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MINUTES
December 10, 2009

I. A meeting of the West Mississippi Watershed Management Commission was called to order by Chair Tina Carstens on Thursday, December 10, 2009, at 1:47 p.m., at the Clubhouse at Edinburgh, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present were: Abiy Assefa, Brooklyn Center; Tina Carstens, Brooklyn Park; Karen Jaeger, Maple Grove; Ed Matthiesen, Wenck Associates, Inc.; and Judie Anderson, JASS.

Also present: Shelley Schwaninger, Brooklyn Center.

Not represented: Champlin and Osseo.

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

III. Motion by Jaeger, second by Assefa to approve the **minutes of the November 12, 2009 meeting**.* *Motion carried unanimously.*

IV. Reports from Officers.

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

B. Motion by Jaeger, second by Assefa to approve the **December claims**.* Claims totaling \$9,377.19 were *approved by roll call vote: ayes - Assefa, Carstens, and Jaeger; nays - none; absent - Champlin and Osseo.*

V. Open Forum.

VI. Communications.

A. The Commissioners reviewed the **Communications Log**.* Matthiesen noted that he attended the Highway 610 project kick-off meeting. Construction will begin in the Elm Creek watershed.

B. The Commissioners received a copy of the minutes of the October 6, 2009 Stakeholder Meeting for the **Upper Mississippi River Bacteria TMDL**.

VII. Water Quality.

At the November meeting the Commission expressed interest in pursuing a two-year monitoring program in West Mississippi. In their December 4, 2009 memo Staff outlined some preliminary ideas and a rough cost for Commission review and comment.

In 1990 six storm sewer sites, Mattson Brook, Oxbow Creek, and two locations on Edinbrook Channel were monitored. In 1991 and 1992 all the stream sites except Mattson Brook were eliminated due to lack of flow. In 1991 two storm sewer sites were repeated and two addition sites added. In 1992 three of the sites monitored in 1990-1991 were again monitored. Storm sewers were monitored for flow, total phosphorus (TP), total suspended solids (TSS), biological oxygen demand (BOD), and conductivity. The stream sites were monitored for TP, TSS, BOD, dissolved oxygen (DO), conductivity, temperature, and flow.

Staff recommends that the Commission monitor Mattson Brook in 2010 and 2011, using an automated sampler to collect samples and adding chloride, nitrate-nitrite, and total Kjeldahl nitrogen (TKN) to the parameters. They also recommend that three storm sewer sites be monitored each year with automated samplers and flow meters, and that at least two storm event samples be taken at the outfall sites not automated that year. Further, they recommend sampling for two pollutographs, on one of the lower watershed outfalls and on one of the upper watershed outfalls, adding chloride as a routine parameter and taking bacteria samples 4-6 times over the monitoring period.

The major cost associated with this sampling program is the capital cost of purchasing the automated samplers. It would cost nearly as much to rent samplers for two monitoring seasons as it would to purchase the samplers. That equipment could then be available for other monitoring in the watershed or be loaned to Shingle Creek if special monitoring needs arise. A preliminary estimated cost is \$8,000 per site, but Shingle Creek may have some equipment that could be loaned to reduce that cost. The estimated capital cost would be a one-time cost of \$32,000, while the annual operating cost would be \$18-20,000.

The Commission did not budget for either the operating or capital expense for 2010, so the 2010 budget would need to be amended and a source of funds identified if this program is to go forward. The most likely source of funds is the Commission's fund reserve. As of the November 2009 Treasurer's Report, West Mississippi had reserve funds in excess of \$200,000. It should be noted that the Commission annually budgets \$5,000 for capital projects or grant matching that has been unspent for at least the past five years. Each year that unspent \$5,000 has been transferred into the fund reserve. The Commission could reallocate those unspent capital funds for this equipment purchase and allocate additional reserve monies to fund the balance needed for operating the program.

Motion by Assefa, second by Jaeger authorizing a one-time equipment cost to be taken out of 2009 budget reserves and directing Staff to bring a refined monitoring program and budget amendment plan back to the Commission in January. *Motion carried unanimously.*

VIII. Watershed Management Plan.

Cost Share Program. One of the ongoing concerns discussed with the Board of Water and Soil Resources (BWSR) during the recent Performance Review and Assistance Program (PRAP) evaluation was the lack of flexibility in funding and implementing projects imposed by the Major Plan Amendment process. State statute and rules require a Major Plan Amendment in order to place a new project on the Commissions' Capital Improvement Program (CIP). This is an 8-9 month process, although proposed revisions are being discussed by BWSR that would shorten the process by 2-3 months. That lengthy process not only precludes cost participation until the CIP is formally revised, but may make eligibility for future grants more problematic.

MPCA and BWSR grant guidelines increasingly require projects to be "included in a state-approved plan" in order to be eligible for grants. Unless a project is specified in an approved TMDL or on the Commissions' CIP, it may not be eligible. The general BWSR Clean Water Grant programs limit eligibility for grants to watershed districts or WMOs, meaning cities cannot apply for those grants on their own. This increases the importance of listing city projects on the Commissions' CIP. A number of cities in the Shingle Creek WMC have already identified potential projects for inclusion on the CIP.

Other WMOs are developing or have established cost share programs to participate financially in local projects, and BWSR has suggested that the Commissions consider establishing a cost share program and fund projects through that mechanism rather than the CIP. This would eliminate the need to constantly revise the CIP if the Commission desires to cost share in a project that is not on the current CIP. It is also more likely that a project that is not explicitly in a TMDL or CIP but which meets the cost share program guidelines would be considered as meeting the "included in a state-approved plan" requirement.

Implementing a cost share program would require a Major Plan Amendment as well as the concurrence of Hennepin County, which must approve the CIP and any projects funded by its ad valorem tax levy. The CIP would have to be revised to include the cost share program with an adequate description of the program. Brad Wozney, BWSR Metro Board Conservationist, has provided guidance on what would need to be included in a Plan Amendment to implement a cost share program:

- A. A description of the need for such a program
- B. The type of projects eligible for cost share
- C. Eligible applicants
- D. Identify target or priority areas and the basis for identifying them (e.g., monitoring, modeling, etc.)

- E. Types or categories of BMPs to be funded
- F. Funding source(s)
- G. Intended outcomes, including numerical goals (e.g., X pounds of annual nutrient load reduction)
- H. Explanation of the administration of the program, including the process for solicitation of projects and the criteria for prioritization and selection of projects

Wozney stressed that the Management Plan and CIP should continue to contain as much specificity as possible about known projects. Many of the requirements stated above were discussed at length by the TAC when the existing cost share policy was debated in 2005-2006 and ultimately approved by Major Plan Amendment in 2007. Other criteria such as intended outcomes, target or priority areas, and the basis for identifying them have been defined in the TMDLs and Implementation Plans.

There are two options to consider: The first is to wait and develop a cost share program as part of the Third Generation Plan, beginning in 2011. The second is to go forward with a Major Plan Amendment now. It will take at least a few months to develop a program, get initial review and approval of member cities, Hennepin County, and BWSR, and another 8-9 months to get approval of the Major Plan Amendment. The cost share program couldn't be put into place in time for the 2010 CIP cycle, but could be implemented starting with the 2011 CIP.

Motion by Carstens, second by Jaeger to proceed with developing a cost share program and charging the TAC to work with BWSR and Hennepin County to discuss and develop the parameters of such a program. *Motion carried unanimously.*

IX. Project Reviews.

X. Special Studies.

XI. Education and Public Outreach Program.

A. Water Quality Education Grants.

B. At its recent meetings the **Joint Education and Public Outreach Committee (EPOC)** has concentrated its efforts in developing a west metro-wide education and public outreach plan. Members of the committee, representing the Basset Creek, Elm Creek, Pioneer-Sarah Creek, Shingle Creek and West Mississippi WMOs and Hennepin County Environmental Service, have reviewed a draft plan and provided comments to the "skeleton plan subcommittee." A third iteration will be reviewed by the Joint EPOC at their January 5, 2010 meeting (8:30 a.m., Plymouth City Hall) and a final draft will be presented to the Commissions at their January meetings. Others that have expressed interest in being members of this group include the Minnehaha Creek and Nine Mile Creek WDs, the Mississippi WMO, and Three Rivers Park District. At their December 8 meeting the group established its name as the **West Metro Water Alliance.**

C. John Bilotta of the **Non-Point Education for Municipal Officials (NEMO)** organization attended the November 10, 2009 Joint EPOC meeting to introduce the organization. Northland NEMO is a collaborative partnership of organizations with projects, programs, and funding that provide education for elected and appointed officials about the relationship of land use to natural resource protection. NEMO's education takes the form of presentations, workshops, tools and resources, and train-the-trainer courses. Many workshops occur at the water body, whether a lake or river, to fully engage the participants. One specific workshop, The Watershed Game, requires participants to work together to meet stated goals in different land-use situations.

The first step in using NEMO is to identify and prioritize the audiences the Commission plans to reach. EPOC members were tasked with identifying activities that can be done jointly among different organizations, such as water quality monitoring education, and also identifying activities and education that may be more specific to individual cities or watersheds, i.e. TMDL implementation activities.

The intent of the Northland NEMO Charter is to provide agreement on expectations for the Northland NEMO program's common elements, participation in the collaborative and the National NEMO Network, and use of NEMO educational materials. By signing the Charter, collaborative members will receive:

1. Access to NEMO Program tools and materials
2. Priority for training on NEMO tools and resources
3. Priority for NEMO educational services from the U of M Extension Educator

Organizations wishing to become Charter members must identify one specific "lead" individual per program and/or organization, who signs the charter. That person is responsible for ensuring their organization's compliance with the Charter. There is no liability or fiscal responsibility associated with signature to the Charter. The agreement is annual from January through December of each year.

Motion by Carstens, second by Assefa to approve the Commission becoming a Charter Member of NEMO and designating Amy LeMieux, JASS, as the lead individual for the Commission's participation. *Motion carried unanimously.*

XII. Grant Opportunities.

XIII. Other Business.

Adjournment. There being no further business before the Commission, motion by Jaeger, second by Assefa to adjourn. The meeting was adjourned at 1:56 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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