motion by Sicora, second by Moore to approve the **non-waiver of monetary limits on the Commission's tort liability insurance.*** *Motion carried unanimously.*

Motion by Roach, second by Butcher to approve the **non-waiver of monetary limits on the Commission's tort liability insurance.*** *Motion carried unanimously.*

B. Adjournment.

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

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

The meeting was adjourned at 2:36 p.m.

Respectfully submitted,

Judie A. Anderson
Recording Secretary
JAA:tim

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*items are included in meeting packet