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MINUTES

November 12, 2009

I. A meeting of the West Mississippi Watershed Management Commission was called to order by Chair Tina Carstens on Thursday, November 12, 2009, at 12:48 p.m., at the Clubhouse at Edinburgh, 8700 Edinbrook Crossing, Brooklyn Park, MN.

Present were: Della Young, Brooklyn Center; Tina Carstens, Brooklyn Park; Jon Knutson, Champlin; Karen Jaeger, Maple Grove; Ed Matthiesen, Wenck Associates, Inc.; and Judie Anderson, JASS.

Also present: Shelley Schwaninger, Brooklyn Center; Todd Tuominen, Champlin; and Barb Peichel, Minnesota Pollution Control Agency (MPCA).

Not represented: Osseo.

II. Motion by Young, second by Carstens to approve the **revised agenda**. * *Motion carried unanimously.*

III. Motion by Carstens, second by Young to approve the **minutes of the October 8, 2009 meeting**. * *Motion carried unanimously.*

IV. Reports from Officers.

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

B. Motion by Young, second by Knutson to approve the **November claims**. * Claims totaling \$7,955.91 were *approved by roll call vote: ayes - Young, Carstens, Knutson, and Jaeger; nays - none; absent - Osseo.*

V. Open Forum.

VI. Communications.

The Commissioners reviewed the **Communications Log**. * Matthiesen noted that the Highway 610 project is being launched.

VII. Water Quality.

A. Matthiesen attended a meeting on October 29, 2009 in Plymouth that introduced a new urban stormwater runoff program from the PCA called **MIDS (Minimum Impact Design Standards)**. * The PCA has a LCMR grant to develop products that will include:

1. A performance standard for new development and redevelopment projects.
2. Zoning code and ordinance revisions for LGUs.
3. A full menu of desired stormwater management techniques.
4. A calculation methodology, to be used by designers and regulatory reviewers, to guide practitioners in using the high-performance stormwater management techniques to meet water quality and quantity goals and standards.

The performance standards will be written around the following: *Post-development runoff hydrology (quantity and quality) and pollutant loading should not exceed pre-development runoff hydrology, based on native vegetation for the site and design storm of 5-year frequency.* The standards will apply to 1) low and medium density residential projects, 2) high density residential, commercial, and industrial projects, 3) linear projects (roads, utilities), and 4) redevelopment. Agricultural land is not included.

The presenters stated that the application of the standards will be voluntary but the legislation under Article 1, section 3, Subd.2 describes the proposed performance and design standards in the context of issuing a general permit and adopting and enforcing rules. The documentation in the presentation noted this would address the non-degradation rules but those rules have 1977 and not pre-settlement as the starting point. It is anticipated that if this becomes a rule there will be discussion on making this a state-wide requirement.

Vegetation from a site in its pre-development condition will be determined and the runoff generated by the 5-year storm will be the maximum rate and volume. In most cases in Shingle Creek/West Mississippi this will be prairie, oak savannah or basswood forest. In areas with an underlying sandy soil a 5-year 24-hr event (3.5") will result in close to zero runoff. Matthiesen estimated the volume abstraction requirement is approximately four times more than the current rule. SC/WM's current standard treats 85%, of the annual precipitation volume; the proposed rule treats 97%. It was noted that this 12% reduction could come with a big cost.

At this time the program is under development and it is unclear whether the standards will ultimately become mandatory, what the regulated community involvement will be, and the schedule. Adoption of these standards will have an effect on redevelopment costs and municipal operations and maintenance. If the Commission is given some freedom in applying this rule it should determine whether the 5-year pre-settlement to 5-year post-project will result in achieving the water quality goals set forth in the TMDL plans and state water quality standards. This analysis will determine whether this rule is too little or too much. Considering initial construction costs and continued operation and maintenance of BMPs, a blanket state-wide approach may not be the most cost-effective approach.

Staff will follow development of the standards, zoning, techniques chosen and calculation methodology and provide comment when appropriate.

B. Joe Bischoff, Wenck Associates, attended the **Upper Mississippi River Bacteria TMDL*** stakeholder meeting in Elk River on October 6, 2009. Prior to the meeting a draft report was made available to the stakeholders at: ftp://files.pca.state.mn.us/pub/tmp/090924_UMR_Bacteria_TMDL-DRAFT_Data-Sources-Monitoring_RecReport.pdf.

The meeting provided an overview of the initial study which is a data and literature review for bacteria in the Upper Mississippi River watershed. The report outlines numerous data gaps for development of a TMDL including data from Shingle Creek. Staff recently provided data to the MPCA that will be included in the study. Shingle Creek will likely be listed on the impaired waters list for bacteria in the foreseeable future although it is not included on the draft 2010 303(d) list. However, due to the urban nature of the watershed, both the sources and solutions are unclear and few studies are available that address urban bacteria sources. Furthermore, Staff is currently working on developing good relationships between fecal coliform and E. coli for the Shingle Creek outlet. A couple of interesting findings were presented including:

1. Bacteria concentrations in the Mississippi River were relatively low until reaching the metro area where exceedances were much more common, suggesting that urban areas are large sources of bacteria to surface waters.

2. Bacteria concentrations seemed to be relatively high during the winter months when they would be expected to be low because of cold weather. The reason for the winter increases is not clear at this time.

The MPCA intends to have a draft TMDL by the end of 2012. It is not clear whether this would include enforceable load allocations to the Shingle Creek watershed; however, this appears likely. The MPCA is looking for monitoring partners to help identify urban sources of bacteria. MPCA may pay for some of the analytical costs; the partners would provide field collection of the data.

Motion by Carstens, second by Young directing Staff to offer to partner with the MPCA in monitoring for an urban bacteria source assessment. *Motion carried unanimously.* The activities would be funded from reserves.

C. After hearing staff from the Board of Waters and Soil Resources (BWSR) discuss their PRAP recommendation regarding the West Mississippi Commission's mission and activities, Tuominen suggested that the

Commission consider updating stormsewer outfall monitoring, last done about 15 years ago. Staff's response to BWSR regarding a mission is that, given the few water resources over which the Commission has jurisdiction, the Commission's appropriate role is to protect those resources from degradation from development and to periodically assess conditions in the watershed.

Staff agrees that updating the flow and water quality monitoring for two years is a good idea. Monitoring and comparing results to results from the 1990s would help the Commission evaluate the impact that development rules and standards have had on protecting water quality, help to calibrate the P8 model currently being built, and provide another water quality baseline should future outfall or watershed monitoring be required as part of the Mississippi River or Lake Pepin TMDLs.

Equally important is the need to better define the watershed's hydrologic budget. By observation, many ponds in West Mississippi rarely discharge and channels tend to be seasonal and intermittent. Should load reductions to the Mississippi River be imposed on MS4s in the future, it will be important to be able to document just how much flow and load is actually discharged to the river.

Watershed baseline monitoring was conducted in 1990, 1991, and 1992. In the first year, four stream sites and six storm sewer sites were monitored, but in the second and third years only one stream site (Mattson Brook) and three storm sewer sites were monitored due to lack of flow. The stream and outfall sites were monitored for TP, TSS, biological oxygen demand (BOD) and specific conductivity. Temperature and dissolved oxygen were also measured on Mattson Brook. Pollutant concentrations generally met State guidelines, and areal loading rates were at about the median found in the metro area. The monitoring did not identify any issues justifying further monitoring and, after three years, monitoring was discontinued as being of little marginal benefit.

Motion by Young, second by Carstens to approve using reserves and grant opportunities to develop and conduct a 2010 water monitoring program. *Motion carried unanimously.* Suggestions included monitoring at outfalls and sampling stormwater ponds. Staff will provide a proposed monitoring plan for discussion at the December meeting.

VIII. Watershed Management Plan.

IX. Project Reviews.

X. Special Studies.

XI. Education and Public Outreach Program.

A. Water Quality Education Grants.

B. Staff's November 4, 2009 memo outlines Move One Degree's services to redesign the **Commission's website.*** Motion by Jaeger, second by Carstens to contract with Move One Degree at a cost of \$1,500 to provide the outlined services. *Motion carried unanimously.*

C. Motion by Young, second by Knutson to authorize the Chair to sign the 2010 **Blue Thumb Partners Agreement.*** *Motion carried unanimously.* The Commission's contribution will be \$500 cash and \$1,000 in-kind.

D. The next meeting of the **Joint Education and Public Outreach Committee** is scheduled for 8:30 a.m., Tuesday, December 8, 2009, at Plymouth City Hall. The group will continue development of the *West Metro Education and Outreach Plan.*

XII. Grant Opportunities.

XIII. Other Business.

A. Representatives of the Board of Water and Soil Resources (BWSR) met with the Commission at its October 8, 2009 meeting to review the findings and recommendations of the Commission's **Performance Review***

conducted earlier this year. BWSR has asked for a response from the Commission by November 20, 2009. Staff's November 5, 2009 memo outlined four recommendations for West Mississippi and staff's proposed responses.

Discussion by the Commissioners re having a West Mississippi identity included posting a separate map of the West Mississippi watershed on the website. (The new website will also have a separate home page for West Mississippi.) Matthiesen noted that the Commission's mission was created before development occurred in the watershed. There hasn't been a lot of need for "fixes" because issues have been addressed as they occur. The Commission first addressed flood control, then water quality. Ground water is also a concern but the diagnostic analysis of determining the cause of lowered levels is beyond the scope of the Commission alone and will require state and possibly federal assistance. Motion by Young, second by Knutson directing Staff to transmit the responses to BWSR. *Motion carried unanimously.*

B. Motion by Carstens, second by Young to approve the West Mississippi Commission's proposed **Data Practices Procedures**. * *Motion carried unanimously.*

C. A tour of sites in the western portion of the Shingle Creek watershed will begin after this meeting. The Commissioners will view the following sites:

1. Great River Energy Building, Maple Grove.
2. Schmidt Lake rain gardens.
3. Meadow Lake improvements.
4. 45th Avenue Pond, New Hope.
5. Crystal rain gardens.

D. Adjournment. There being no further business before the Commission, motion by Jaeger, second by Young to adjourn. The meeting was adjourned at 1:05 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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