



3235 Fernbrook Lane N • Plymouth, MN 55447
Phone (763) 553-1144 • Fax (763) 553-9326

www.shinglecreek.org

MINUTES April 10, 2008

I. A meeting of the West Mississippi Watershed Management Commission was called to order by Chair Tina Carstens on Thursday, April 10, 2008, at 3:21 p.m., at Lancer at Edinburgh, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present were: Kathleen Carmody, Brooklyn Center; Tina Carstens, Brooklyn Park; Mark Gustafson, Champlin; Karen Jaeger, Maple Grove; Charles LeFevere, Kennedy & Graven; Ed Matthiesen, Wenck Associates, Inc.; and Judie Anderson, JASS.

Also present: Shelley Schwaninger, Brooklyn Center; Gary Brown, Brooklyn Park; and Barb Peichel, Minnesota Pollution Control Agency (MPCA).

Not represented: Osseo.

II. Motion by Carmody, second by Jaeger to **approve the agenda**. Motion carried unanimously.

III. Motion by Jaeger, second by Carmody to approve the **minutes of the March 13, 2008 meeting**. Motion carried, Carstens abstaining.

Motion by Gustafson, second by Jaeger to approve the **minutes of the February 14, 2008 meeting** as corrected. Motion carried, unanimously.

IV. Motion by Carmody, second by Gustafson to approve the **Treasurer's Report**. Motion carried unanimously.

V. Motion by Carmody, second by Gustafson to approve the **April claims**. Claims totaling \$9,753.41 were approved by roll call vote: ayes – Carmody, Carstens, Gustafson, and Jaeger; nays - none; absent – Osseo.

VI. Open Forum. No one wished to speak.

VII. Communications. The Commissioners received copies of **March Communications Log**. No action required.

VIII. Water Quality.

A. The Commissioners received a copy of the **2007 Annual Water Quality Report**. It details the findings of the various monitoring programs undertaken in the SC/WM watersheds in 2007. It discusses stream, lake and biological monitoring. The wetland monitoring data will be added to the report when it becomes available. Joe Bischoff will make a presentation of the 2007 results at a future meeting.

B. Motion by Carmody, second by Gustafson to approve the **2008 Wetland Health Evaluation Program (WHEP)** agreement in the amount of \$1,000.00. Motion carried unanimously.

C. At the Shingle Creek meeting, Peichel presented an overview of the upcoming **Upper Mississippi River Bacteria TMDL Project**. There are a number of Upper Mississippi River reaches impaired for bacteria (fecal coliform) according to the MPCA's 303(d) Impaired Waters List. The MPCA and MN Department of Health are beginning a Total Maximum Daily Load (TMDL) Study to address these impairments. The goal of this project is to describe the reduction in pollutant loading and implementation activities needed so that Upper Mississippi River reaches can meet the water quality standard for *E. coli*. In meeting this goal, the implementation of best management practices in critical areas could help meet the requirements of both the Clean Water Act (CWA) and Safe Drinking Water Act (SDWA).

MPCA is seeking individuals to serve on the Stakeholder Advisory Team (SAT) and Technical Advisory Committee (TAC) for the TMDL to represent the Shingle Creek and West Mississippi Commissions and their member cities. It is recommended that TAC involvement include city staffs who work on stormwater permits. At least one to two meetings will be held annually with each group at key points during the project. The first joint meeting of the SAT and TAC will likely be held in May 2008. Motion by Jaeger, second by Carmody to appoint



Peggy Willenberg, Commissioner from Plymouth, to represent the joint Commissions. Motion carried unanimously. Anderson will also contact the City of Champlin to determine their interest in sending a staff person as well.

IX. Project Reviews. There were no projects.

X. Second Generation Plan.

A. The **major plan amendment** revising the Capital Improvement Program (CIP) adds the Crystal Twin Oak Pond project to the 2008 CIP and splits the Wetland 639W project into two phases over two years. Two 2009 projects would be moved to 2010. (While these projects are in the Shingle Creek watershed, they are being considered by the West Mississippi Commission as components of the *joint* CIP.) The proposed revision was distributed for 60-day review to the member cities; Hennepin County; and the review agencies including BWSR, Met Council, MPCA and DNR. Two comments were received. BWSR commented that the proposed amendment is consistent with the Commissions' implementation strategies and is compliant with Minnesota rules and statutes. Metropolitan Council commented that the proposed amendment is consistent with its *Water Resources Management Policy Plan*.

The next step in the process is to hold a public hearing on the proposed revision. State statute requires that the hearing be within 30 to 45 days from the completion of the 60-day review period. The Commissions' next regular meeting is May 8, 2008, which is 41 days from the review period completion date of March 28. Motion by Gustafson, second by Jaeger to set the public hearing for 12:45 p.m., Thursday, May 8, 2008 at Lancer at Edinburgh, coincident with the Commissions' regular May meetings. Motion carried unanimously. The earliest BWSR can approve the plan amendment is at its August meeting and the earliest the Commissions can hold project hearings on the Twin Oak Pond and Wetland 639W projects is September.

B. The **wetland functions and value assessment** of the priority wetlands in the Shingle Creek/West Mississippi WMO is underway. Staff has contacted the member city representatives to obtain existing available wetland function and value assessment data.

Brooklyn Center has no existing function and value assessment data. The city is interested in compiling the data on the few intact wetlands in the city and wants to consider using their existing GIS staff for completing the desktop portion of the MnRAM analysis. In 2001 **Brooklyn Park** completed a Natural Resource Inventory for the northern half of the city and included wetlands. The city is interested in having a MnRAM ground truth done to validate the data on one of the wetlands in the northern half of the city as part of the initial reference wetland evaluations. A function and value assessment using MnRAM was completed over the majority of **Maple Grove** in 2007. The data is readily available for this project.

Champlin and Osseo have no existing function and value assessment data and few priority wetlands exist within the SC/WM boundary.

C. There are a number of activities occurring in the next several months related to the Major Plan Amendment, ongoing administration of the **Capital Improvement Program (CIP)**, and the annual budget. There are four potential projects in the CIP for 2009. They are the Crystal Lake Water Improvement Project in Robbinsdale; Maple Grove Pond P57; the Wetland 639W Feasibility Report in Brooklyn Center, Brooklyn Park, Crystal, New Hope and Robbinsdale; and the Twin Oak Pond project in Crystal. (See the April 10, 2008 Shingle Creek meeting minutes for discussion of these projects.) The annual budget and city apportionments must be reported to the cities by July 1 and capital project levies must be certified to Hennepin County by September 15.

D. The Commissioners received a third draft of the SC/WM **Rules and Standards revisions** as recommended by the TAC. This draft has also been submitted to the Commissions' attorney for his review. The TAC recommended that the Commissions consider initiating the public review process. The major proposed revisions to the rules and standards include:

1. Pollutant removal performance standard. Expand the current infiltration requirement into a more broad volume management rule that will reduce runoff to the lakes, thereby reducing the associated phosphorus loads. In general, the TAC recommended that the current infiltration requirement be revised as a volume



management requirement, with infiltration one potential means of providing that volume management. There was considerable discussion as to whether this should remain as ½” or be increased to 1” as several other Metro WMOs have adopted or are considering adopting. Increasing the volume management requirement would reduce nutrient and sediment loading to lakes and streams because the majority of these loads are conveyed by small storm events.

2. General Standards. Added a statement that TMDL Implementation Plans may include site-specific requirements that are in addition to the rules and standards.

3. Stormwater Management. Specified event depths to be used in modeling for consistency, specified required removal rates for phosphorus (60%) and TSS (85%) and stated that they could be achieved either through ponds or a combination of BMPs that achieve that removal and provided that water quality treatment can be provided regionally.

4. Infiltration. Revised the infiltration requirement to be a volume management requirement, proposed as 1/2” runoff from new impervious surface. Revised the drawdown time when infiltration is used from 72 hours to the new standard of 48 hours from the state stormwater manual and the proposed revised NPDES General Construction Permit. Provided that where infiltration was not allowed or where it is infeasible due to soil type or conditions, the volume management requirement must be met by a combination of other abstraction BMPs and biofiltration, with filtration as the last resort option. Specified that when infiltration is used actual infiltration rates must be determined by a double-ring infiltrometer test or other approved on-site test. Specified that stormwater must be pretreated prior to discharge into an infiltration area. Expanded the infiltration prohibition to include areas containing contaminated soils or groundwater, and areas within the 1-year time-of-travel zone in a wellhead protection area. Provided that volume management can be provided regionally.

5. Required that **erosion control** plans meet NPDES Construction Permit requirements.

6. Wet Pond Design Standards. Specified that side slopes must be stabilized with native seed and that a 10’ upland buffer must be provided where possible.

7. Required an electronic copy (pdf) of plans to be submitted along with paper copies.

8. Added definitions for Abstraction, Biofiltration, Bioretention, BWSR, Commission, Filtration, Impaired Water, Infiltration, Infiltration Area, MPCA, NPDES, TMDL, and Volume Management.

9. Revised language that had assumed the Commissions would merge into a single entity to be clear they are two separate organizations.

Discussion of the volume management standard continued. Staff was requested to bring back the spreadsheet detailing the standards other watershed organizations have adopted. The TAC was asked to consider specifying depths by soil type. Should standard be applied to all impervious area, treat what is being disturbed regardless of whether it is already impervious? Others questioned whether review thresholds should be lowered and asked for guidance from Staff. Because of compaction, requiring soil borings before and after construction was discussed. Should the *Minnesota Stormwater Manual* correction factor be referenced in the rules and standards?

Motion by Jaeger, second by Carmody directing the TAC to continue discussion of these issues and return with further recommendations. Motion carried unanimously.

E. The Commissions’ Second Generation Plan covers the period 2003-2012; work on the **Third Generation Plan** should begin in 2011. Wenck’s April 3, 2008 memo outlined the Commission’s progress in completing the tasks set forth in the Second Generation workplan and the additional work necessary in coming years to prepare for the Third Generation Plan. It included items that will either need to be covered in the Third Generation Plan or impact activities the Commissions will undertake in the coming decade. The Commissioners were requested to review and comment.

LeFevere noted that language in past correspondence from Hennepin County offers a very good argument that watershed management organizations have levying authority that could be used to develop their third generation plans. LeFevere will research this matter further.



F. Except for those with land in the Minnehaha Creek Watershed District or the Mississippi WMO, all the cities in Shingle Creek/West Mississippi should have completed a **local water management plan** update by the end of 2006. Currently, Brooklyn Center has a completed and approved plan; Brooklyn Park anticipates completing their plan by the end of 2007; and Maple Grove will complete their LWMP in tandem with their Comprehensive Plan. The status of the Champlin and Osseo plans is unknown.

G. The **next TAC meeting** will be held at 8:30 a.m., Thursday, May 22, 2008, at Crystal City Hall.

XI. Education and Public Outreach Program. The SC/WM Education and Public Outreach Committee met with the Elm Creek and Bassett Creek Education Committees on Tuesday, April 8, 2008.

A. Water Quality Education Grants. One grant application is still pending, awaiting more information from Champlin Park High School. The EPOC also approved the concept for an application for an Eagle Scout composting project at Highway 169 and Bass Creek.

Mary Karius, Hennepin County Environmental Services, knows of some groups that may be interested in volunteer monitoring if they can get assistance with some of the costs, such as for transportation and classroom materials. She will contact those groups to determine their interest.

B. Partnership Opportunities.

1. The joint EPOC subcommittee is currently reviewing the **opinion survey** results and will submit recommendations to the Commissions at the June meeting.

2. Rain Garden Workshops. Workshops A have been scheduled for Maple Grove, Plymouth and Crystal on April 19, May 15, and June 3, 2008, respectively. Workshops B are scheduled on May 3 and May 31 in Maple Grove and Plymouth.

3. The Joint EPOC heard a presentation from Dawn Pape, education coordinator for the Rice Creek Watershed District and originator of the **Blue Thumb program**. This year the Shingle Creek and West Mississippi WMCs became partners in this program, whose tagline is "Planting for Clean Water." The Blue Thumb website www.bluethumb.org is a great resource for residents to learn more about selecting and planting native plants, creating raingardens, and stabilizing their shoreline. There are plant selection tools, cost calculators, step-by-step instructions, and how-to videos. Promoting Blue Thumb will be a significant part of the education effort of the lake TMDL Implementation Plans, all of which include encouraging small BMPs such as shoreline stabilization and buffers, rain gardens, and native plants throughout the watershed. The target audience will be not only single-family residents but also associations and commercial property owners and managers. Staff will purchase copies of the *Blue Thumb Guide to Raingardens* for the Commissioners.

4. The Great Shingle Creek Watershed Cleanup will be held from **April 19-26, 2008**, in nine of the ten cities in the two watersheds. The City of Osseo will be participating for the first time. Cities will be holding various events, or simply encouraging residents to get out and clean up the watershed during that time. The City of Champlin is interested in participating, but was unable to organize an event for this year. Next year we expect all ten cities will participate and we may have to rethink the event name since all the member cities in the West Mississippi watershed will be participating.

5. The Shingle Creek Commission had a booth at the **Plymouth Yard and Garden Expo**, April 4-5, 2008 at Plymouth Creek Center. This annual event attracts about 1,000 attendees from Plymouth and the surrounding communities. Commissioner Stauner and staff from Wenck and JASS volunteered time to staff the booth. They talked with many interested people about native plants and rain gardens. Where people were interested in planting natives or considering a rain garden, they received a packet of native seeds and a rain garden booklet. Native plant bookmarks were also offered. All of the hand-outs included the Commission's name and website for more information.

C. The **next EPOC meeting** is scheduled for noon, Tuesday, June 3, 2008, at the JASS offices.



XII. Grant Opportunities. In January the Shingle Creek Commission received official notice that two of its grant applications for Clean Water Legacy Act (CWLA) funds were approved. The 639W project was funded to \$60,000 and the Twin Oak Pond project was funded to \$73,080.

XIII. Other Business.

Adjournment. There being no further business before the Commission, motion by Carmody, second by Jaeger to adjourn. The meeting was adjourned at 3:30 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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