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MINUTES
Regular Meeting
October 8, 2015

(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 Tina Carstens, Chair, on Thursday, October 8, 2015, at 12:45 p.m., at the Clubhouse at Edinburgh USA, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present for Shingle Creek were: David Vlasin, Brooklyn Center; Tina Carstens, Brooklyn Park; Janet Moore, Crystal; Karen Jaeger, Maple Grove; Jeff Johnson, Minneapolis; 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: Osseo.

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

Also present were: Andrew Hogg, Brooklyn Center; John Roach and Jesse Struve, Brooklyn Park; Rick Lestina, Maple Grove; Bob Paschke, New Hope; Ben Scharenbroich, Plymouth; Richard McCoy, Robbinsdale; and Deanna Fritz, Upper Twin Lake Homeowners Association.

Not represented: Osseo.

II. **Agendas and Minutes.**

Motion by Jaeger, second by Vlasin 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 Johnson, second by Moore to approve the **minutes of the September 10, 2015 Shingle Creek meeting**.* *Motion carried unanimously.*

Motion by Jaeger, second by Vlasin to approve the **minutes of the September 10, 2015 West Mississippi meeting**.* *Motion carried unanimously.*

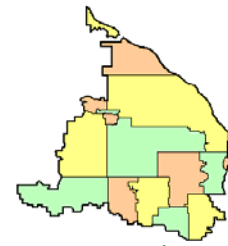
III. **Finances and Reports.**

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

Motion by Jaeger, second by Vlasin to approve the **Shingle Creek October claims**.* Claims totaling \$38,004.08 were *approved by roll call vote*: ayes – Vlasin, Carstens, Moore, Jaeger, Johnson, Wills, Polzin, and Sicora; nays – none; absent – Osseo.

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

*items are included in meeting packet



Motion by Jaeger, second by Butcher to approve the **West Mississippi October claims**.^{*} Claims totaling \$12,491.43 were *approved by roll call vote*: ayes – Vlasin, Carstens, Butcher, and Jaeger; nays – none; absent – Osseo.

IV. Open Forum.

Moore reported on the salt workshop she attended in Minnetonka last evening.

V. Project Reviews.

A. WM2015-06 Villas of Rush Creek Trail, Brooklyn Park.^{*} The proposed residential development will be situated on 15.8 acres with two existing single-family homes located 0.5 miles east of Noble Parkway, between Fallgold Parkway and Abbott Avenue North on the north side 101st Avenue. The site is in a predominantly residential area with stormwater flowing into the city storm sewer. Following construction, stormwater will be directed into a dry pond and infiltration basin before discharging to the city storm sewer. Following development the site will be 38% impervious, an increase of 6.04 acres. A complete project review application was received on September 2, 2015.

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. Filtration of the first 1.3" runoff from the site within 48 hours also meets Commission requirements for water quality.

Runoff from the site is proposed to be routed through two basins. Drainage from the west will be routed through a dry pond before discharging to the east infiltration basin. The east infiltration basin will receive runoff from rooftops, backyards, and a portion of the new road through the development. The infiltration basin will discharge south into the existing storm sewer. The applicant meets the Commission's water quality treatment requirements.

Commission rules require that site runoff be limited to predevelopment rates for the 2-, 10-, and 100-year storm events. Runoff from the site is directed through two basins in the development before discharging to the existing city storm sewer. 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 or filtration of 1.3". The new impervious area on this site is 6.04 acres, requiring that 0.67 acre-feet be infiltrated within 48 hours. The applicant proposes to infiltrate runoff through a dry pond and infiltration basin that have the capacity to infiltrate the required volume within 48 hours, meeting Commission requirements. The applicant will conduct a post-construction infiltration test on the infiltration basin to verify the infiltration rates used in the design. If not met, corrections will be made to meet the design infiltration rates.

The NWI does not identify any wetlands on site. There are no Public Waters on this site. According to FEMA there is no 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 basin and dry pond according to Atlas-14 precipitation, meeting Commission requirements. There is no known contaminated soil/groundwater according to the project engineer. Infiltration will not cause detrimental effects to the groundwater.

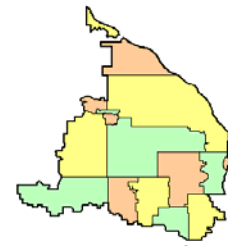
An erosion control plan was submitted with the project review, and includes a rock construction entrance, perimeter silt fence, inlet protection, and native seed specified on the pond slopes. The erosion control plan meets Commission requirements.

A public hearing on the project was conducted on September 28, 2015 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

Motion by Vlasin, second by Butcher to advise the City of Brooklyn Park that project WM2015-06 is approved with the following conditions.

1. Receipt of an O&M Agreement meeting the requirements of the City of Brooklyn Park.

^{*}items are included in meeting packet



2. Conduct a post-construction infiltration test on the infiltration basin to verify the infiltration rates used in the design. If not met, then make corrections as necessary to meet the design infiltration rates.
3. Show easements for inlets and outlets on the grading plan.
4. Seed mixture for the filtration area was not specified on erosion control plan or landscaping plan. The following seed mixes are allowed between the NWL and HWL: 33-261 or 34-271 or equivalent. See Shingle Creek/West Mississippi Watershed Management Commission Rules Appendix A – Wet Pond Design Standards. Appropriate seed mixes for the side slopes: 35-221 (dry) or 35-241 (mesic).

Motion carried unanimously.

B. WM2015-07 Zachary Lane Business Center, Maple Grove.* The proposed development is located between County Road 81 and MN Highway 610, on the east side of Zachary Lane. The proposed site is 11.45 acres that will be developed for two light industrial buildings. Currently the land is vacant and stormwater flows off site to city storm sewer. Following construction, stormwater will be directed to a filtration basin on the south end of the property before flowing to a regional stormwater basin. Following development the site will be 75% impervious, an increase of 8.62 acres. A complete project review application was received on September 4, 2015.

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. Filtration of the first 1.3" runoff from the site within 48 hours also meets Commission requirements for water quality.

Runoff from the site is proposed to be routed through a filtration basin before discharging to a regional pond south of the proposed development. Rate control and volume management will be achieved in the regional pond south of the site, 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. Runoff from the site is directed to a filtration basin before discharging to a pond south of the site. It is confirmed that the pond was sized to include this area as a commercial development with 85% impervious area. 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, or filtration of 1.3". The new impervious area on this site is 8.62 acres, requiring that 40,678 CF be infiltrated within 48 hours. The applicant proposes to filtrate the first 0.5" of water through the on-site filtration basin. The remaining runoff will flow to a regional dry basin to the south of the site where water quality, rate control and volume management will be achieved. This method meets Commission requirements for rate control and volume management.

The NWI does not identify any wetlands on site. There are no Public Waters on this site. According to FEMA there is no floodplain on this site. The low floor elevations of the buildings are at least two feet higher than the high water elevation of the filtration basin according to Atlas-14 precipitation, meeting Commission requirements. There is no known contaminated soil/groundwater according to the project engineer.

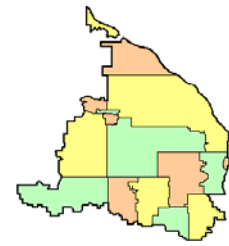
An erosion control plan was submitted with the project review, and includes rock construction entrances, perimeter silt fence, and native seed specified on the pond slopes. Silt fences need to be placed around the perimeter of the filtration basin following mass grading to prevent compaction of the engineered soils.

A public hearing on the project has not been held but it is anticipated it will be held before the Planning Commission as early as October 26.

Motion by Jaeger, second by Butcher to advise the City of Maple Grove that project WM2015-07 is approved with the following conditions.

1. Provide an O&M Agreement meeting the City's recommendations.

*items are included in meeting packet



2. Place silt fences along the perimeter of the filtration basin at outlet elevation to prevent compaction of soils.
3. Seed mixture for the filtration area was not specified on erosion control plan or landscaping plan. The following seed mixes are allowed between the NWL and HWL: 33-261 or 34-271 or equivalent. See Shingle Creek/West Mississippi Watershed Management Commission Rules Appendix A – Wet Pond Design Standards. Appropriate seed mixes for the side slopes: 35-221 (dry) or 35-241 (mesic).
4. Provide documentation that a public meeting has been held for this project.

Motion carried unanimously.

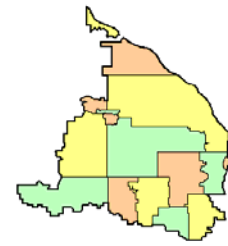
C. West Broadway Avenue (CSAH 103) EAW.* Hennepin County proposes to reconstruct approximately two miles of County State Aid Highway (CSAH) 103 (Broadway), from about Candlewood Drive in Brooklyn Park to north of CSAH 30 (93rd Avenue) in Brooklyn Park, and make some improvements to the major cross streets 85th Avenue and 93rd Avenue. This roadway passes through both the Shingle Creek and West Mississippi watersheds. This project has potential stormwater, wetland, floodplain, and stream crossing impacts. The County prepared an Environmental Assessment Worksheet (EAW) for this project, and has submitted it for agency comment. Comments are due October 28, 2015.

The purpose of an EAW is to identify potential impacts, assess their magnitude, and identify potential mitigation measures. The EAW is not required to present detailed solutions to each potential impact. In fact, EAWs and other environmental reviews are conducted in the early stages of a project, and usually have only conceptual designs available to estimate impacts. Final mitigation measures are most often developed as part of the final project design and must be submitted for review and approval by the appropriate permitting or review agencies such as the Commissions as part of the final project approval.

The proposed project would reconstruct CSAH 103 as a four lane urban roadway with intersection improvements and a pedestrian/bicycle trail and is being designed to accommodate future LRT (Blue Line extension). Parts of the roadway are currently a rural section; those segments will be upgraded to an urban section with curb and gutter and stormwater management. Staff have the following comments:

1. Section 11.a.i. of the EAW notes that Eagle Lake and Magda Lake are Impaired Waters within one mile of the project area, but does not identify Shingle Creek itself as impaired for chloride, dissolved oxygen, macroinvertebrate biotic integrity, and *E. coli* as listed on the draft 2014 303(d) List. The Shingle Creek Chloride TMDL and the Bass and Shingle Creeks Biota and Dissolved Oxygen TMDLs assign categorical wasteload chloride and nutrient reductions to Hennepin County as a permitted MS4.
2. Section 12.a.i. describes Shingle Creek in the project area as County Ditch #13 under the administration of Hennepin County, which is incorrect. The County Ditch #13 designation only applies between Xerxes and 44th Avenues N, and does not apply to the Creek in the project area.
3. Section 12.a.ii identifies Shingle Creek as a Public Waters Watercourse in the project area. While shown on Figure 4-2 and noted in Table 6, the text does not call out Century Channel, which is also a Public Waters Watercourse. Figure 4-2 and elsewhere in the EAW refer to that stream as Mattson Brook, which is incorrect. Century Channel is tributary to Edinbrook Channel, which is tributary to Mattson Brook at Dupont Avenue N.
4. Section 12.b.ii and Appendix 4 describe the proposed drainage system and potential BMPs that could be incorporated into the project. Appendix 4 accurately describes the Commissions' current regulatory requirements for stormwater, wetland impacts, floodplain impacts, crossing modifications, and erosion control. This project will require Commission review and will be subject to meeting the Rules and Standards in place at the time of application.
5. Section 12.b.iv estimates there will be 3.9 acres of unavoidable wetland fill on this project. The Commissions act as LGU for WCA administration in Brooklyn Park. The EAW notes that Setzler Pond,

*items are included in meeting packet



identified as Wetland 21, was constructed in 1997 for stormwater management and thus impacts to it will not be considered as wetland impacts. The West Mississippi Commission disagrees with this assessment. Historic aerial photos show that Setzler Pond was excavated partially in the footprint of Century Channel, which appears to be a channel with fringing wetland. At least some part of this pond was historically wetland and the Commission, acting as LGU, will consider this when evaluating the extent of wetland impacts. The County is advised to work closely with the Commissions early in the project design to minimize unavoidable impacts and to mitigate as much as possible on site.

6. Section 19.c. sub-item Water Resources/Wetlands describes the potential cumulative effects of the project and others slated for the general project area. However, it does not address a cumulative impact of great importance to Shingle Creek: chloride impairment. The project will add new impervious surface, will in some places increase the cross section from two to four lanes, and will add turn lanes. The additional impervious area will require application of additional road salt for ice control. Hennepin County is one of 11 MS4s assigned a 71 percent categorical chloride wasteload reduction in the approved Shingle Creek chloride TMDL. The application of additional road salt on the new impervious surface will exacerbate the already deleterious effects of road salt applied to increased imperviousness in the drainage area to Shingle Creek. The County should identify policies and practices it will use to mitigate this potential additional chloride load.

Motion by Johnson, second by Sicora authorizing Staff to submit their review comments to Hennepin County. *Motion carried unanimously.*

Motion by Jaeger, second by Butcher authorizing Staff to submit their review comments to Hennepin County. *Motion carried unanimously.*

VI. Water Quality.

Matthiesen provided an update on the following projects:

A. **Connections at Shingle Creek.** Crews began marking trees on October 7.

B. **Shingle Creek Reaeration Project.** Staff met with Jack Becker, Forecast Public Art, who will draft an RFQ for potential artists. The cities of Brooklyn Center and Brooklyn Park were asked to identify participants in the next project meeting.

C. **Shingle Creek Biochar/Iron Sand Bacteria Filters.** The contract has been executed.

VII. Watershed Management Plan.

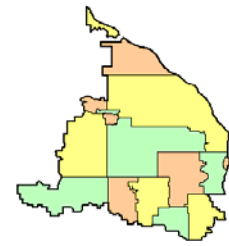
A. **Annual Review.*** The Third Generation Watershed Management Plan states that the Commissions will annually review progress toward their Third Generation goals, and that this evaluation will become part of the Annual Report. This was not done in 2014, the first year following adoption of the plan. In their October 2, 2015 memo,* Staff provided a simple format with some draft evaluation language for Commissioner review.

The purpose of the annual review is first to determine progress towards the goals, and second to be sure the Commissions stay on track to reach them. The annual review is also an opportunity to discuss whether the goals and actions in the Plan still make sense or if they should be considered for modification or enhancement, perhaps to add in new priorities. This annual review is also an opportunity to start thinking about next year's work plan.

The draft review charted the Plan's stated goals for water quantity, water quality, groundwater, wetlands, drainage systems, and operations and programming; the Commissions' action in 2015; completion to date; and progress toward the goals. Staff also inquired whether there was additional information that would be useful to be included in the report. It was suggested that links to the Commissions' and other websites be included.

The Commissioners will review the report and accept it at the November meeting.

*items are included in meeting packet



B. Minor Plan amendment. As noted at the September meeting, the Board of Water and Soil Resources has completed its revisions to MN Rules 8410, effective July 13, 2015.

For the Commissions, an important revision is a change in the types of plan amendments that must be completed by major plan amendment versus minor plan amendment. The revised 8410 now allows projects to be added to or revised within the CIP by minor amendment instead of major amendment, as long as the County does not object. Randy Anhorn, Hennepin County Environment and Energy Department, has stated that he does not believe adopting the new 8410 provisions will be an issue with the County.

At the September meeting Staff were directed to proceed with a Minor Plan Amendment to adopt the 8410 revisions. This process requires a 30-day comment period followed by a discussion at a legally-noticed public meeting. The public meeting will occur at the Commission's November 12 meeting. Included in the meeting packet were copies of the published legal notice* and the amendment language.*

VIII. Education.

A. Water Quality Education Grant.* The Commissions have received an education grant application from the Victory Neighborhood Association (ViNA) in Minneapolis to assist in installing interpretive signage at Ryan Lake. The signage will provide park users with information about the role of shoreline buffers and be placed near the restored shoreline on Ryan Lake, and the value of rain gardens and their role in protecting and improving lake water quality. It will be placed adjacent to a new rain garden that will receive runoff from Xerxes Avenue N and from a small plaza. ViNA and the Minneapolis Park and Recreation Board (MPRB) are teaming to add improvements to the new Ryan Lake Park. The Education and Public Outreach Committee (EPOC) has reviewed the application and recommends approval.

Motion by Johnson, second by Moore to approve the application. Motion carried unanimously.

Motion by Vlasin, second by Jaeger to approve the application. Motion carried unanimously.

B. Website. Spector previewed the updated (new) Commission website. Commissioners indicated things they would like to see on the site. The Commissioners will be notified when it is live.

C. The next **West Metro Water Alliance (WMWA)** meetings are scheduled for October 13 and November 10, 2015.

IX. Grant Opportunities and Updates.

Guidelines* and an application form* for the **Hennepin County "Good Steward" Grants** were included in the meeting packet. The grants would provide financial and technical assistance to implement BMPs that preserve and/or restore critical habitats. Matthiesen will forward this information on to the member cities.

X. Communications.

Communications Log.* No action required.

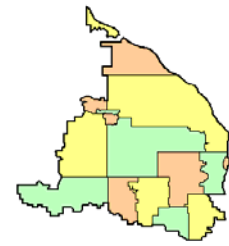
XI. Other Business.

A. Hennepin County will be acquiring **pictometry aerial imagery*** and analysis tools and will share access to this system with the Commissions at no cost. The County has captured pictometry imagery in 2006, 2008, and 2011. Historical imagery is also available. Users will be able to access the imagery and analysis tools through an online service named Pictometry Connect. The Hennepin County GIS Office will be administering access to the system and work with the Commission's point of contact in taking the necessary steps to provide staff access.

Motion by Johnson, second by Moore to execute the user agreement with Hennepin County. Motion carried unanimously.*

Motion by Butcher, second by Vlasin to execute the user agreement with Hennepin County. Motion carried unanimously.*

*items are included in meeting packet



B. Adjournment.

There being no further business before the Shingle Creek Commission, motion by Jaeger, second by Moore 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 3:19 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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