

**MINUTES**  
**Regular Meeting**  
**May 14, 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 12:51 p.m. on Thursday, May 14, 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; John Roach, Osseo; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Ed Matthiesen, Diane Spector, and Erik Megow, 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, and Erik Megow, 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; Todd Tuominen, Champlin; Mark Ray, Crystal; Derek Asche, Maple Grove; Liz Stout, Minneapolis; Bob Grant and Megan Hedstrom, New Hope; Leah Gifford, Ben Scharenbroich and Amy Riegel, Plymouth; Richard McCoy and Marta Roser, Robbinsdale; and Nico Cantarero, Wenck Associates.

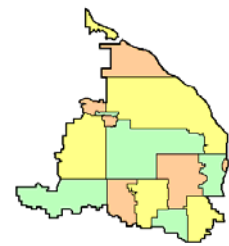
II. **Agendas and Minutes.**

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

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

Motion by Schoch, second by Jaeger to approve the **minutes of the April 9, 2020 regular meeting**\* with corrections to Section III. *Motion carried unanimously.*

Motion by Chesney, second by Johnson to approve the **minutes of the April 9, 2020 regular meeting**.\* *Motion carried unanimously.*



### III. Finances and Reports.

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

Motion by Wills, second by Schoch to approve the **Shingle Creek May claims.\*** Claims totaling \$53,222.27 were *approved by roll call vote: ayes – Vlasin, Quinn, Orred, Jaeger, Schoch, Wills, Johnson, Polzin, and Sicora; nays – none.*

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

Motion by Johnson, second by Chesney to approve the **West Mississippi May claims.\*** Claims totaling \$12,444.61 were *approved by roll call vote: ayes – Vlasin, Chesney, Butcher, Jaeger, and Johnson; nays – none.*

### IV. Open Forum.

### V. Project Review.

**WM2020-005 94th Avenue Extension, Brooklyn Park.\*** New street construction with utilities extending 94th Avenue to connect Zane and Hampshire Avenues. The site is 98.3 acres. Following development, the site will be 15.9 percent impervious with 15.6 acres of impervious surface, an increase of 15.6 acres. A complete project application was received May 1, 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.

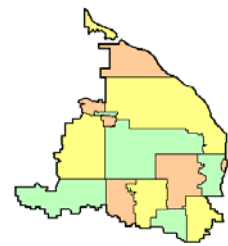
Runoff from the site is proposed to be routed through three existing infiltration ponds on site. The applicant is proposing to infiltrate 1.3 inches of runoff to meet water quality requirements. The applicant meets Commission water quality treatment requirements.

Commission rules require that site runoff be limited to predevelopment rates for the 2-, 10-, and 100-year storm events. Runoff from the site is routed through three existing infiltration ponds before it leaves the site in the southeast corner. 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 15.6 acres, requiring infiltration of 73,895 CF within 48 hours. The applicant proposes that the three pre-existing infiltration basins have the capacity to infiltrate the required volume within 48 hours. The applicant meets Commission volume control requirements.

The erosion control plan includes perimeter silt fence, inlet protection, and rip rap at pond inlets. The applicant has agreed to include a rock construction entrance at the site. The erosion control plan meets Commission requirements.

The National Wetlands Inventory does not identify any wetlands on site. 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. The applicant meets Commission floodplain requirements. The site is located in a Drinking Water Management Area but



outside of the Emergency Response Area. The applicant meets Commission drinking water protection requirements.

A public hearing on the project has been conducted on April 13, 2020 as part of Planning Commission and City Council review of this project, meeting Commission public notice requirements.

Operations & Maintenance (O&M) agreements for the two most eastern basins was provided. The western most basin is being maintained by the City of Brooklyn Park.

Motion by Jaeger, second by Butcher to advise the City of Brooklyn Park that Project WM2020-005 is approved conditioned on inclusion of a rock construction entrance at the site during construction. *Motion carried unanimously.*

## VI. Watershed Management Plan.

### VII. Water Quality.

**A.** City of Crystal has submitted a City Cost Share Program application\* for its **West Broadway Stormwater Infiltration Project\*** at 5747 West Broadway. The request is for \$50,000; the total estimated project cost is \$400,000. This project was initially identified in the Crystal Shopping Center Subwatershed Assessment (SWA).

The project will infiltrate runoff that is currently discharged untreated into the Bass Lake Road trunk system that flows to Upper Twin Lake. Based on modeling completed for the SWA, the system will infiltrate an estimated 4.8 acre-feet of runoff per year and reduce TP load by 4.3 pounds per year.

The Technical Advisory Committee (TAC) discussed the project at its April 30, 2020 meeting and recommends that the Commission approve cost share in the full amount of \$50,000. At the end of 2019, the account had an encumbered balance of about \$150,000, with an additional \$100,000 of levy to be received this year.

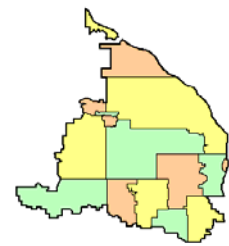
Motion by Roach, second by Schoch to approve \$50,000 as the Commission's share of this project. *Motion carried unanimously.*

**B.** At the January 9, 2020 meeting the Commission authorized development of a Feasibility Study for the proposed **Bass Creek Restoration Project.\*** This project would stabilize stream banks, enhance habitat, and potentially add water quality BMPs to the reach of Bass Creek that extends from Cherokee Drive north to the main driveway into Home Depot. This reach flows through Bass Creek Park and includes the Commission's monitoring station BCP.

Staff have completed a field survey and have developed 30% plans. This project is on the CIP for consideration in 2020 and construction in 2021. [Due to technical difficulties, Megow will present the findings of the survey and three options for improvement at the June meeting.].

**C.** While the **Meadow Lake Management Plan\*** Clean Water Fund grant application was not funded, the City of New Hope has agreed to proceed with the fall drawdown to be reimbursed later by the Commission from levy proceeds. Staff are in the process of working out procedural and responsibility details and expect to bring a cooperative agreement to the Commission at the June meeting.

To help the project proceed, Staff recommends that the remaining \$18,129 of Watershed Based Funding (WBF) be allocated to this project. As a reminder, the Commission received \$68,129 from the Board of Water and Soil Resources (BWSR) for implementation funding. The Commission had previously



awarded \$25,000 from WBF and \$25,000 from the cost share fund to Brooklyn Center for its new brine system for pre-wetting and anti-icing, and a similar amount to New Hope for “above and beyond” stormwater treatment at Civic Center Park.

The WBF would help fund the cost of preliminary work completed this summer, including sediment cores and updated fish and vegetation surveys, working with the DNR to obtain the necessary permits, and preliminary engineering of the drawdown.

Motion by Schoch, second by Wills to allocate the remaining \$18,129 of watershed-based funds to this project. *Motion carried unanimously.*

**D. Curly-leaf pondweed in Bass and Upper Twin Lakes.** Staff have been working with the DNR to delineate curly-leaf pondweed in Bass, Pomerleau, and Upper Twin Lakes. Pomerleau does not require treatment. Staff have secured permits to treat 21.3 acres of Bass Lake and 9.15 acres of Upper Twin Lake. There currently is a balance of about \$5,500 in the Twin Lake project account and a balance of about \$40,000 in the vegetation management budget for the Bass and Pomerleau project. The Commission received the following treatment quotes from vendors.

|                  | <u>Bass Lake</u>    | <u>Upper Twin lake</u> |
|------------------|---------------------|------------------------|
| Lake Restoration | declined - too busy | declined - too busy    |
| Limnopro         | \$4,448.23          | \$1,338.95             |
| Lake Management  | \$7,043.68          | \$3,028.65             |
| PLM              | no response         | no response            |

Lake Management completed the treatment on Bass Lake last year. Staff have not previously worked with Limnopro, but after checking references, Staff recommends that the quote(s) of Limnopro be accepted and work to proceed.

Motion by Schoch, second by Jaeger to accept the Limnopro quotes for both projects. *Motion carried unanimously.*

**E. Minutes** of the April 30, 2020 Joint Technical Advisory Committee (TAC) meeting were included in the meeting packet for informational purposes.

**VIII. 2021 Operating Budgets.**

**A. Shingle Creek.**

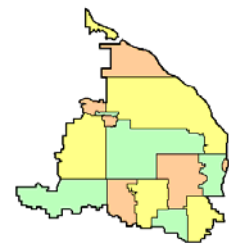
Staff’s May 8, 2020 memo\* presented a 2021 budget for discussion and comment prior to its final adoption at the June meeting. The budget must be finalized by July 1, 2020.

The preliminary budget was reviewed by the members of the TAC at their April 30, 2020 meeting where the members strongly recommended that, given the impacts of COVID-19, no increase in member assessments be made in 2021.

With few exceptions the proposed budget continues the same activities at the same level of effort as in 2020. Overall, the proposed 2021 budget is \$1,000 less than the 2020 budget.

Since the Subwatershed BMP Assessment account has a pre-audit balance of \$34,500 and no requests for SWAs have been received, Staff is recommending that the 2021 contribution be reduced from \$20,000 to \$10,000.

The Commission has been contributing annually to a restricted account to finance the up-



coming 4th Generation Plan. At the end of last year the balance in that account is \$62,000. With West Mississippi's contribution, this will be sufficient to update the Plan, thus no contribution is proposed in 2021.

The Commission has approximately \$1 million in the bank. Most of that sum is dedicated to grant and levy projects. The balance is earning considerable interest, which Staff recommends letting accrue to the cash reserves rather than being spent.

The proposed budget will be included on the June 11, 2020 regular meeting agenda for adoption.

**B. West Mississippi.**

Staff's May 8, 2020 memo\* presented a 2021 budget for discussion prior to its submittal to the Commission. This budget, too, must be finalized by July 1, 2020. This preliminary budget was also reviewed by the members of the TAC at their April 30, 2020 meeting where the members strongly recommended that no increase in member assessments be made in 2021.

The Commission has approximately \$0.5 million in the bank. Staff recommends letting the interest earned from that balance accrue to the cash reserves rather than being spent.

Again, the proposed budget continues the same activities at the same level of effort as in 2020. Overall, the proposed 2021 budget is \$1,500 more than the 2020 budget, the difference expected to be funded from increased interest earnings.

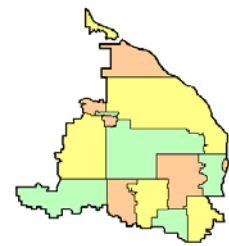
Since the Subwatershed BMP Assessment account has a pre-audit balance of \$40,000 and no requests for SWAs have been received in the last few years, Staff is recommending that there be no 2021 contribution to that account. Should a member city request a SWA in 2021, the Commission may consider amending the budget for that purpose.

The Commission has set aside \$5,000 each year in a restricted fund for construction projects or to match grants. Aside from one project in Brooklyn Center, the funds have not been used and the audited balance at the end of 2018 was \$84,310. It is recommended that no funds be budgeted specifically for this purpose.

Because of the significant balance in the cash reserves, the Commission has previously declined to specifically set aside funds for the 4th Generation Plan. Staff recommends that the Commission again consider segregating an amount in the reserves specifically for the Fourth Generation Plan, that that amount be \$25,000, and that no contribution from the annual budget be made.

Commission staff are currently working with the DNR to undertake updated floodplain modeling in Shingle Creek. While the DNR is not prioritizing updating flood modeling and mapping in West Mississippi, the existing flood delineations are quite old and were prepared when the watershed was much less developed. Staff recommended updating the modeling and mapping at the same time as Shingle Creek for economies of scale. The DNR had no funding available to underwrite this work in West Mississippi. Staff estimates that the cost of this work would be about \$25,000. The 2019 budget allocated \$25,000 from reserves for West Mississippi work; however, it was not a priority as the Shingle Creek work is still under way and has not been completed. Should the Commission choose to go forward in 2021 the budget may be amended.

The proposed budget will be included on the June 11, 2020 regular meeting agenda for adoption.



- C. Staff will review **project review revenue and expenses** and report at the June meeting.

**IX. Education and Public Outreach.**

- A. **WMWA.** The **West Metro Water Alliance** will meet via Zoom at 8:30 a.m., Tuesday, June 9, 2020.

**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/). She has also taken over social media posting duties.

- B. Juntunen reported that a vendor to create the **roots display** has been identified. The cost will be \$2,482 each with a purchase of four units. Juntunen is coordinating with other partners – Blue Thumb, Rice Creek Watershed District, City of Rochester, and the East Metro Water Resources Education Program – to purchase four units.

**X. Staff Report.\***

- A. **The Lake Pepin Nutrient TMDL** has been completed and is currently out for public comment ending June 19, 2020. The draft had previously been out for informal review and comment in August-September 2019. The documents can be found at <https://www.pca.state.mn.us/water/tmdl/lake-pepin-watershed-excess-nutrients-tmdl-project>.

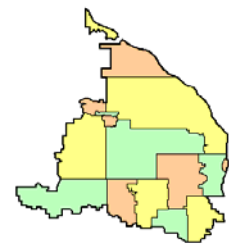
The TMDL calls for TP load reductions from runoff discharged into the Mississippi River, and establishes a concentration standard for each of the reaches from the Crow River to Lake Pepin. For communities with a Municipal Separate Storm Sewer System (MS4), the goal is to reduce phosphorus in their stormwater discharges to **0.35 lb/acre/year**. This approach does not call for a flat percentage reduction from all MS4 permits. Instead, municipalities may consider work already completed toward reducing phosphorus discharges.

Table 1 of the Staff Report shows the annualized flow and TP load at SC-0. While there is annual variation, in each year the loading rate was much lower than the 0.35 lb/acre/year goal. There is a part of the watershed that discharges into the creek downstream of SC-0, most notably areas of Minneapolis that are collected in storm sewers that discharge into the creek in Webber Park. Some of that tributary area is treated by a regional pond on the north side of Crystal Lake Cemetery. The balance of the tributary area may have some treatment in the form of sump manholes, rain gardens, etc. The flow and load contributed by this area is small compared to the load contributed by the watershed above SC-0.

Staff do not have data at this time to do a similar analysis for West Mississippi, but would expect it to be similar or less, given that quite a bit of the watershed developed under treatment rules.

- B. Spector participated in a meeting regarding the Board of Water and Soil Resources' (BWSR) Mississippi **Twin Cities West -Metro Watershed-based Implementation Funding**. The pilot of this program two years ago allocated just over \$1 million to watersheds in Hennepin County. The WMOs decided simply to divvy up the funds to each WMO based on size and tax base. Shingle received \$68,129 and West Mississippi \$35,442. The Commissions allocated those funds to the city cost share program.

The purpose of the May 7 meeting was to decide how best to proceed with the second round of funding. BWSR has allocated just under \$825,000 to the Mississippi West sub-basin, which includes the Shingle Creek, West Mississippi, Elm Creek, Bassett Creek, Mississippi, and Minnehaha Creek WMOs. Those WMOs along with the cities in the sub-basin and Hennepin, Carver, and Anoka counties,



are eligible to receive funding, which becomes available July 1, 2020. (A map\* of the proposed funding areas was included with the report.) The next step is for the group to reconvene and determine a process for allocating the funds. Unlike the first round, which was distributed automatically to each WMO, this second round will likely be competitive among the participants. That next meeting will be scheduled in early June.

**C.** Katie Kemmitt from the Wenck office participated in a meeting with the Minnesota Pollution Control Agency (MPCA) staff and other watershed management organization (WMO) staff to discuss the **MPCA's "Cycle 2" monitoring findings**. The MPCA monitors lakes and streams in the basins of the state on a rotating basis. In the Mississippi River-Twin Cities Watershed, Cycle 1 was completed in 2010/11, and Cycle 2 is underway. Cycle 1 led to some streams being placed on the Impaired Water List for impaired biota, but some of the findings were put on hold until the MPCA could develop its Tiered Aquatic Life Use (TALU) standards.

TALU provides a framework for classifying streams as General Use or Modified Use. The Modified Use class is given to streams where habitat has been severely compromised, and those streams have a less stringent standard and expectation for fish and macroinvertebrate health. The May 7 meeting was to review the findings of the MPCA Professional Judgement Group, which found that Shingle Creek should be classified as General Use while Bass Creek should be classified as Modified Use. Shingle Creek, currently impaired for macroinvertebrates, was also determined to not meet the fish standard, while Bass Creek, currently impaired for fish, also does not meet the macroinvertebrate IBI. It is likely these new impairments will be on the draft 2022 list of Impaired Waters, although the MPCA has not yet set a timeline for future TDMLs.

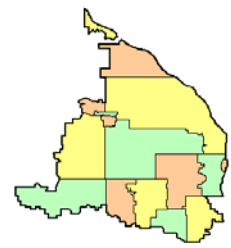
**D.** Discussions with the county are ongoing regarding the possibility of a **maintenance levy** to fund the ongoing costs associated with maintaining a capital improvement or the benefits of a capital improvement. The Commissions' and County attorneys have been in touch and are awaiting feedback from county staff. Meanwhile, Wenck staff met to discuss potential actions that might be considered for funding from such a maintenance levy.

1. Upper Twin Lake ongoing CLP treatment: \$5,000-7,000 per year
2. Twin Lake ongoing carp management: \$10,000-30,000 per year depending on effort, disposal costs, etc.
3. Bass/Pomerleau Lakes ongoing CLP treatment: \$10,000 per year, including the cost of delineation and permitting. So far no treatment has been required on Pomerleau. The project budget covers years 1-5; should additional treatment or Pomerleau treatment be necessary a maintenance levy would be required
4. Crystal Lake: CLP management for years 1-3 is built into budget, but if additional treatment is required would need a maintenance levy.
5. Meadow: Future drawdowns would likely be done as capital projects.
6. Iron and Biochar-enhanced sand filters: At some point these will need to be refreshed - \$5,000-8,000 per site.

In summary, their best guess is that the annual maintenance need would be \$30,000 - \$50,000.

**E. Project Updates.**

1. **SRP Reduction Project.** The flow meters have been installed and monitoring has resumed. Staff will be slightly modifying the outlet box design to provide a boom or some other method of keeping large debris from being swept into the box.



**2. Crystal Lake Management Plan.** Wenck and Robbinsdale staff met with DNR staff to discuss the proposed method and how to proceed. Sediment cores have been taken and sent to UW-Stout for processing. Water quality monitoring has begun.

**3. Bass and Pomerleau Lakes.** Curly-leaf pondweed delineations have been done, and a permit for treatment has been obtained for Bass lake. Pomerleau does not reach the threshold of needing treatment. Approval of quotes for treatment of Bass Lake was given in Item VII.D., above. The second round of alum treatment is expected in late summer/early fall.

**4. Twin Lakes.** The carp barrier at France Avenue was reinstalled and the site is being observed and kept free from debris, as necessary. Carp have not yet been observed to be congregating. Staff are pursuing renewal of the fish management permit from the DNR and are ready to remove carp when they appear.

**X. Communications.**

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

**XI. Other Business.**

Motion by Schoch, second by Jaeger to NOT waive statutory tort limits of liability insurance for individual claimants. *Motion carried unanimously.*

Motion by Johnson, second by Chesney to NOT waive statutory tort limits of liability insurance for individual claimants. *Motion carried unanimously.*

**XII. Adjournment.** There being no further business before the Commissions, the joint meeting was adjourned at 2:31 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Judie A. Anderson".

Judie A. Anderson  
Recording Secretary  
JAA:tim