

**CORRECTED – See Section III.**

**MINUTES**  
**Regular Meeting**  
**April 9, 2020**

(Action by the SCWMC appears in blue, by the WMWMC in green and shared information in black.  
\*indicates items included in the meeting packet.)

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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 12:46 p.m. on Thursday, April 9, 2020.

Present for Shingle Creek were: David Vlasin, Brooklyn Center; Adam Quinn, Brooklyn Park; Burton Orred, Jr., Crystal; Karen Jaeger, Maple Grove; Ray Schoch, Minneapolis; Bill Wills, New Hope; Harold E. Johnson, Osseo; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Ed Matthiesen, Diane Spector, Erik Megow, and Katie Kemmitt, Wenck Associates, Inc.; Troy Gilchrist, Kennedy & Graven; and Amy Juntunen and Judie Anderson, JASS.

Present for West Mississippi were: David Vlasin, Brooklyn Center; Steve Chesney, Brooklyn Park; Gerry Butcher, Champlin; Karen Jaeger, Maple Grove; Harold E. Johnson, Osseo; Ed Matthiesen, Diane Spector, Erik Megow, and Katie Kemmitt, Wenck Associates, Inc.; Troy Gilchrist, Kennedy & Graven; and Amy Juntunen and Judie Anderson, JASS.

Also present were: Andrew Hogg, Brooklyn Center; Mitch Robinson, Brooklyn Park; Mark Ray, Crystal; Derek Ashe, Maple Grove; Liz Stout, Minneapolis; Bob Grant and Megan Hedstrom, New Hope; John Roach, Osseo; Leah Gifford, Ben Scharenbroich and Amy Riegel, Plymouth; Richard McCoy and Marta Roser, Robbinsdale; and Aaron Feldberg, Sambatek, for project WM2020-004.

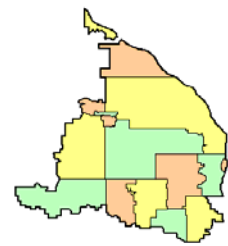
II. **Agendas and Minutes.**

Motion by Orred, second by Sicora to approve the **Shingle Creek agenda**.\* *Motion carried unanimously.*

Motion by Butcher, second by Johnson to approve the **West Mississippi agenda**.\* *Motion carried unanimously.*

Motion by Schoch, second by Sicora to approve the **minutes of the March 12, 2020 regular meeting**.\* *Motion carried unanimously.*

Motion by Butcher, second by Chesney to approve the **minutes of the March 12, 2020 regular meeting**.\* *Motion carried unanimously.*



### III. Finances and Reports.

**A.** Motion by Schoch, second by Johnson to approve the Shingle Creek **April Treasurer's Report.**\* *Motion carried unanimously.*

Motion by Orred, second by Schoch to approve the **Shingle Creek April claims.**\* Claims totaling \$50,394.22 were *approved by roll call vote: ayes – Vlasin, Quinn, Wills, Orred, Jaeger, Schoch, Wills, Grant, Johnson, Polzin, and Sicora; nays – none.*

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

Motion by Chesney, second by Johnson to approve the **West Mississippi April claims.**\* Claims totaling \$19,016.26 were *approved by roll call vote: ayes – Vlasin, Chesney, Butcher, Jaeger, and Johnson; nays – none.*

### IV. Open Forum.

### V. Project Review.

**WM2020-004 610 Junction Building 2A, Brooklyn Park.**\* Construction of 6.8 acres of impervious surface on 8.46 acres located in the northeast corner of Decatur Drive and 94th Avenue North. The proposed project is the construction of a new building, drive aisles, parking lot, and sidewalks on currently vacant agricultural and wooded land. Following development, the site will be 80 percent impervious with 6.8 acres of impervious surface, an increase of 6.8 acres. A complete project review application was received on March 23, 2020.

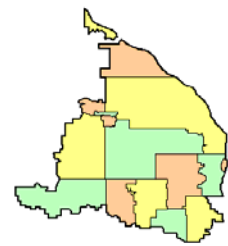
To comply with the Commission's water quality treatment requirement, the site must provide ponding designed to NURP standards with dead storage volume equal to or greater than the volume of runoff from a 2.5" storm event, or BMPs providing a similar level of treatment - 85% TSS removal and 60% TP removal. 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.

Runoff from the site is proposed to be routed through an infiltration basin. The applicant states that the basin has the capacity to infiltrate 1.3 inches of runoff from new impervious surfaces in 48 hours. The basin has been sized for Building 2A and a future Building 1. An infiltration rate of 0.8 inches per hour must be verified, or silt in the basin must be removed and replaced with clean sand in order for the applicant to meet Commission water quality requirements.

Commission rules require that site runoff is limited to predevelopment rates for the 2-, 10-, and 100-year storm events. Runoff from the site will be routed through a new infiltration basin in the northeast corner of the property into the MnDOT ROW and to an existing infiltration basin in the southwest corner of the property. 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 new impervious area on this site is 6.8 acres, requiring infiltration of 0.56 acre-feet within 48 hours. The applicant proposes that the new infiltration basin has the capacity to infiltrate 1.3 inches from new impervious surfaces within 48 hours. The applicant meets Commission volume control requirements.

The erosion control plan includes a rock construction entrance, rip rap at the basin inlet, silt fence surrounding the infiltration basin bottom and slopes, and native seed specified on the infiltration basin slopes. The erosion control plan meets Commission requirements.



The National Wetlands Inventory does not identify any wetlands on site. There are no Public Waters on this site. The applicant meets Commission wetland and Public Waters requirements.

There is no FEMA-regulated floodplain on this site. The low floor elevations of the buildings are at least two feet higher than the high water elevation of the detention ponds/infiltration basins according to Atlas 14 precipitation. The applicant meets Commission floodplain requirements.

The site is not located in a Drinking Water Management Area (DWSMA). The applicant meets Commission drinking water protection requirements.

A public hearing on the project was conducted on February 12, 2020 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

A draft Operations & Maintenance (O&M) agreement between the applicant and the City of Brooklyn Park was provided.

Motion by Johnson, second by Chesney to advise the City of Brooklyn Park that approval of Project WM2020-004 is granted conditioned that the applicant can demonstrate by double ring infiltrometer that the site can meet the design infiltration rate of 0.80 inches/hour or amend the infiltration bottom soils by removing silt and replacing with clean sand. *Motion carried unanimously.*

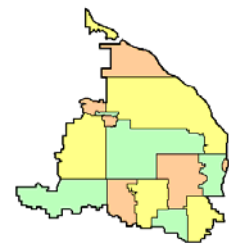
#### **VI. Watershed Management Plan.**

Every year the Commissions work together with the member cities to consider capital projects proposed for watershed funding on their Capital Improvement Program (CIP). Typically, the Technical Advisory Committee (TAC) hears feasibility studies for proposed projects and makes a recommendation to the Commissions in April of each year as to which projects to consider for that year's CIP and whether any minor plan amendments are necessary. The TAC recommendations are forwarded to the Commissions which, in May, set the maximum levies and acts on any necessary plan amendments. The proposed plan amendments and the proposed maximum capital levies are forwarded to Hennepin County. The County goes through its public hearing and maximum levy setting process that is usually done by the end of June. The process then goes back to the Commissions to hold public hearings on proposed projects and set final levies. Projects ordered and levied in one year are collected with property taxes in the following year. This levy is included in the "Other Special Taxing Districts" line item of property tax statements.

Included in Staff's April 2, 2020 memo\* are the current draft CIPs for each Commission. They reflect the Minor Plan Amendments approved in 2019 and the rescheduling of some projects to future years. Shown are the potential projects for consideration in 2020 and the associated estimated levies.

In 2019 the Commissions amended their Management Plan to raise the annual voluntary maximum levy to \$750,000. As proposed, Shingle Creek would exceed that \$750,000 voluntary cap. Both the Cost-Share program and the Partnership Cost Share program have balances, currently about \$120,000 (plus an additional \$100,000 to be received this year) and \$150,000 (plus \$50,000), respectively. The Commission could get by without certifying levy for either of these programs in 2020 if need be. The Shingle Creek Commission would also expect to submit grant applications for the Meadow Lake and two stream projects, and there will be another round of Watershed-Based Funding from BWSR that could also provide funding for these projects.

The TAC members discussed options for proceeding with a proposed levy that exceeds the voluntary cap of \$750,000. The cost share of Plymouth's enhanced street sweeper and the three capital projects are all TMDL implementation projects that will be of benefit to the lakes/streams and make re-



quired phosphorus and sediment load reductions. Grant applications for two of the three projects were pursued in the past but were not funded. Additional grant funding can be pursued for all three of the projects in 2020. The cities also expect to continue to make use of both public and private cost share funds. The TAC recommended to the Commissions that the 2020 maximum levies be approved as shown below:

Shingle Creek Project	Total Estimated Cost	City/Private	Grant	Commission Share	Total Levy
Cost share (city projects)	\$200,000	\$100,000	0	\$100,000	\$106,050
Connections II Stream Restoration	400,000	0	0	400,000	424,200
Plymouth Street Sweeper	350,000	275,000	0	75,000	79,540
Meadow Lake Management Plan	300,000	0	0	300,000	318,150
Bass Creek Restoration	400,000	0	0	400,000	424,200
Partnership cost share (private projects)	100,000	50,000	0	50,000	\$53,025
<b>Subtotal</b>	<b>\$1,750,000</b>	<b>\$425,000</b>	<b>\$0</b>	<b>\$1,325,000</b>	
<b>5% additional for legal/admin costs</b>				<b>66,250</b>	
<b>Subtotal</b>				<b>1,391,250</b>	
<b>TOTAL LEVY (101% for uncollectable)</b>				<b>\$1,405,165</b>	<b>\$1,405,165</b>

West Mississippi Project	Total Estimated	City/Private	Grant	Commission Share	Total Levy
Cost share (city projects)	\$100,000	\$50,000	0	\$50,000	\$53,025
River Park Stormwater Improvements	485,000	363,750		121,250	128,585
<b>Subtotal</b>	<b>\$585,000</b>	<b>\$413,750</b>	<b>\$0</b>	<b>\$171,250</b>	
<b>5% additional for legal/admin costs</b>				<b>8,560</b>	
<b>Subtotal</b>				<b>179,810</b>	
<b>TOTAL LEVY (101% for uncollectable)</b>				<b>\$181,610</b>	<b>\$181,610</b>

Staff's memo also described how the proposed levy would impact property owners. For example, the Shingle Creek 2018/2019 levy of \$479,900 resulted in a one-time levy of \$9.74 on Spector's house in Minneapolis. The \$1.4 million levy under consideration, if levied in 2019, would have resulted in a one-time levy of about \$28.52.

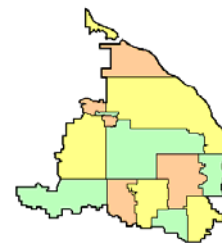
Staff's memo also showed the proposed CIPs for each Commission for the years 2020-2021-2022.

Following discussion, motion by Schoch, second by Johnson to approve the maximum levy as recommended by the TAC. *Motion carried unanimously.*

Following discussion, motion by Chesney, second by Butcher to approve the maximum levy as recommended by the TAC. *Motion carried unanimously.*

## VII. Water Quality.

Included in the meeting packet is the **2019 Water Quality Report**.\* Kemmitt presented the findings and answered member questions about the monitoring that occurred in the watersheds in 2019. The report has been reformatted to be more user-friendly and presents conditions in the lakes and streams at a glance. The technical appendices are presented in a separate document and may be found at [shinglecreek.org/water-quality.html](http://shinglecreek.org/water-quality.html). Staff are seeking feedback on the new format and infographics.



## VIII. Education and Public Outreach.

**A. WMWA.** The **West Metro Water Alliance** will meet Tuesday, April 14, 2020 at 8:30 a.m. This will be virtual meeting.

**B. Website/Social Media.** Catherine Cesnik, the WMWA Coordinator, is refreshing the WMWA website and updating content. Any input is appreciated. [westmetrowateralliance.org/](http://westmetrowateralliance.org/). Cesnik has also taken over social media posting duties.

**C.** Cesnik will be reaching out to member cities over the next few months, starting with the TAC representatives, to better understand **how WMWA can be a resource** and to help fill education and outreach gaps. The WMWA steering committee particularly discussed options to collaborate on the new or enhanced education and outreach requirements in the draft MN NPDES General Permit.

## IX. Grant Opportunities and Updates.

**A.** In 2018 the Board of Water and Soil Resources (BWSR) allocated \$5.59 million of Clean Water Funds to the Metro area in support of Clean Water projects. For the initial round of funding, this Pilot **Watershed-Based Funding (WBF)** was distributed to each of the seven metro counties, and eligible entities (WMOs and Soil and Water Conservation Districts) worked together to determine how best to distribute the funds. The 11 WMOs in Hennepin County and the county agreed to reserve 10 percent of the county's \$1,018,000 allocation for joint chloride education and outreach activities, and to distribute the balance to the 11 WMOs based on area and tax base. West Mississippi received an allocation of \$35,422 and Shingle Creek \$68,129. In 2018 each Commission decided to allocate those funds through the City Cost Share Program. Funds must be expended by December 31, 2021.

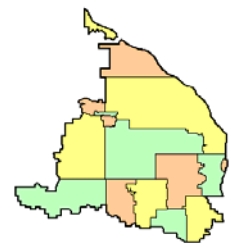
The City of Brooklyn Park has submitted a Cost Share Program application in the amount of \$50,000 to assist in the cost of designing the upcoming **River Park Stormwater Improvements**. This project will provide treatment for 250 acres of land that currently discharge untreated into the Mississippi River. This project is on the 2020 CIP. The Cost Share Program Guidelines were amended last year to limit projects from receiving both Cost Share and CIP funding.

The Technical Advisory Committee (TAC) discussed the project at its March 30, 2020 meeting, It was noted that the WBF resources were allocated by the Commission to the Cost Share Program as a convenience for disbursement, and are really just pass-through grant funds similar to other grants the Commission receives that are then passed-through to the cities.

The TAC felt comfortable that allocating the WBF funds currently residing in the Cost Share Program account to the River Park project would not violate the limitation on receiving both Cost Share and CIP funds from the county levy. It is the TAC and staff recommendation that the Commission authorize the allocation of the \$35,422 Watershed Based Funding to Brooklyn Park's River Park Stormwater Improvements Project.

Motion by Chesney, second by Butcher to approve this allocation. *Motion carried unanimously.*

**B.** Motion by Schoch, second by Orred to approve **Amendment #1 of the Floodplain Modeling Grant Contract** with the DNR. The amendment extends the contract from April 30, 2020 to March 31, 2021. *Motion carried unanimously.*



**X. Communications.**

**March Communications Log.\*** No items required action.

**XI. Other Business.**

**A.** Motion by Schoch, second by Jaeger to accept the draft **2019 Annual Activity Report** with revisions as provided later and as provided through member review by April 17. *Motion carried unanimously.*

**B.** Motion by Butcher, second by Jaeger to accept the draft **2019 Annual Activity Report** with revisions as provided later and as provided through member review by April 17. *Motion carried unanimously.*

**XII. Adjournment.** There being no further business before the Commissions, the joint meeting was adjourned at 2:21 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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