

MINUTES

November 4, 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 12:45 p.m. on Thursday, November 4, 2021.

Present for Shingle Creek were: Alex Prasch, Brooklyn Park; Burt Orred, Jr., Crystal; Karen Jaeger, Maple Grove; Ray Schoch, Minneapolis; Robert Grant, New Hope; John Roach, Osseo; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Ed Matthiesen, Diane Spector, Katie Kemmitt, Erik Megow, and Todd Shoemaker, Stantec; Sam Ketchum, Kennedy & Graven; and Amy Juntunen and Judie Anderson, JASS.

Not represented: Brooklyn Center.

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

Not represented: Brooklyn Center.

Also present were: Andrew Hogg, Brooklyn Center; Melissa Collins, Brooklyn Park; Mark Ray, Crystal; Derek Asche, Maple Grove; David Lemke, New Hope; Amy Riegel and Ben Scharenbroich, Plymouth; Richard McCoy and Marta Roser, Robbinsdale; and Stephen Mastey and Lisa Van Der Pol, Landscape Architecture, and Tara Anderson, Crescent Cove, for Item IV.

II. Agendas and Minutes.

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

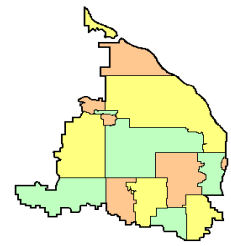
Motion by Jaeger, second by Johnson to approve the **West Mississippi agenda** as amended.* *Motion carried unanimously.*

Motion Schoch, second by Roach to approve the **minutes of the October 14, 2021, regular meeting.*** *Motion carried unanimously.*

Motion by Jaeger, second by Prasch to approve the **minutes of the October 14, 2021, regular meeting.*** *Motion carried unanimously.*

III. Finances and Reports.

A. Motion by Schoch, second by Grant to approve the Shingle Creek **November Treasurer's Report* and claims** totaling \$50,496.56 . Voting aye: Prasch, Orred, Jaeger, Schoch, Grant, Roach, Polzin, and Sicora; voting nay – none; absent – Brooklyn Center.



B. Motion by Johnson, second by Jaeger to approve the **West Mississippi November Treasurer's Report* and claims** totaling \$37,854.28. Voting aye: Prasch, Jaeger, and Johnson; voting nay – none; absent – Brooklyn Center and Champlin.

IV. Open Forum.

Mastey, T. Anderson, and VanDerPol presented a pictorial update of the **Crescent Cove Project**. The final pictures showed how the spaces are being enjoyed by the children, their parents, birds, butterflies, and even turtles.

[Butcher arrived 1:15 p.m.]

V. Project Review.

SC2021-09: Schmidt Lake Woods Drainage Improvement Project, Plymouth.* Re-creation of a channel in the wetland, pond dredging and pipe busting of existing storm sewer on a site located in the southwest corner of Zachary Lane and CP Railroad. The project review application was received on October 13, 2021. The site is 4.65 acres. Following development, the site will be 0 percent impervious with 0 acres of impervious surface, an increase of 0 acres.

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. This project is not creating any new impervious area; therefore, this requirement does not apply.

Commission rules require that site runoff is limited to predevelopment rates for the 2-, 10-, and 100-year storm events. There is no change in land use nor any additional impervious surface. The applicant meets Commission rate control requirements.

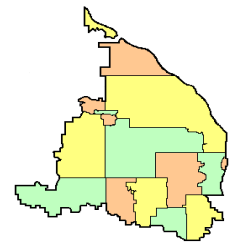
Commission rules require the site to infiltrate 1.0 inch of runoff from new impervious area within 48 hours. The applicant proposes no infiltration. This Project is not creating any new impervious area; therefore, this requirement does not apply.

The erosion control plan includes 2 rock construction entrances, floating silt fence surrounding detention ponds/infiltration basins and inlet protection. The erosion control plan meets Commission requirements.

The National Wetlands Inventory identifies a 1.6-acre freshwater pond on the northwest portion of the site. The City of Plymouth is the LGU for WCA administration. No loss of wetland is proposed, just a re-creation of the wetland channel. The applicant meets Commission wetland requirements.

There are no Public Waters on this site. The applicant meets Commission Public Waters requirements. There is no FEMA-regulated floodplain on this site and there are no proposed buildings. The applicant meets Commission floodplain requirements.

The site is located in a Drinking Water Management Area but is outside of 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 no infiltration. The applicant meets Commission drinking water protection requirements.



The City of Plymouth engineering staff sent letters to and met with each adjacent property owner in July and August 2021 informing them of the proposed project, meeting Commission public notice requirements.

A draft Operations & Maintenance (O&M) agreement between the applicant and the City of Plymouth is not needed because the City is responsible for the maintenance.

The Project Review Fee has not been received.

Motion by Orred, second by Schoch to advise the City of Plymouth that project SC2021-02 is approved conditioned upon receipt of the project review application fee. *Motion carried unanimously.*

VI. Fourth Generation Watershed Management Plan.

In October the Commission reviewed water quality trends and completed a whiteboard exercise to identify areas of success and shortfalls over the past ten years. The Commissioners also explored areas of focus for the coming ten years. Recaps* of these discussions are included in the meeting packet.

The Commissioners reviewed the whiteboard results to come to a consensus on the successes/lack of successes in order to complete the Self-Assessment portion of the Fourth Generation Plan. They also discussed potential areas of focus. They reviewed the Third Generation Plan goals and policies and identified those that continue to be relevant and those that likely will need to be modified. They also identified potential additions. The purpose of this discussion was to begin to establish a framework to consider when working through specific programmatic discussions.

One thing that stood out during the whiteboarding was a desire to be more active in chloride management. If the Commissions choose to make that an area of focus then, as they work through the monitoring program review, the rules review, the sustainability discussion, and discussions regarding education and outreach, they must consider how this program or these actions can relate to and help them work towards their chloride management goals. By next spring, after those more detailed program discussions have occurred, the Commissions will revisit the goals and policies and translate “be more active in chloride management” into a series of very specific goals and actions.

Based on what they heard during the whiteboarding, Staff are researching other watersheds similar to Shingle Creek/West Mississippi to see what kinds of priorities they have identified in their plans and will incorporate those findings into the discussion.

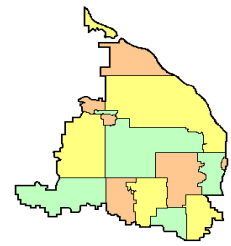
The Citizen Advisory Committee (CAC) process will be discussed -- what kind of review/input would the Commissions and Technical Advisory Committee (TAC) like to get from the individual city CACs? Given how difficult it may be to get meetings scheduled in November/December, Staff recommend pushing the first CAC meetings back to January.

At the December meeting members will complete the Self-Assessment by reviewing TMDL implementation status. Staff are currently working with the implementation data that cities compiled as part of their NPDES permit applications as well as data compiled as part of the series of TMDL Five Year Reviews. The secondary topic for December will be discussion of maintenance options and funding.

Staff’s memo* included a Gantt chart* of activities associated with the planning process.

VII. Water Quality.

A. Hennepin County Chloride Initiative.* The Hennepin County Chloride Initiative (HCCI) met on September 20, 2021, for a progress report on the various actions currently underway. A “small group” of



partners, including Spector, has met a few times since that meeting to proceed on one of the actions presented below. (The HCCI is a collaborative initiative of the 11 watersheds in Hennepin County, funded by about \$111,000 set aside from the last round of Watershed-Based Funding provided by the Board of Water and Soil Resources (BWSR).) Scharenbroich from Plymouth is the Shingle Creek representative to HCCI and Hogg from Brooklyn Center is the West Mississippi representative. The HCCI is currently chaired by Laura Jester, administrator of the Bassett Creek WMO, and the fiscal agent is the Riley-Purgatory-Bluff Creek Watershed District. The following is a brief overview of the various ongoing items.

1. Chloride Barriers Research. HCCI had previously worked with Fortin Consulting and a graduate student at the U of M to undertake interviews and with private salt applicators to assess their knowledge of salt contamination issues and barriers to change. The purpose was to develop and guide more targeted programming and messaging county-wide. The results were discussed in an HCCI update memo a few months ago but, because it is relevant to other activities below, here is a brief overview of the findings:

a. Client demand was the most cited barrier to salt reduction. Many applicators felt that, without the pressure to meet client requests, they would be able to implement more mindful salting practices.

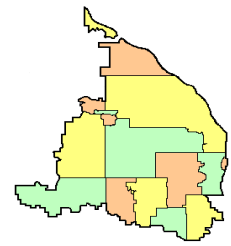
b. Legal concerns were a motivating factor for almost all participants. Fear of being sued over a slip-and-fall injury was motivation enough to continue with the status quo.

c. Inherent in the liability and client demands are the end-user. Winter maintenance operators are looking to avoid lawsuits from their clients, and their clients, in turn, are worried about slip-and-falls from the end-users of their properties. Others felt that the end-users themselves are not doing everything they can to avoid a slip-and-fall and are putting too much onus on the applicators.

2. NEW Marketing Campaign RFP.* A “small group” has met several times to brainstorm ideas for developing educational materials and/or a media campaign for targeted audiences. The group noted that property managers are likely the highest priority group to target because they have the most control over property maintenance and drive the decision for how much and when to apply salt. The group discussed outreach to different audiences or sectors of property managers and potentially effective communications avenues and landed on creating an outreach/marketing campaign specifically designed to engage and build relationships with boards or committees of homeowner’s associations and faith-based communities to empower these groups with the knowledge and tools to influence their property managers. The aim is to build a grassroots effort to change the paradigm about winter maintenance practices starting with where people live and worship, and then moving on to where they work and shop.

The small group has developed an RFP to hire a marketing firm to develop a marketing plan for targeted education and outreach efforts. While this is focused on a narrow target audience, the expectation is that the work products can be repurposed and used for other target audiences as well.

3. Winter Maintenance Plan Template Project.* The purpose of this project is to develop common templates for winter maintenance that can be used by property managers, cities, etc. to specify approved maintenance actions. Fortin Consulting worked with an advisory board of property managers and applicators to understand their issues and what might be helpful and not be unduly burdensome to implement. Many of those discussions centered around liability. It was also noted that at least two WMOs in the county require winter maintenance plans to be submitted by developers at the time of watershed permit review and approval. It was noted that the developers usually have no connection to the ultimate property managers, and that may not be the most appropriate point in the process. The final draft of the template was



included in the meeting packet. As the Commissioners and TAC work through the Fourth Generation Plan there will be more discussion about chloride management.

4. Parkers Lake Chloride Project Facilitation Plan. The City of Plymouth has been working with its consultant to compile data and meet with a technical advisory committee.

5. Training. Several of the HCCI partners have been contracting with Fortin Consulting and/or MPCA to host workshops for applicators. Most of the workshops have been targeted to applicators working within that particular partner's watershed or city and are reaching saturation in their small geographic area. An option for using some of the funds is to offer several workshops throughout the county and make them more widely available. There is also the possibility for hosting shorter, refresher type courses for applicators who have already gone through the certification training. There are several thousand dollars of grant funds not yet committed to other activities that may be available to use for this purpose. The grant period has been extended one year to December 31, 2022.

B. Gaulke Pond and Crystal Lake Pump Operating Plan.* Shoemaker presented the updated plan which was amended October 27, 2021. Motion by Schoch, second by Orred to accept the amended plan. *Motion carried unanimously.*

C. Meadow Lake Drawdown.* The Commission and the City of New Hope have partnered to complete a number of management actions as part of the Meadow Lake Management Plan. These include this winter's whole lake drawdown followed by future alum treatments and fish and aquatic vegetation management and monitoring. This project is being funded by the Commission through levy and two different grants from the Board of Water and Soil Resources.

Up to this point, the Commission and the City have been operating under a Memorandum of Understanding regarding the drawdown portion of the project, with the understanding that at some point in the future the two parties would enter into a formal cooperative agreement. Now that the two grants are in hand and the levy has been certified, it is appropriate to enter into that Cooperative and Subgrant Agreement.

Included in the meeting is the agreement.* It specifies that the Commission will reimburse the City for its costs associated with the drawdown and alum treatment, and the Commission will be responsible for the costs of monitoring and project management. It also specifies that the Commission may use grant proceeds to reimburse the City, and that the City agrees to abide by the terms of those grant contracts.

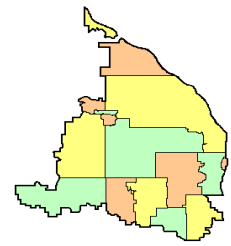
The agreement has been reviewed by the Commission's attorney. At its October 25, 2021, meeting the New Hope City Council reviewed the agreement and authorized its execution.

Motion by Grant, second by Schoch to approve the agreement and authorize the Chairman to execute it. *Motion carried unanimously.*

D. The November Technical Advisory Committee (TAC) meeting scheduled to precede this meeting was cancelled. The next TAC meeting will be held via Zoom and is scheduled for 11:00 a.m., prior to the Commissions' December 9 meeting.

VIII. Grant Opportunities.

A. FY22 Watershed-Based Implementation Funding (WBIF). The Board of Water and Soil Resources (BWSR) biennially appropriates funding for its WBIF program. This pot of funding from the Land and Legacy Amendment supplements the funding made available through the Clean Water Fund (CWF)



Projects and Practices grants. While those are competitive grants for specific projects, the WBIF funding is allocated to targeted watersheds. The BWSR Board recently approved allocations of the fiscal year 2022 (FY22) funding, which will become available July 1, 2022. Both the Shingle Creek and the West Mississippi Commissions have been awarded funding.

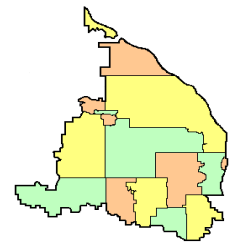
Outside the Metro area, BWSR has been working with counties, Soil and Water Conservation Districts (SWCDs), and watershed districts to prepare comprehensive studies called One Watershed One Plans (1W1Ps). For Greater Minnesota watersheds that may be 1,000 square miles or more in area and encompass two or more counties, these 1W1Ps are attempts to plan collectively across counties, cities, and watershed districts. Following completion of their plans, these consortia of agencies can receive noncompetitive WBIF funding to jump start implementation.

In the Metro area, cities have been completing such plans (at a smaller scale) since the early 1980s. In 2018, BWSR realized the Metro partners were missing out on the opportunity for noncompetitive funding and allocated WBIF funding for Metro watersheds. In 2018 BWSR allocated funding to each of the seven Metro counties, and then asked the watersheds and cities in each county to develop their own method of deciding how to spend it. The eleven watersheds in Hennepin County elected to allocate 10% of the funds to the Hennepin County Chloride Initiative and to allocate the rest to the watersheds based on their size and tax capacity. Shingle Creek received \$68,129 and West Mississippi \$35,442. Both elected to use those funds to supplement cost-sharing for projects. In 2020, BWSR allocated funds in a different way. Instead of allocating to counties, the funding was allocated to basins. Shingle and West Mississippi are in the Metro-Mississippi Twin Cities West basin partnership. That group chose to use a competitive process and requested the watersheds and cities in the basin to submit grant requests for specific projects. Shingle Creek was awarded \$40,000 for the Meadow Lake Drawdown and \$70,000 for the Bass Creek Restoration Project.

Having had two different allocation processes in as many biennia, BWSR held several Listening Sessions to take feedback and help in making the decision on how to allocate FY22 funds. On October 27, 2021, the BWSR Board approved an allocation process that would allocate funds to Metro watersheds with “a \$75,000 minimum per watershed planning area inside of the Metro, and a distribution of funds based on a weighting of 90% private land and 10% on public waters to all eligible areas.” Staff are in contact with BWSR staff to learn more about that method, timing, funding availability, etc. It does look like project requirements include a minimum 10% match, that they must be load reduction practices, and could be structural or non-structural. Table 1 in Staff’s October 29, 2021, memo* shows that the West Mississippi Commission will be granted \$75,000 in funding, while the Shingle Creek Commission will receive \$95,501.

B. Conservation Corps. Following passage of the Clean Water, Land, and Legacy Amendment the Minnesota Legislature directed BWSR to appropriate \$500,00 of the Clean Water Fund to be contracted for services with the Conservation Corps on an annual basis. BWSR contracts with the Corps to provide funded labor to cities, counties, soil and water conservation districts, metropolitan watershed management organizations, watershed districts, and joint powers organizations of those government units to undertake projects consistent with the Corps’ mission, BWSR grant policies and CWF goals. Funds are available for Corps crew labor only on projects with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams and/or protecting groundwater and drinking water sources from degradation. There are no minimum match requirements, but applicants must itemize local financial contributions. Application deadline is December 15, 2021. <https://conservationcorps.org/partner/clean-water-funding/>

C. Spector announced that \$870,000 in **planning grants for stormwater, wastewater, and community resilience** are available from the MPCA. Deadline to apply is December 21, 2021. [Apply now:](#)



Planning grants for stormwater, wastewater, and community resilience | Minnesota Pollution Control Agency (state.mn.us)

IX. Education and Public Outreach.

The West Metro Water Alliance (WMWA) met on October 12, 2021. Emphasis was on finalizing flyers for water softener use, pet waste, and chloride. A graphic designer has been selected.

Five resumes have been received for the **Watershed PREP educator position**. Roach has been assisting with the interview process and a finalist should be identified at the November WMWA meeting.

The **next WMWA meeting** is scheduled for 8:30 a.m., Tuesday, November 9, 2021. This will be a Zoom meeting.

X. Staff Report.

No staff report this month.

XI. Communications.

October Communications Log.* No items required action.

XII. Other Business.

XIII. Adjournment. There being no further business before the Commissions, the joint meeting was adjourned at 2:53 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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