

REGULAR MEETING MINUTES

August 12, 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 12:48 p.m. on Thursday, August 12, 2021, in the Community Room at Crystal City Hall, 4141 Douglas Drive, Crystal, MN.

Present for Shingle Creek were: 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 Todd Shoemaker, Wenck/Stantec; Troy Gilchrist, Kennedy & Graven; and Judie Anderson, JASS.

Not represented: Brooklyn Center and Brooklyn Park.

Present for West Mississippi were: Melissa Collins, Brooklyn Park; Karen Jaeger, Maple Grove; John Roach, Osseo; Ed Matthiesen, Wenck/Stantec; Troy Gilchrist, Kennedy & Graven; and Judie Anderson, JASS.

Not represented: Brooklyn Center and Champlin.

Also present were: Andrew Hogg, Brooklyn Center; Mitch Robinson, Brooklyn Park; Mark Ray, Crystal; Liz Stout, Minneapolis; Megan Hedstrom, New Hope; Amy Riegel and Ben Scharenbroich, Plymouth; Richard McCoy and Marta Roser, Robbinsdale; and Tom Mathisen, Crystal.

II. Agendas and Minutes.

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

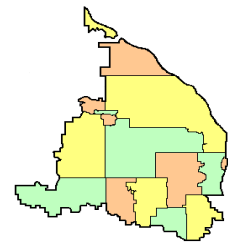
Motion by Jaeger, second by Roach to approve the **West Mississippi agenda** as amended.* *Motion carried unanimously.*

Motion Schoch, second by Grant to approve the **minutes of the July 8, 2021, regular meeting.*** *Motion carried unanimously.*

Motion by Jaeger, second by Roach to approve the **minutes of the July 8, 2021, regular meeting.*** *Motion carried unanimously.*

III. Finances and Reports.

A. Motion by Orred, second by Schoch to approve the Shingle Creek **August Treasurer's Report* and claims** totaling \$107,041.61. Voting aye: Orred, Jaeger, Schoch, Grant, Roach, Polzin, and Sicora; voting nay – none; absent – Brooklyn Center and Brooklyn Park.



B. Motion by Jaeger, second by Roach to approve the **West Mississippi August Treasurer's Report* and claims** totaling \$19,659.38. Voting aye: Collins, Jaeger, and Roach; voting nay – none; absent Brooklyn Center and Champlin.

IV. Open Forum.

V. Project Reviews.

A. WM2021-011: Zachary Distribution Center, Maple Grove.* Construction of a 172,224 square foot distribution center on an 11.4-acre site located at 9450 Zachary Lane. Following development, the site will be 67 percent impervious with 7.77 acres of impervious surface, an increase of 7.68 acres from 0.09 existing acres of impervious surface. A complete project review application was received July 14, 2021.

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.

The applicant proposes to meet water quality requirements by implementing a filtration basin on the eastern side of the site. The majority of runoff from the site will be routed to this onsite basin before discharging into an offsite regional basin. Two sump catch basin manholes are proposed prior to discharging to filtration basin. The filter media is proposed to be MPCA bioretention media mix D, with 2-5% organic matter. The basin contains a non-woven geotextile over a gravel blanket and an underdrain outlet pipe. Applicant meets Commission water quality treatment requirements.

Commission rules require site runoff is limited to predevelopment rates for the 2-, 10-, and 100-year storm events. The majority of runoff from the site will be routed to this onsite basin before discharging into an offsite regional basin. Any stormwater not directed this way will flow west into an existing ditch on the western boundary of the project site. The existing regional basin was also sized for a previous project containing more impervious area and runoff. The applicant meets Commission rate control requirements

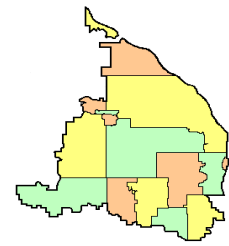
Commission rules require the site to infiltrate or filtrate 1.0 inch of runoff from new impervious area within 48 hours. The new impervious area on this site is 7.77 acres, requiring infiltration of 0.70 acre-feet within 48 hours. The applicant meets Commission volume control requirements by filtration.

The erosion control plan includes rock construction entrances, perimeter silt fence, inlet protection, rip rap at 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 or Public Waters on this site. The applicant meets Commission wetland and Public Waters requirements. There is no FEMA-regulated floodplain on this site. The applicant meets Commission floodplain requirements.

The site is located in a Drinking Water Management Area but is outside the Emergency Response Area. Groundwater must be at least three feet below the filtration basin bottom to ensure proper filtration of water. The applicant meets Commission drinking water protection requirements.

A public hearing on the project is not required, but the applicant has notified all parties within 300 feet of construction, meeting Commission public notice requirements.



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

Motion by Jaeger, second by Roach to advise the City of Maple Grove that Project 2021-011 is approved subject to provision of a complete O&M agreement between the applicant and the City of Maple Grove for all stormwater facilities on the project site. *Motion carried unanimously.*

B. SC2021-007: Aeon Crest II, Brooklyn Center.* Construction of a new apartment building on a 3.25-acre site located at 6221 Shingle Creek Parkway. Following development, the site will be 69.2 percent impervious with 2.25 acres of impervious surface, an increase of 0.86 acres. A complete project review application was received on July 27, 2021.

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 an underground stormwater storage system. The applicant meets Commission water quality treatment requirements.

Commission rules require the site to filtrate 1.0 inch of runoff from new impervious area within 48 hours. The new impervious area on this site is 0.86 acres, requiring filtration of 7531 cubic feet within 48 hours. The applicant proposes to route the water to an underground storage system that has the capacity to filtrate the required volume within 48 hours. The applicant meets Commission volume control requirements.

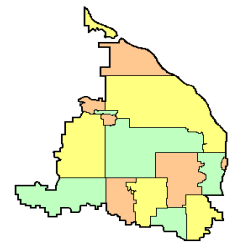
The erosion control plan includes a rock construction entrance, regularly planned street sweepings, perimeter silt fence/biolog, inlet protection, native seed, and erosion control mat. The erosion control plan meets Commission requirements.

The National Wetlands Inventory identifies one probable wetland in the northwest portion of the site. Shingle Creek Commission is LGU for WCA administration. Wetland buffers a minimum of 20 feet in width and averaging 30 feet in width are provided. The applicant meets Commission wetland requirements. According to the grading plan there is no proposed work that will affect the wetland.

The creek on the north side of the property is a Public Water Course. No work is proposed in this area. The applicant meets Commission Public Waters requirements.

There is FEMA 100-year floodplain on the eastern portion of this site. However, the low floor elevations of the building (849 feet) is at least two feet higher than the FEMA 100-year flood elevation of 842 feet and HUC 8 floodplain of 845. The plan set notes floodplain fill to be finalized in a subsequent plan set. The submitted grading plan shows approximately 1657 cubic yards of floodplain creation and 1275 cubic yards of floodplain fill, indicating the applicant has set aside adequate storage to allow for some minor changes to the grading plan. The applicant meets Commission floodplain requirements.

The site is located in a Drinking Water Management Area, but is outside the Emergency Response Area. Therefore, infiltration is permitted, but infiltrated water must first filter through 1 foot of soil, the top four inches of which are amended topsoil, and the bottom 8 inches of which are tilled. The applicant proposes to not infiltrate, but rather to treat water using an underground storage system.



A public hearing on the project was conducted on June 28, 2021, as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

A draft Operations & Maintenance (O&M) agreement between the applicant and the City of Brooklyn Center has not yet been provided.

Motion by Schoch, second by Orred to advise the City of Brooklyn Center that Project SC2021-007 is approved pending provision of a complete O&M agreement between the applicant and the City of Brooklyn Center for all stormwater facilities on the project site. *Motion carried unanimously.*

VI. Watershed Management Plan.

A. The August TAC meeting preceded this meeting. Three topics were discussed by the group – a Ryan Lake update, the Schmidt Creek Feasibility Study, and the West Mississippi Partnership Cost Share Policy. The latter two will be considered by the full Commission later in this meeting. The next TAC meeting is scheduled for 11:30 a.m., prior to the Commissions’ September 9, 2021, regular meeting.

B. Earlier this year the Commission amended the Third Generation Plan to add a project to the West Mississippi CIP - the **Partnership Cost Share project**.* Similar to its counterpart in Shingle Creek, this is intended to be funded by an annual levy and be used to help fund voluntary Best Management Practices (BMPs) on private property.

The proposed Partnership Cost Share Policy is identical to Shingle Creek’s except that it specifically states that Mississippi River streambank restoration projects that meet certain criteria are eligible. To participate, the streambank must have been evaluated using a specific condition assessment method, be experiencing moderate or worse erosion severity, and the improvement must result in a quantifiable sediment load reduction.

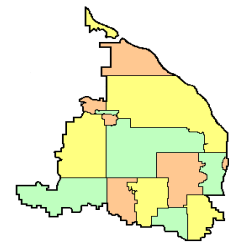
This eligibility relates to the South Metro Mississippi Turbidity TMDL. The TMDL requires a 50% sediment Load Allocation reduction from the contributing watershed. The Load Allocation is defined as “field, ravine, bluff, and stream bank erosion” and is analogous to internal loading from a lakebed or from a streambank. Riverbank stabilization that reduces annual sediment loading from ongoing erosion helps to make progress toward that goal.

The Technical Advisory Committee (TAC) reviewed this proposed policy at its meeting earlier today and recommended that it be approved by the Commission.

Motion by Roach, second by Collins to approve the Partnership Cost Share Program for inclusion on the West Mississippi Commission’s annual CIP. *Motion carried unanimously.*

C. 2021 Capital Improvement Program and Feasibility Studies.* The Commissioners have previously established maximum proposed levies for the 2021 Capital Improvement Program (CIP). The next step in the process is to receive and discuss feasibility studies for the proposed projects and call for a public hearing on those that the Commissioners desire to move forward. Tables 1 and 2 on the following page show the projects under consideration.

There are two capital projects on the Shingle Creek CIP for 2021. The Phase 2 SRP Channel Extension is a continuation of Phase 1, which will be constructed this fall funded by a Hennepin County grant and Closed Project Account funds. The Commission had previously received a feasibility study for that project. The second project is the Palmer Lake Estates Stream Restoration Project. Earlier today the Technical Advisory Committee reviewed a feasibility study proposing specific improvements to a channel



known informally as Schmidt Creek. This channel was formerly part of Upper Bass Creek, but now primarily conveys flow from Schmidt Lake to Bass Lake, so it has come to be called the Schmidt Creek Restoration Project. At the TAC meeting the members made a recommendation to the Shingle Creek Commission to proceed with this project.

Motion by Schoch, second by Orred to proceed with the Palmer Lake Estates/Schmidt Creek and Phase 2 SRP Channel Extension projects. *Motion carried unanimously.*

Table 1 – Shingle Creek 2021 CIP Projects (2022 levy).

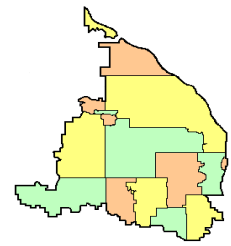
Project	Total Est Cost	City/ Private	Grant	Comm Share	Total Levy
Cost share (city projects)	\$200,000	\$100,000	0	\$100,000	\$106,050
Partnership cost share (private projects)	50,000	0	0	50,000	\$53,025
Palmer Lake Estates (Schmidt Creek) Stream Restoration	600,000	0	0	600,000	636,300
Phase 2 SRP Channel Extension	125,000	0	0	125,000	132,565
Subtotal	\$975,000	\$100,000	\$0	\$875,000	
5% additional for legal/admin costs				43,750	
Subtotal				918,750	
TOTAL LEVY (101% for uncollectable)				\$927,940	\$927,940

Table 2 – West Mississippi 2021 CIP Projects (2022 levy).

Project	Total Est Cost	City/ Private	Grant	Comm Share	Total Levy
Cost share (city projects)	\$100,000	\$50,000	0	\$50,000	\$53,025
Partnership Cost Share (private projects)	100,000	0	0	100,000	106,050
Subtotal	\$200,000	\$50,000	\$ 0	\$150,000	
5% additional for legal/admin costs				7,500	
Subtotal				157,500	
TOTAL LEVY (101% for uncollectable)				\$159,075	\$159,075

1. Cost Share Fund (City Projects). This annual project provides cost sharing to retrofit smaller BMPs on city property on a voluntary basis. The TAC developed policies and procedures to administer these funds and makes recommendations to the Commissions on which projects should be funded. The annual levy is \$100,000, to be matched at least one-to-one by a member city or cities. Applications are open until funds are depleted. Potential cost-share projects for 2022 will be solicited in November-December 2021, but the program is open until all funds have been used.

2. Partnership Cost Share Fund (Private Projects). This annual project provides cost sharing to retrofit smaller BMPs on private property on a voluntary basis. The TAC developed policies and procedures to administer these funds and makes recommendations to the Commissions on which projects



should be funded. The annual levy is \$50,000, and funding does not require a match. Potential cost-share projects are open year-round until the funds are depleted.

3. Palmer Lake Estates Stream Restoration. Included in the meeting packet was the August 6, 2021 **Schmidt and Ives Creek Feasibility Study**.^{*} This project will restore 1250 feet of streambank to improve water quality entering Bass Lake, remove 28 pounds of phosphorus annually, and correct erosion issues currently threatening public infrastructure and private structures.

4. Phase 2 SRP Channel Extension. This is the second phase of a project under construction in 2021. An additional 400 feet of the channel downstream of the 639W wetland overflow weir will be lined with iron-enhanced sand to provide treatment for soluble reactive phosphorous (SRP) that discharges from the wetland under some conditions.

Motion by Schoch, second by Jaeger to proceed to Public Hearing for the Shingle Creek CIP as proposed. *Motion carried unanimously.*

There are no capital projects on the West Mississippi CIP for 2021.

5. Commission Fund for Retrofit Cost Share (City Projects). This annual project provides cost sharing to retrofit smaller BMPs on city property on a voluntary basis. The TAC developed policies and procedures to administer these funds and makes recommendations to the Commissions on which projects should be funded. The annual levy is \$50,000, to be matched at least one-to-one by a member city or cities. Applications are open until funds are depleted. Potential cost-share projects for 2022 will be solicited in November-December 2021, but the program is open until all funds have been used.

6. Partnership Cost Share Fund (Private Projects). New in 2021, this annual project provides cost sharing to retrofit smaller BMPs on private property on a voluntary basis. The TAC developed policies and procedures to administer these funds and makes recommendations to the Commissions on which projects should be funded. The annual levy is \$50,000, and funding does not require a match. Potential cost-share projects are open year-round until the funds are depleted.

Motion by Roach, second by Collins to proceed to Public Hearing for the West Mississippi CIP as proposed. *Motion carried unanimously.*

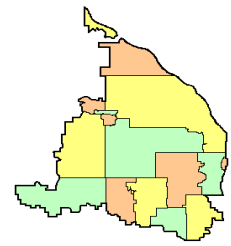
The Public Hearing will be conducted during the Commissions' September 9, 2021, regular meetings. At that time the Commissions will formally order the projects, certify levies to Hennepin County, and authorize the execution of cooperative agreements with the lead cities to contract the ordered projects.

D. Fourth Generation Watershed Management Plan.

In a letter dated July 23, 2021, the Commissioners advised the various planning partners of their intention to begin the process of updating the Plan and requesting the partners' input as it pertains to local water management goals and priorities. This information will be used to guide the Commissions' planning process and align their efforts with those of their local partners. To date, no responses have been received. The date of the **kickoff meeting** is September 9, 2021, concurrent with the Commissions' regular meetings. *Motion carried unanimously.*

VII. Water Quality.

2021 Ryan Lake Subwatershed Assessment.^{*} Shoemaker reviewed the previous study results and recommendations and updated the Commission on work completed since finalizing the study. Stantec recently met with Minnesota DNR staff to better understand potential floodplain impacts and permitting.



Following DNR guidance, Stantec has since updated the HUC8 floodplain study to reflect the permitted discharge from Crystal Lake to Ryan Lake and is now working with the cities of Crystal and Robbinsdale to document a “no-rise” floodplain condition.

VIII. Grant Opportunities.

At last month’s meeting, the Commission authorized Staff to prepare an application for the **Schmidt Creek Restoration Project*** (aka, Palmer Lake Estates Stream Restoration Project). A rough draft of the Board of Water and Soil Resources (BWSR) Clean Water Fund grant application* is included in the meeting packet. The application is due August 17, 2021.

The City of Plymouth engaged Wenck/Stantec to prepare a Feasibility Study for this project. Work is still under way but has progressed far enough that Staff have a better understanding of the most effective stream restoration practices. The City also requested Staff to look for opportunities to include other types of BMPs. Because of site constraints, opportunities are limited, but Staff are continuing to explore.

The estimated cost of this project was originally \$450,000 but was increased to \$600,000 in the event more BMPs could be accommodated. The preliminary estimate, assuming just the stream work, will likely be in the \$300,000 range. Staff will be working with the City to refine this estimate. Last month the Commission set the maximum levy for this project at \$600,000. If the final cost estimate is still significantly lower, Commissioners can choose to reduce the levy at the time of the public hearing in September.

Motion by Orred, second by Roach to submit the application for the Schmidt Creek Restoration Project. *Motion carried unanimously.*

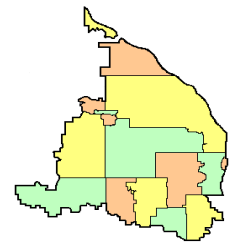
IX. Education and Public Outreach.

The West Metro Water Alliance (WMWA) met on August 9, 2021, with two primary topics of discussion: final edits to the revised Education and Outreach Plan and education and outreach items in the new NPDES General Permit.

A. Education and Outreach Plan.* WMWA adopted its first Education and Outreach Plan in 2010 and updated it in 2015. Each revision reflected the changing scope and focus of WMWA as it matured and as cities’ needs changed. In the meeting packet is the proposed revised Education and Outreach Plan that now focuses on four key activities for WMWA: (1) facilitating sharing of information and materials; (2) developing and disseminating coordinated messaging; (3) actively providing education and outreach via Watershed PREP; and (4) searching and attempting to acquire alternate sources of funding to supplement Commission contributions.

The following is an overview of the major revisions in the proposed 2021 Plan:

1. Added an equity statement affirming the group’s commitment to environmental justice for all and outreach to historically underrepresented groups.
2. Revised the general educational goals for non-single family property owners and managers to focus solely on providing information and guidance on appropriate BMPs.
3. Removed educational goals for developers as cities were seen as being the most appropriate points of contact with these stakeholders.
4. Removed educational goals for training city staff, as those are the responsibility of the cities.



5. Removed educational goals for agricultural property owners and operators as Hennepin County staff have taken on that role acting as the county Soil and Water Conservation District.

6. Added a key educational goal for all the stakeholders to “understand the relationship between climate and water quality and water quantity.”

7. Revised the plan to replace references to the Hennepin County website with the WMWA website.

8. Eliminated Measuring and Monitoring Public Awareness as a major task. One of WMWA’s first activities was sponsoring a professional opinion poll in the four watersheds regarding knowledge and behaviors. WMWA does not expect to repeat that poll due to cost but will build measuring and evaluating into individual activities.

9. Strengthened the Communication and Information Sharing activity to incorporate the website and social media.

10. Eliminate the Develop and Coordinate Regional or Countywide Activities task. Early on, WMWA had sponsored a series of workshops for broader participation but found it to be an inefficient use of time and resources. The group will focus on spreading information about existing activities sponsored by other groups.

Motion by Schoch, second by Orred to adopt the plan as revised. Motion carried unanimously.

Motion by Roach, second by Collins to adopt the plan as revised. Motion carried unanimously.

B. NPDES General Permit.

Each of the four WMOs has authorized \$1,000 of their WMWA special projects budget to be allocated to updating and printing materials specifically to meet the education and outreach requirements of the new NPDES General Permit. The WMWA steering committee discussed general messaging and small groups will take on rewriting certain brochures/flyers. Once the group agrees on text a graphic designer will update the design with a common theme. Written materials to be updated include:

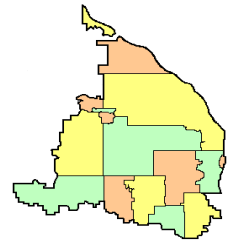
1. Commercial Snow and Ice Brochure
2. Residential Snow and Ice Brochure
3. Salt Envelope Stuffer
4. Pet Waste and Water Pollution Flier (Eden Prairie)
5. Water Softeners and the Environment (not on WMWA website, from the City of Eden Prairie)

C. WMWA is seeking to **hire an educator** and to begin preparing for in-person Watershed PREP classes in the fall.

D. The **next WMWA meeting** is scheduled for 8:30 a.m., Tuesday, September 14, 2021. Virtual or in-person format will be determined at the time the meeting packet is uploaded to the website.

X. Communications.

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



B. Return to In-Person Meetings. A presiding officer statement* to return to in-person meetings was included in the meeting packet. The members continue to discuss the feasibility of meeting in-person in light of the Delta variant. The September meeting will be at the Chairman's call.

C. The City of Plymouth is seeking public comments regarding the reissuance of its Small Municipal Separate Storm Sewer Systems **(MS4) General Permit.*** Comments are due by end of day, Friday, August 20.

XI. Other Business.

XII. Adjournment. There being no further business before the Commissions, the joint meeting was adjourned at 1:50 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Judie A. Anderson". The signature is written in a cursive style.

Judie A. Anderson,
Recording Secretary
JAA:tim

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