

3235 Fernbrook Lane N • Plymouth, MN 55447
Tel: 763.553.1144 • Fax: 763.553.9326
Email: judie@jass.biz • Website: www.shinglecreek.org

November 3, 2022

Commissioners **and**
Technical Advisory Committee Members
Shingle Creek and West Mississippi
Watershed Management Commissions
Hennepin County, Minnesota

*The agenda and meeting packets are available on
the Commission's web site.*

<http://www.shinglecreek.org/minutes--meeting-packets.html> **and**

<http://www.shinglecreek.org/tac-meetings.html>

Dear Commissioners and Members:

Regular meetings of the Shingle Creek and West Mississippi Watershed Management Commissions will be held Thursday, November 10, 2022, in the Aspen Room at Plymouth Community Center, 14800 34th Avenue North, Plymouth, MN.

Lunch will be served at 12:00 noon and the meetings will convene concurrently at 12:45.

The Technical Advisory Committee (TAC) will meet at 11:30 a.m., prior to the regular meeting.

Please make your meal choice from the items below and email me at judie@jass.biz to confirm your attendance and your meal selection by **noon, Tuesday, November 8, 2022.**

Thank you.

Regards,

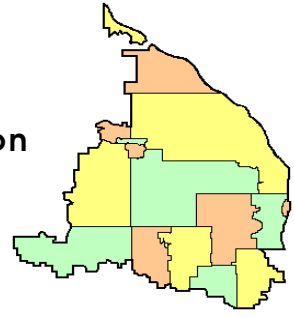
Judie A. Anderson
Administrator

cc: Alternate Commissioners Member Cites Troy Gilchrist TAC Members
Stantec Consulting Services BWSR MPCA HCEE

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Order your deli sandwich box lunch. Sandwiches come with lettuce, tomato and mayo. As an alternative you may specify your sandwich with **wheat bread or as an **unwich** (lettuce wrapped).**

- 1** Pepe – Ham and cheese
- 2** Big John – Roast beef
- 3** Totally Tuna – Tuna salad and cucumber
- 4** Turkey Tom – Turkey
- 5** Vito – salami, capocollo, cheese, onion, oil & vinegar, oregano-basil (no mayo)
- 6** The Veggie – double cheese, avocado spread, cucumber
- 14** Bootlegger Club – Roast beef and turkey



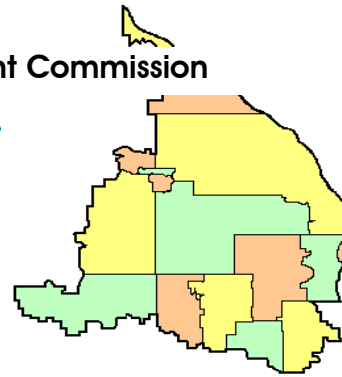
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A combined regular meeting of the Shingle Creek (SC) and West Mississippi (WM) Watershed Management Commissions will be convened Thursday, November 10, 2022, at 12:45 p.m. Agenda items are available at <http://www.shinglecreek.org/minutes--meeting-packets.html>. *Black typeface denotes SCWM items, blue denotes SC items, green denotes WM items.*

A G E N D A | November 10, 2022

1. Call to Order.
 - SCWM a. Roll Call.
 - √ SCWM b. Approve Agenda.*
 - √ SCWM c. Approve Minutes of Last Meeting.*
2. Reports.
 - √ SC a. Treasurer’s Report and Claims** - voice vote.
 - √ WM b. Treasurer’s Report and Claims** - voice vote.
3. Open forum.
4. Project Reviews.
 - √ SCWM a. Clarification of Rules and Standards for Linear Projects.*
 - SCWM b. Chloride Management Plan Requirements.*
 - 1) Templates and Examples.*
5. Fourth Generation Watershed Management Plan. The draft plan is *available on the SCWM website homepage under ‘What’s New’* [<http://www.shinglecreek.org/>].
 - SCWM a. Informal comments received.
 - 1) BWSR.* 2) MPCA.* 3) Met Council.*
 - √ SCWM b. Initiate 60-day review process.*
 - c. Boundary Update.*
6. Grant Opportunities.
 - √ SC a. Minneapolis Cost Share Request.*
 - √ SCWM b. MPCA Climate Resistance Grant.*
 - 1) RFP.*
 - SCWM c. WBIF Grant Update - verbal.
7. Education and Public Outreach.
 - SCWM a. Next WMWA meeting –Tuesday, December 13, 2022, at 8:30 a.m., via Zoom.
 - √ SC b. Renew Educator Agreement.*
 - 1) Agreement.*
8. Staff Report – no report this month.
9. Communications.
 - SCWM a. Communications Log.*
- SCWM 10. Other Business.
- SCWM 11. Adjournment.

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 * In meeting packet or emailed
 ** Supplemental email / Available at meeting
 Previously transmitted * Available on website √ Item requires action



**REGULAR MEETING
MINUTES**

October 13, 2022

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

I. A joint 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 12:45 p.m. on Thursday, September 8, 2022, in the Aspen Room, Plymouth Community Center, 14800 34th Avenue North, Plymouth, MN.

Present for Shingle Creek were: David Mulla, Brooklyn Center; Burt Orred, Jr., Crystal; Karen Jaeger, Maple Grove; Ray Schoch, Minneapolis; Bill Wills, New Hope; Andy Polzin, Plymouth; Wayne Sicora, Robbinsdale; Diane Spector and Todd Shoemaker, Stantec; Troy Gilchrist, Kennedy & Graven; and Judie Anderson, JASS. Not represented: Brooklyn Park and Osseo

Present for West Mississippi were: David Mulla, Brooklyn Center; Melissa Collins, Brooklyn Park; Karen Jaeger, Maple Grove; Diane Spector and Todd Shoemaker, Stantec; Troy Gilchrist, Kennedy & Graven; and Judie Anderson, JASS. Not represented: Champlin and Osseo.

Also present were: James Soltis, Brooklyn Center; Mitchell Robinson, Brooklyn Park; Mark Ray, Crystal; Derek Asche, Maple Grove; Elizabeth Stout, Minneapolis; Nick Macklem, New Hope; Leah Gifford, Amy Riegel and Ben Scharenbroich, Plymouth; and Richard McCoy and Mike Sorensen, Robbinsdale.

II. **Agendas and Minutes.**

Motion by Schoch, second by Wills to approve the **Shingle Creek agenda**. * *Motion carried unanimously.*

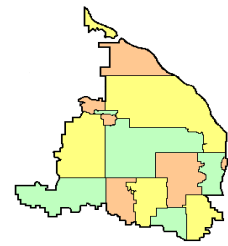
Motion by Jaeger, second by Collins to approve the **West Mississippi agenda**. * *Motion carried unanimously.*

Motion by Schoch, second by Orred to approve the **minutes of the September 8, 2022, regular meeting and public hearing**. * *Motion carried unanimously.*

Motion by Collins, second by Jaeger to approve the **minutes of the September 8, 2022, regular meeting and public hearing**. * *Motion carried unanimously.*

III. **Finances and Reports.**

A. Motion by Schoch, second by Orred to approve the Shingle Creek **October Treasurer's Report* and claims** totaling \$116,688.05. Voting aye: Mulla, Orred, Jaeger, Schoch, Wills, Polzin, and Sicora; voting nay: none; absent: Brooklyn Park and Osseo.



B. Motion by Jaeger, second by Collins to approve the **West Mississippi October Treasurer's Report* and claims** totaling \$15,782.83. Voting aye: Mulla, Collins, and Jaeger; voting nay: none; absent – Champlin and Osseo.

IV. Open Forum.

V. Project Reviews.

A. WM2022-05 610 Junction West, Brooklyn Park.* Construction of two industrial buildings on a 17.22 acre site located at 9500 Decatur Drive North. Following development, the site will be 85 percent impervious with 14.6 acres of impervious surface, an increase of 14.6 acres. There is an adjacent eight-acre site immediately west of this project area that will be subject to a separate project review. A complete project application was received on September 21, 2022.

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 to an infiltration basin. The applicant meets Commission water quality treatment 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 is routed through an infiltration basin. 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 14.22 acres, requiring infiltration of 53,160 CF within 48 hours. The applicant proposes to infiltrate 78,000 CF within 48 hours in an on-site basin. The applicant meets Commission volume control requirements.

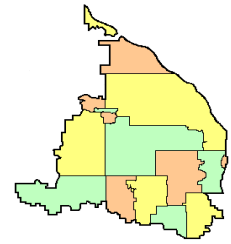
The erosion control plan includes rock construction entrances, perimeter silt fence/biolog, silt fence surrounding infiltration basin, inlet protection, rip rap at inlets, slope checks, and native seed specified on the basin slopes. The erosion control plan meets Commission requirements.

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 low floor elevations of the buildings are at least two feet higher than the high water elevation of the infiltration basin according to Atlas 14 precipitation. The applicant meets Commission floodplain requirements.

The site is located in a Drinking Water Management Area but is outside of the Emergency Response Area. Therefore, infiltration is permitted, but infiltrated water must first filter through one foot of soil, the top four inches of which are amended topsoil, and the bottom 8 inches of which are tilled. The applicant proposes infiltration through 24 inches of planting medium. The applicant meets the Commission drinking water protection requirements.

A public hearing on the project was conducted on July 13, 2022, as part of the 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 not provided.

Motion by Collins, second by Jaeger to advise the City of Brooklyn Park that Project Review 2022-05 is approved subject to the following conditions:

1. Submit an approved MNDOT drainage permit to document that installation of the secondary outlet pipe is acceptable.
2. Provide a complete O&M agreement between the applicant and the City of Brooklyn Park for all stormwater facilities on the project site.
3. Demonstrate by double ring infiltrometer or witness test that the site can meet the design infiltration rate of 0.8 inches/hour.
4. The Commission advises United Properties to complete a chloride management plan and use the following link from Nine Mile Creek Watershed District as a guideline: [Template-Chloride-Management-Plan_Final.pdf\(ninemilecreek.org\)](https://www.ninemilecreek.org/Template-Chloride-Management-Plan_Final.pdf).

Motion carried unanimously.

B. Motion by Mulla, second by Schoch to direct the Technical Advisory Committee to consider the development and adoption of a **chloride management plan** for Commission application. *Motion carried unanimously.*

Motion by Mulla, second by Collins to direct the Technical Advisory Committee to consider the development and adoption of a **chloride management plan** for Commission application. *Motion carried unanimously.*

VI. Fourth Generation Watershed Management Plan.*

A. The **draft plan** is available on the Shingle Creek and West Mississippi website homepage under “What’s New” (<http://www.shinglecreek.org/>). The cities and reviewing agencies have been notified of the informal review period ending at the end of October. The formal 60-day review process will be initiated at the November 10 meeting. Spector will review the analytics to see how many times the link is activated.

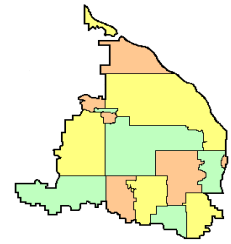
B. Watershed Boundary Adjustments. The request for concurrence with the proposed new boundaries has been forwarded to the adjacent WMOs, asking them to respond by November 30.

VII. Water Quality.

A. Crystal Lake Management Plan. The second alum treatment occurred on September 30, 2022. It went smoothly, and Staff were able to capture some excellent drone footage. There was a bit of an algae bloom at the end of September, but pH levels were steady.

B. Bass Lake Native Plant Translocation. There was some die-off of plants, likely due to wind action and foraging (a dead muskrat was found in one of the enclosures). Staff did a second harvest and plant in mid-September. Fieldwork has wrapped up for the summer. They will be back in the spring/early summer to check on things and remove fencing, then back again in late summer for a point-intercept survey.

C. Palmer Creek Estates Channel Restoration. This project is on track, 90% plans are being reviewed by the City.



D. Monitoring. Field work is winding down for the season and Staff are moving on to processing the data that has been collected.

VIII. Grant Opportunities*

Watershed Based Implementation Funding. The Shingle Creek and West Mississippi Convene Groups' recommendations have been submitted to the Board of Water and oil Resources (BWSR), which is processing the requests.

IX. Education and Public Outreach.

A. The **West Metro Water Alliance (WMWA)** will meet via Zoom at 8:30 a.m., November 8, 2022.

At the October meeting the members continued to discuss the joint County/WMWA education and outreach coordinator position and how that work might proceed. They noted that PREP educator Jessica Sahu Teli continued to be busy with several schools this fall.

B. Hennepin County Chloride Initiative. The website is still undergoing revisions and is still in beta, but two videos are now available: **Low Salt, No Salt Minnesota - Clearing a path to Safety, Savings and Sustainability.** Social media length: <https://youtu.be/MW7F2i4VldA>. Full length (~5 min): <https://youtu.be/IN28xSzYv94>. A third video focusing on liability is being developed.

X. Communications.

A. Staff Report. Contents scattered throughout these Minute.

B. September Communications Log.* No items required action.

C. The Commissioners received notice of the October 14, 2022, **Brook Gardens Playground and Trees Event.** Volunteers are needed to plant and water trees, spread mulch, and assemble playground equipment.

XI. Other Business.

XII. Adjournment. There being no further business before the Commissions, the joint meeting was adjourned at 1:43 p.m.

Respectfully submitted,

Judie A. Anderson
Recording Secretary
JAA:tim

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To: Shingle Creek/West Mississippi WMC TAC
From: Todd Shoemaker PE
Date: November 2, 2022
Subject: Linear Project Review Threshold

**Recommended
Commission Action**

For discussion. Make recommendation to the Commissions.

New project review requirements are now in effect (as of October 1, 2022) for Shingle Creek and West Mississippi WMCs (Commission). One of the changes is that linear projects that create or disturb one acre or more of impervious surface are now subject to Commission requirements. Under the previous rules, linear projects were subject to Commission requirements only if they created one acre or more of impervious surface.

Under the new requirement, most neighborhood street projects could come to the Commissions for review because they are almost always disturbing more than one acre. Stantec staff recommends maintaining the threshold for Commission review – when a linear project creates more than one acre of new impervious surface. This clarification can be made to the Rules as a housekeeping update with no plan amendment required.

Z:\Shingle Creek\Project Reviews\Linear Projects\M-nov TAC Linear Project Review.docx

To: Shingle Creek/West Mississippi WMC TAC

From: Todd Shoemaker, P.E.
Diane Spector
Katie Kemmitt

Date: November 2, 2022

Subject: Chloride Management Requirements for Project Applicants

Recommended TAC Action	For discussion.
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The Shingle Creek and West Mississippi TAC and Commissions have a thorough understanding of how road salt (chloride) use for winter safety can negatively impact water bodies. Shingle Creek is impaired for chloride and its condition has not improved since the Shingle Creek Chloride TMDL was published. Road salt can contaminate drinking water, have negative impacts on aquatic organisms, and corrode infrastructure, among other impacts.

To help minimize sources of chloride in the watershed, the TAC and Commissions have been more frequently recommending development projects to the cities pending submittal of a chloride management plan from developers. The purpose of a chloride management plan is to ensure proper winter maintenance BMPs are used for developments in the watershed to minimize the amount of excess chloride applied to pavement and to reduce the amount of chloride that makes its way to water bodies in the watersheds. There are some difficulties with requiring chloride management plans from project applicants. The entity submitting project plans for permitting often doesn't have a strong relationship with the entity who will ultimately be doing winter maintenance, making it difficult to ensure management plans get upheld and implemented. Winter maintenance crews are often contracted out especially for large developments. Requiring chloride management plans, however, may help increase awareness of chloride issues in the watershed and be an additional tool to educate people on the negative impacts of salt use.

Stantec researched chloride management plan requirements from various cities and watersheds in the Metro Area to understand what is currently being done, what is working well, and what options there are for Shingle Creek and West Mississippi to require a chloride management plan with project applications. Stantec reviewed chloride management requirements from Nine Mile Creek, Coon Creek Watershed, Mississippi Watershed Management Organization, City of Edina, City of Bloomington, and City of Plymouth. Stantec also reviewed the draft Winter Maintenance Management Plan templates created for the Hennepin County Chloride Initiative by Fortin Consulting (attached). Chloride management plans as a requirement for development is a relatively new idea and hasn't been implemented in many places, so there was not much overall feedback from the watersheds and cities on how requiring chloride management plans has been going.

Based on the review described above, Stantec proposes four potential options for the Commissions to implement a chloride management requirement with project submittals ranging from 1 (easier to implement) to 3 (more difficult/resource intensive to implement):

- 1). Do not add a chloride management plan requirement and instead continue efforts on chloride education and outreach in the watersheds.

- 2). Require project applicants to name an individual or multiple individuals responsible for winter chloride management onsite.
- 3). Require project applicants to submit a Chloride Management Plan using the templates provided in Winter Maintenance Management Plan created for the Hennepin County Chloride Initiative by Fortin Consulting. Project applicants will use the calculator to choose which template to use: basic, intermediate, or detailed.
- 4). Add chloride management requirements to the Operations and Maintenance agreements between the site owner and the City.

Stantec recommends Option 1, the Commission refrain from adding any additional requirements to project review submittals and continue to focus on chloride education and outreach in the watersheds.

DRAFT **Winter Maintenance
Management Plan:
Templates & Examples**

Created for the Hennepin County Chloride Initiative

By Fortin Consulting Inc.
August 2021

Connie Fortin – Fortin Consulting Inc.
Sarah Kinney – Fortin Consulting Inc.

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Intermediate Plan Example.....	10
Detailed Plan Criteria	12
Detailed Plan Example	14

Credits

Project Manager:

Laura Jester – Keystone Waters

Advisory Team:

Kevin Ponce – Dominion Inc.

Brett Crowe – Davey Corp.

LouAnn Waddick – SOS

Ben Scharenbrioch – City of Plymouth

Kevin Neuman – Hopkins Schools

Ryan Foudray – Prescription Landscape

Amy Juntunen - JASS

Laura Gibson - Currents

Brian DeRemer – City of Edina

Jason Dow -Dow’s Lawn and Snow

Patrick Amore - PA Lawn and Snow

Others who contributed:

Brooke Asleson – MPCA

Erica Sniegowski – Nine Mile Creek Watershed District

Shahram Missaghi – City of Minneapolis

Lianna Goldstein – City of Minneapolis

FCI Staff involved:

Jessica Jacobson

Connie Fortin

Sarah Kinney

Project Background

On behalf of a group of watershed organizations, cities and other organizations in Hennepin County called the Hennepin County Chloride Initiative (HCCL), Fortin Consulting was hired to develop a winter maintenance/chloride management plan template(s). The vision was for this template to be used at the time of development or redevelopment permitting to require/request the property manager/responsible party to develop a winter maintenance plan. The group also recognized the templates would have value beyond the permitting process.

Due to the variety of organizations that may use this template and the variety of situations for its use, 3 levels of sophistication were created in the winter maintenance plan templates.

Once filled in, the management plan template, could be used by property managers or winter maintenance leadership to communicate a variety of high-level information contained in their winter maintenance plan with an organization such as a city/watershed/permitting organization/other. It is the intent of the HCCL that this template and communication tool would allow for better communication on winter maintenance practices between the property and the governing organization and encourage Smart Salting practices as described in the MPCA Smart Salting training classes and training manuals.

Process

As part of this effort, Fortin Consulting with the help of the HCCL gathered an advisory panel to provide input and feedback on the draft template. The panel consisted of representatives from multiple stakeholder groups including property managers (single properties, association of properties), in-house winter maintenance crew members, winter maintenance contractors, and others wishing to provide input. The large panel met formally twice, all panel members who agreed to be interviewed were interviewed privately to better understand their opinions and knowledge in this area. Panel members were also contacted by phone and/or email to provide additional input, as needed throughout the project. Subsets of the larger group were called into group meetings to vet various ideas and strategies as the project progressed.

Reviews were held on written materials and PPT concepts by technical advisors, then the larger HCCL group. A training will be held for larger HCCL group on how to use the templates once the product has been finalized.

As the template grew into 3 templates, a calculator was developed to help permitting agencies better select the level of winter maintenance plan template that would be appropriate for a development/redevelopment site.

Project Results

This project resulted in the creation of three winter maintenance management plan templates were created ranging from basic, intermediate, and detailed to allow for entities to select an appropriate level of winter maintenance management plan template for each site.

To make it easier for these entities to determine which management plan is most appropriate for a given site, a calculator was crafted that allows the user to answer a few simple questions to get a recommendation on which winter maintenance management template might work best. However, the user need not follow the advice of the calculator and may choose which template they feel is appropriate.

- This document includes the template language for each of the three templates.
- The basic template is fixed, offering no choice of tasks to add into this management plan.
- The intermediate template includes the basic template plus additional criteria.
- The detailed template includes the basic and intermediate templates plus additional criteria.
- The intermediate and detailed templates lay out various options for the entity to pick from to create a meaningful maintenance plan for that site.
- This document includes examples of how each of the three template types might be completed by the property manager or maintenance supervisor.

Template Selection Tool

Purpose: This Excel tool helps the user determine which winter maintenance management plan template would likely be most appropriate for the site. It is only a suggestion and any of the three templates can be selected by the user regardless of what the tool suggests.

How it works: The tool has a series of questions about the site with drop-down selection choices. When selections are made, a number is assigned to it. At the end, the spreadsheet averages those numbers. The user can use their numerical score to see what template is recommended for this site. See interpretation of results by scrolling to the right of the calculations.

The tool can be reached using this link:

<https://fortinconsulting.com/wp-content/uploads/2021/08/Calculator-Chloride-Management-Plan.xlsx>

Winter Maintenance Plan Cover Sheet

Property Manager Name:

Name of Development:

Address of Development:

Date:

Watershed:

Winter Maintenance Management Plan Used: (basic/intermediate/detailed)

I will work to reduce salt use at this location to protect our natural resources.

Signed: _____

Basic Plan Criteria

Required information:

- Individual responsible for the winter maintenance at this site
 - Name
 - Phone number
 - Email
- MPCA Smart salting certificate of at least one person involved in winter maintenance operations at this site
 - Name
 - Company
 - Phone number
 - Email
 - Proof of Certificate

[*MPCA list of certified applicators](#)

[*MPCA-approved salt training calendar](#)

Recommended:

Other low-salt practices (as described in intermediate and detailed plan)

[*Parking lot manual](#) (includes recommended practices for lowering salt use).

Basic Plan Example

Property Manager Name: Julie Jones

Name of Development: Park N Ride West

Address of Development: 123 main street, Wayzata MN 55391

Date: 7/3/21

Watershed: Minnehaha Creek

Winter Maintenance Management Plan Used: (basic/intermediate/detailed)

I will work to reduce salt use at this location to protect our natural resources.

Signed: *Julie Jones*

- Individual responsible for the winter maintenance at this site
 - **Name:** Joe Smith
 - **Phone number:** 688-876-3445
 - **Email:** Joes@gmail.com
- Smart salting certificate of at least one person involved in winter maintenance operations at this site:
 - **Name:** Sarah Kinney
 - **Company:** FCI
 - **Phone number:** 123-321-1234
 - **Email:** Sarah@Fortinconsulting.com
 - **Proof of Certificate:** 4/5/21



Intermediate Plan Criteria

All components of the [basic plan](#) + [intermediate plan](#)

Required information:

- Individual responsible for the winter maintenance at this site
 - Name
 - Phone number
 - Email
- MPCA Smart salting certificate of at least one person involved in winter maintenance operations at this site
 - Name
 - Company
 - Phone number
 - Email
 - Proof of Certificate

[*MPCA list of certified applicators](#)

[*MPCA-approved salt training calendar](#)

Permit issuer chooses from recommended fields:

Easy to verify:

- X% of winter maintenance crew are MPCA Smart Salting certified
- Subcontractors' organizations are level 2 MPCA Smart Salting certified

Easy to observe:

- No granular salt on surfaces after the event
- Proper storage of granular deicers
- Proper storage of liquid deicers
- Proper storage of snow (not in waters of the state)
- Educational signs on property (i.e. lower salt use and why, MPCA poster in lobby, MPCA window clings, Slippery area signs, It is winter: Walk carefully & drive carefully, Eco path no salt use area, How to use the salt bucket sign...)

[*Proper liquid storage requirements](#)

[*Smart salting resources for applicators](#)

Intermediate Plan Example

Property Manager Name: Julie Jones

Name of Development: Park N Ride West

Address of Development: 123 main street, Wayzata MN 55391

Date: 7/3/21

Watershed: Minnehaha Creek

Winter Maintenance Management Plan Used: (basic/intermediate/detailed)

I will work to reduce salt use at this location to protect our natural resources.

Signed: *Julie Jones*

- Individual responsible for the winter maintenance at this site**
 - **Name:** Joe Smith
 - **Phone number:** 688-876-3445
 - **Email:** Joes@gmail.com
- Smart salting certificate of at least one person involved in winter maintenance operations at this site:**
 - **Name:** Sarah Kinney
 - **Company:** FCI
 - **Phone number:** 123-321-1234
 - **Email:** Sarah@Fortinconsulting.com
 - **Proof of Certificate:** 4/5/21



- 50% of winter maintenance crew are MPCA Smart Salting certified**

10-person full time crew, 50% certified. More part time crew will be added during winter months and will work under the direction of the full-time crew. It is up to our subcontractors to train their own crew. We request that the subcontractors organization be level 2 certified as shown below.

Certified Crew and Date of Certification:

- Sarah Kinney, 4/5/2021
- Tom Johnson, 5/18/2021
- Maggie Halloway, 5/4/2021
- Trish Johnston, 5/7/2021
- Luis Lopez, 4/18/2021

- Subcontractors' organizations are level 2 MPCA Smart Salting certified
Certified subcontractors and Date of Certification:

- Jose's Snow and Ice, 5/6/21
- Walleye Landscaping, 6/8/21

- No granular salt on surfaces after the event

- We will strive to use the right amount. However, if we've overapplied, we will recover the extra and use it at a different event.

- Proper storage of granular deicers

- Our granular deicers will be stored under a cover and on an impermeable surface.

- Proper storage of liquid deicers

- We do not use liquid deicers

- Proper storage of snow (not in waters of the state)

- Snow will not be pushed into wetland #215 or Plymouth Creek.

- Educational signs on property

- Educational signage about smart salting use will be posted for our tenants at entrances from November through March.

Detailed Plan Criteria

All components of the *basic and intermediate plans + detailed plan*

Required information:

- Individual responsible for the winter maintenance at this site
 - Name
 - Phone number
 - Email
- MPCA Smart salting certificate of at least one person involved in winter maintenance operations at this site
 - Name
 - Company
 - Phone number
 - Email
 - Proof of Certificate

[*MPCA list of certified applicators](#)

[*MPCA-approved salt training calendar](#)

Choose from recommended fields:

Easy to verify:

- X% of winter maintenance crew are MPCA Smart Salting certified
- Subcontractors' organizations are level 2 MPCA Smart Salting certified

Easy to observe:

- No granular salt on surfaces after the event
- Proper storage of granular deicers
- Proper storage of liquid deicers
- Proper storage of snow (not in waters of the state)
- Educational signs on property

[*Proper liquid storage requirements](#)

[*Smart salting resources for applicators](#)

Choose from the recommended list:

- Documentation
 - Map or spreadsheet
 - Size of entire maintenance area
 - Estimated amount of deicer per pass*
 - Size of each maintenance area (i.e. main parking lot, front sidewalk...)

- Level of service for each area
- Estimated amount of deicer needed per pass for each area
- Annual report
 - Total deicer use (in lb/gal)
 - Challenges in reducing salt use
 - Successes in reducing salt use
 - Plans for smart salting next year

Choose from the list of best practices:

- Remove snow before applying deicer
 - Snow removal early and often to prevent compaction
 - Better and or more snow removal tools (brooms, segmented blades, blowers, underbody blades, shovels by salt bucket...)
- Measure pavement temperature and trend, use this information to guide deicer selection and application rates.
- Have available a variety of deicer/abrasive materials so you can select the product that will work best in the lowest commodity depending on the conditions.
 - If deicers are being use, they should include liquid deicers
- Improve salt bucket situation (educate users, provide alternatives like shovels and brooms, provide application rate guidance, restrict use, provide small scoops)
- Calibrate spreaders, put calibration card on spreaders.
 - Use equipment capable of spreading at low rates suggested in MPCA parking lot manual or work towards this goal as you acquire new equipment.
 - Create application rate charts so applicators can see calibration card, and application rate guidance and be able to choose most appropriate setting on their spreaders.
 - If your application rate charts are more than twice the rate of the MPCA Smart Salting application rate charts explain why this is necessary.
- Sweep up extra salt after events
- Hold post storm meetings or debrief with maintenance crew on what went well and how to continue to work toward smart salting goals.
- Educate building and grounds users on smart salting and the role they play with safe driving and walking practices.
- Close areas not needed in winter so there is less surface area to salt
- Consider areas where you might change level of service from bare pavement to not bare pavement. (Salted walking path to eco-path for dog walkers (no salt))
- Other

Detailed Plan Example

Property Manager Name: Julie Jones

Name of Development: Park N Ride West

Address of Development: 123 main street, Wayzata MN 55391

Date: 7/3/21

Watershed: Minnehaha Creek

Winter Maintenance Management Plan Used: (basic/intermediate/detailed)

I will work to reduce salt use at this location to protect our natural resources.

Signed: *Julie Jones*

Individual responsible for the chloride management onsite:

- **Name:** Joe Smith
- **Phone number:** 688-876-3445
- **Email:** Joes@gmail.com

Smart salting certificate of at least one person involved in winter maintenance operations at this site:

- **Name:** Sarah Kinney
- **Company:** FCI
- **Phone number:** 123-321-1234
- **Email:** Sarah@Fortinconsulting.com
- **Proof of Certificate:** 4/5/21



- 50% of winter maintenance crew are MPCA Smart Salting certified
 - 10-person full time crew, 50% certified. More part time crew will be added during winter months and will work under the direction of the full-time crew. It is up to our subcontractors to train their own crew. We request that the subcontractors organization be level 2 certified as shown below.

Certified Crew and Date of Certification:

- Sarah Kinney, 4/5/2021
- Tom Johnson, 5/18/2021
- Maggie Halloway, 5/4/2021
- Trish Johnston, 5/7/2021
- Luis Lopez, 4/18/2021

- Subcontractors' organizations are level 2 MPCA Smart Salting certified
Certified subcontractors and Date of Certification:

- Jose's Snow and Ice, 5/6/21
- Walleye Landscaping, 6/8/21

- No granular salt on surfaces after the event
 - We will strive to use the right amount. However, if we've overapplied, we will recover the extra and use it at a different event.
- Proper storage of granular deicers
 - Our granular deicers will be stored under a cover and on an impermeable surface.
- Proper storage of liquid deicers
 - We do not use liquid deicers
- Proper storage of snow (not in waters of the state)
 - Snow will not be pushed into wetland #215 or Plymouth Creek.
- Educational signs on property
 - Educational signage about smart salting use will be posted for our tenants at entrances from November through March.

- Documentation

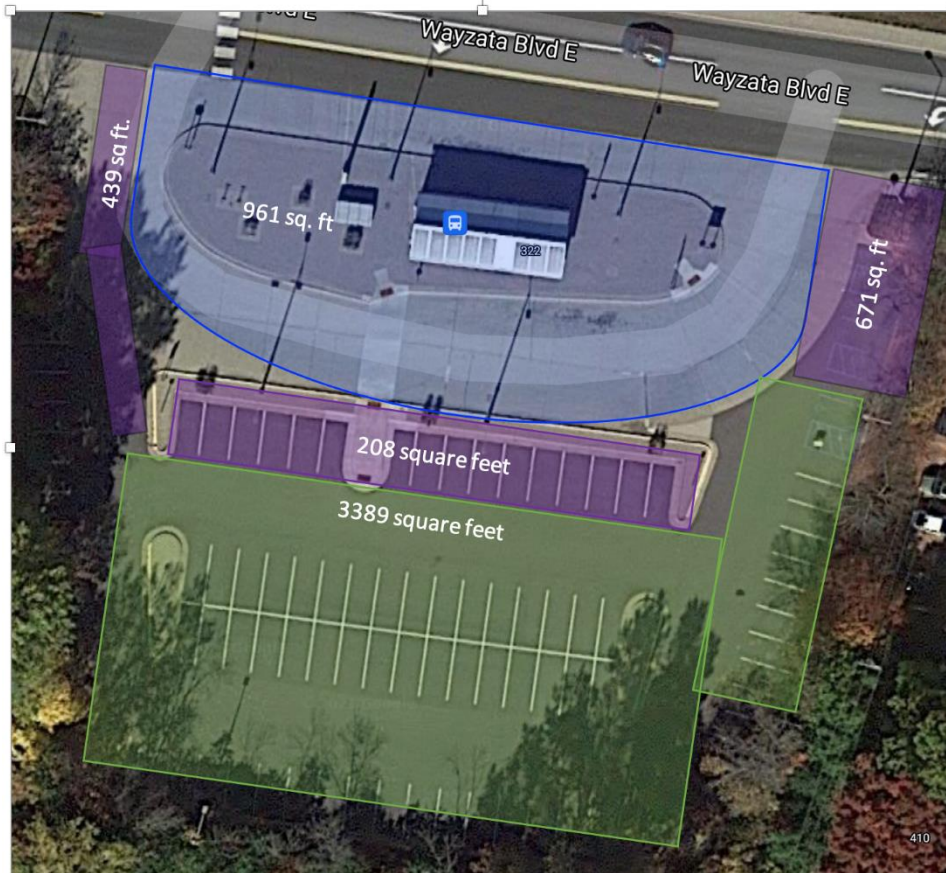
- Map or spreadsheet

- Size of entire maintenance area: 6,168 sq. Ft
- Estimated amount of deicer per pass*: 25 lbs

*This is very close to the recommended rates in the MPCA Smart Salting for Parking Lots and Sidewalk manual.

- Size of each maintenance area (i.e., main parking lot, front sidewalk...): (see map/spreadsheet)

- Level of service for each area: (see map/spreadsheet)
- Estimated amount of deicer needed per pass for each area: (see map/spreadsheet)



Blue = bare pavement
 Purple = patches of bare
 Green = compacted snow

Location: Park-and-Ride	Area (sq. ft)	Average Material per Pass (lb)	Target	How Fast
Sidewalks around bus station	961	12	bare pavement	24 hours after snow
Entrance driveway	671	5	patches of bare	48 hours after snow
First row of parking lot	208	4	patches of bare	48 hours after snow
Rest of parking lot	3889	0	compacted snow	24 hours after snow
Exit drive	439	4	patches of bare	48 hours after snow

*Use abrasive if needed for traction on the compacted snow.

- Annual report
 - Total deicer use (in lb/gal) per pass: 625 pounds

- Salting Events: 25; 18 snow events, 5 freezing rain events, 2 melt and refreeze events
- Challenges in reducing salt use
 - It is difficult to stay within the MPCA Smart Salting Guidelines. We really want to add more salt than that, we are trying it out as an experiment. Our maintenance crew changed throughout the season, so it was difficult to get them in a training class.
 - We had a big snow event, and a lot of users of park-and-ride complained that they wanted higher salt use.
- Successes in reducing salt use
 - By the end of the season, most of the crew had at least one experience using liquid deicers.
- Plans for smart salting next year
 - Next year, we will improve performance by using more liquid deicers.
 - We hope to do a better job of sticking to the level of service plans highlighted in our spreadsheet.

Best Practices:

- Remove snow before applying deicer
 - Snow removal early and often to prevent compaction
 - We will remove snow before applying deicer. We will do our best do remove it early and often so that compaction doesn't occur.
 - Better and or more snow removal tools (brooms, segmented blades, blowers, underbody blades, shovels by salt bucket...)
- Measure pavement temperature and trend, use this information to guide deicer selection and application rates.
- Have available a variety of deicer/abrasive materials so you can select the product that will work best in the lowest commodity depending on the conditions.
 - We will have more than one type of deicer available and choose the most effective one based on our pavement temperature and trend.
- If deicers are being use, they should include liquid deicers
- Improve salt bucket situation (educate users, provide alternatives like shovels and brooms, provide application rate guidance, restrict use, provide small scoops)
 - The salt bucket by the entrance to the park-and-ride booth will contain a very small scooper and a sign about why we want to reduce salt use. ("Chloride pollutes our waters. Please use salt sparingly.")
- Calibrate spreaders, put calibration card on spreaders.
 - We will calibrate our spreaders before the first snow.

- Use equipment capable of spreading at low rates suggested in MPCA parking lot manual or work towards this goal as you acquire new equipment.
- Create application rate charts so applicators can see calibration card, and application rate guidance and be able to choose most appropriate setting on their spreaders.
 - If your application rate charts are more than twice the rate of the MPCA Smart Salting application rate charts explain why this is necessary.
- Sweep up extra salt after events
- Hold post storm meetings or debrief with maintenance crew on what went well and how to continue to work toward smart salting goals.
 - We will start conducting post-storm meetings, discussing the challenges and successes we had with salt use.
- Educate building and grounds users on smart salting and the role they play with safe driving and walking practices.
 - We are going to educate the grounds crew and work staff at the Park-and-Ride about the lower salt use and why it is necessary. We will encourage them to walk and drive carefully to avoid falls/crashes.
- Close areas not needed in winter so there is less surface area to salt
- Consider areas where you might change level of service from bare pavement to not bare pavement. (Salted walking path to eco-path for dog walkers (no salt))
- Other
 - We will speak about our efforts to reduce salt at the annual Minnesota Park-and-Ride meeting.

From: Christopher, Steve (BWSR) <steve.christopher@state.mn.us>
Sent: Friday, October 28, 2022 2:34 PM
To: Judie Anderson <Judie@jass.biz>
Cc: Katie Kemmitt (katie.kemmitt@stantec.com) <katie.kemmitt@stantec.com>
Subject: RE: Informal review - Shingle Creek/West Mississippi Fourth Generation Watershed Management Plan

Judie,

I completed a high level review of the Plan and I found it to be well written with an easy to follow structure that will provide direction that benefits the watersheds. I did not identify any missing elements from Statute or Rule. I'll provide a more comprehensive review during the 60-day comment period.

Thanks and have a great weekend

Steve Christopher | Board Conservationist

Minnesota Board of Water and Soil Resources (BWSR)
520 Lafayette Road North
St. Paul, MN 55155
651-249-7519 | steve.christopher@state.mn.us
[Web](#) | [Twitter](#) | [Facebook](#)

From: Judie Anderson <Judie@jass.biz>
Sent: Monday, October 10, 2022 2:15 PM
To: Christopher, Steve (BWSR) <steve.christopher@state.mn.us>; Judie Anderson <Judie@jass.biz>; Jeffery Berg <jeffery.berg@state.mn.us>; Freitag, John (MDH) <john.freitag@state.mn.us>; Moore, Megan (DNR) <megan.moore@state.mn.us>; Richter, Joe G (DNR) <joe.richter@state.mn.us>; Mielke, Sara (DNR) <sara.mielke@state.mn.us>; Swenson, Jason (DOT) <Jason.Swenson@state.mn.us>; Sventek, Judy <judy.sventek@metc.state.mn.us>; Elhassan, Ali <ali.elhassan@metc.state.mn.us>; Risberg, Jeff (MPCA) <jeff.risberg@state.mn.us>; BVLach@threeriversparkdistrict.org; dougbaines@yahoo.com
Subject: Informal review - Shingle Creek/West Mississippi Fourth Generation Watershed Management Plan

An updated draft of the SCWM Fourth Generation Watershed Management Plan and Appendices is available for informal review on the Shingle Creek and West Mississippi website homepage under 'What's New' [<http://www.shinglecreek.org/>]. We welcome your review and informal comments by October 31, 2022, and would be happy to answer any questions you might have. The Commissions intend to begin the formal 60-Day review process on November 10, 2022, will take formal comments through mid-January 2023, and hold a public hearing on the plan in February 2023.

Please submit comments to Judie Anderson (judie@jass.biz) and direct questions to Katie Kemmitt (katie.kemmitt@stantec.com).

- Judie

Judie A. Anderson
WATERSHED ADMINISTRATOR | JASS | 3235 FERNBROOK LANE PLYMOUTH MN 55447
judie@jass.biz | D 763.553.1144 | F 763.553.9326
Representing Elm Creek, Shingle Creek, West Mississippi, and Pioneer-Sarah Creek WMOs and Clearwater River WD
 Please consider the environment before printing this email.

October 28, 2022

Ms. Judie Anderson
Shingle Creek and West Mississippi Watershed Management Commission
3235 Fernbrook Lane N
Plymouth, Minnesota 55447

RE: Informal review - Shingle Creek/West Mississippi Fourth Generation Watershed Management Plan

Dear Ms. Anderson,

Thank you for the opportunity to provide informal review and comment on the draft Shingle Creek and West Mississippi Fourth Generation Watershed Management Plan (Plan). We applaud the Shingle Creek and West Mississippi Watershed Management Commissions' (Commissions) commitment to addressing environmental justice and climate change. Additionally, for the emphasis placed on strengthening partnerships between the Commission's and its stakeholders.

However, we do have one comment we would ask the Commissions consider including before the Plan's release for formal comment. The plan outlines the role the Plan will have on its municipalities and their Local Surface Water Management Plans. We ask that the Plan clearly state how a municipality could adopt the whole Plan or portions to act as their Local Surface Water Management Plan.

We appreciate your considering our comments as you move forward with approval of the Plan. If you have any questions about these comments, please contact Maureen Hoffman, at 651-602-1279, or at maureen.hoffman@metc.state.mn.us.

Sincerely,



Maureen Hoffman
Senior Planner, Water Resources

October 31, 2022

Judie Anderson
Shingle Creek and West Mississippi Watershed Management Commissions

RE: Response to Request for Informal review of the SCWM 4th Gen Watershed Management Plan 2022-2032

Dear Judie,

The Minnesota Pollution Control Agency (MPCA) appreciates the opportunity to provide an informal review of the Shingle Creek and West Mississippi Watershed Management Commissions Fourth Generation Plan. The work you have put into the plan has been thoughtful as you consider climate change, plans to collaborate better with communities in environmental justice areas, setting attainable goals within the next 10 years, and acknowledging where the commissions can do better.

Recommendations:

- Consider more commitment to reducing chlorides
 - Chlorides are listed in the narrative, and you mention it several times in the document, but I do not see it listed in your priorities or goals
 - Consider creating a goal in your Education and Outreach area
 - A goal of more participation in the smart salting classes
 - <https://www.pca.state.mn.us/business-with-us/smart-salting-training>
 - [Statewide chloride resources | Minnesota Pollution Control Agency](#)
 - A goal of educating more constituents on water softeners and upgrading systems
- TMDL implementation:
 - I have included the impairments for Shingle Creek and West Mississippi in Tables 1-3 for reference – but it seems most are listed in the tables of appendix B5
 - You have 16 listed in your document executive summary – but a little more clarification in the impairments you are considering in that list would help – aquatic recreation, etc – you may be focusing on nutrients – I don't think you are considering the chloride TMDLs in the 16 impairments
 - I see you have more details in the appendix – maybe add a reference to the appendix in the narrative
 - There is an opportunity to include protection strategies to the waters that have been removed from the impaired waters list or waters that already have good water quality
 - Consider including protection strategies and choose the waters you would like protections strategies for
 - The MPCA can assist with protection strategies
- Environmental Justice resource
 - If you have not accessed our mapping tool – it may come in handy as you are putting information out to the constituents in your watershed – the main languages are listed, and you could implement sharing information in other languages

- [Understanding environmental justice in Minnesota \(arcgis.com\)](https://www.arcgis.com)
 - [Environmental justice | Minnesota Pollution Control Agency \(state.mn.us\)](https://state.mn.us)
- Check references for appendix
 - It may only be at the end of the document in 4.5.2 – the appendices may be mixed up
- MPCA funding options to consider
 - [Apply for financial assistance | Minnesota Pollution Control Agency \(state.mn.us\)](https://state.mn.us)

Table 1. Impaired Lakes and Streams in Shingle Creek WMO boundaries

Water body name	Water body type	Year added to List	AUID	Affected designated use	Pollutant or stressor	EPA category	Year TMDL plan approved
<i>Shingle Creek (County Ditch 13)</i>	Stream	2006	07010206-506	Aquatic Life	Benthic macroinvertebrates bioassessments	4A	2011
<i>Shingle Creek (County Ditch 13)</i>	Stream	1998	07010206-506	Aquatic Life	Chloride	4A	2007
<i>Shingle Creek (County Ditch 13)</i>	Stream	2004	07010206-506	Aquatic Life	Dissolved oxygen	4A	2011
<i>Shingle Creek (County Ditch 13)</i>	Stream	2022	07010206-506	Aquatic Life	Fish bioassessments	5	
<i>Shingle Creek (County Ditch 13)</i>	Stream	2014	07010206-506	Aquatic Recreation	Escherichia coli (E. coli)	4A	2014
<i>Bass Creek</i>	Stream	2022	07010206-784	Aquatic Life	Benthic macroinvertebrates bioassessments	5	
<i>Bass Creek</i>	Stream	2010	07010206-784	Aquatic Life	Chloride	4A	2016
<i>Bass Creek</i>	Stream	2002	07010206-784	Aquatic Life	Fish bioassessments	4A	2011
<i>Crystal</i>	Lake	2002	27-0034-00	Aquatic Recreation	Nutrients	4A	2009
<i>Upper Twin</i>	Lake	1998	27-0042-01	Aquatic Consumption	Mercury in fish tissue	4A	2007
<i>Upper Twin</i>	Lake	1998	27-0042-01	Aquatic Consumption	PCBs in fish tissue	5	
<i>Upper Twin</i>	Lake	2010	27-0042-01	Aquatic Consumption	Perfluorooctane sulfonate (PFOS) in fish tissue	5	
<i>Upper Twin</i>	Lake	2002	27-0042-01	Aquatic Recreation	Nutrients	4A	2007
<i>Middle Twin</i>	Lake	1998	27-0042-02	Aquatic Consumption	Mercury in fish tissue	4A	2007
<i>Middle Twin</i>	Lake	1998	27-0042-02	Aquatic Consumption	PCBs in fish tissue	5	
<i>Middle Twin</i>	Lake	2010	27-0042-02	Aquatic Consumption	Perfluorooctane sulfonate (PFOS) in fish tissue	5	
<i>Middle Twin</i>	Lake	2002	27-0042-02	Aquatic Recreation	Nutrients	4A	2007
<i>Lower Twin</i>	Lake	1998	27-0042-03	Aquatic Consumption	Mercury in fish tissue	4A	2007
<i>Lower Twin</i>	Lake	1998	27-0042-03	Aquatic Consumption	PCBs in fish tissue	5	
<i>Lower Twin</i>	Lake	2010	27-0042-03	Aquatic Consumption	Perfluorooctane sulfonate (PFOS) in fish tissue	5	
<i>Meadow</i>	Lake	2002	27-0057-00	Aquatic Recreation	Nutrients	4A	2010
<i>Magda</i>	Lake	2002	27-0065-00	Aquatic Recreation	Nutrients	4A	2010
<i>Bass</i>	Lake	2002	27-0098-00	Aquatic Recreation	Nutrients	4A	2009
<i>Pomerleau</i>	Lake	2002	27-0100-00	Aquatic Recreation	Nutrients	4A	2009
<i>Eagle</i>	Lake	1998	27-0111-01	Aquatic Consumption	Mercury in fish tissue	4A	2007
<i>Eagle</i>	Lake	2008	27-0111-01	Aquatic Recreation	Nutrients	4A	2010

Water body name	Water body type	Year added to List	AUID	Affected designated use	Pollutant or stressor	EPA category	Year TMDL plan approved
Pike	Lake	1998	27-0111-02	Aquatic Consumption	Mercury in fish tissue	4A	2007
Pike	Lake	2002	27-0111-02	Aquatic Recreation	Nutrients	4A	2010
Cedar Island	Lake	2004	27-0119-00	Aquatic Recreation	Nutrients	4A	2010

Table 2. Impaired Lakes and Streams in West Mississippi WMO boundaries

Water body name	Water body type	Year added to List	AUID	Affected designated use	Pollutant or stressor	EPA category	Year TMDL plan approved
Mississippi River	Stream	1998	07010206-805	Aquatic Consumption	Mercury in fish tissue	4A	2007
Mississippi River	Stream	2002	07010206-805	Aquatic Consumption	PCBs in fish tissue	5	
Mississippi River	Stream	2016	07010206-805	Aquatic Life	Nutrients	4A	2021
Mississippi River	Stream	2006	07010206-805	Aquatic Recreation	Fecal coliform	5	

Table 3. New Impairments proposed for 2024

WMO	WATERBODY NAME	WATERBODY TYPE	AUID	NEW IMPAIRMENTS
Shingle Creek WMO	Bass Creek	Stream	07010206-784	Dissolved oxygen, Escherichia coli (E. coli)
Shingle Creek WMO	Upper Twin	Lake	27-0042-01	Fish bioassessments
Shingle Creek WMO	Middle Twin	Lake	27-0042-02	Fish bioassessments
Shingle Creek WMO	Lower Twin	Lake	27-0042-03	Fish bioassessments
Shingle Creek WMO	Eagle	Lake	27-0111-01	Fish bioassessments
West Mississippi WMO	Unnamed creek	Stream	07010206-902	Escherichia coli (E. coli)

Table 4 Delisted and proposed de-listed waters in Shingle Creek – no de-listings in the West Mississippi WMO

Water body name	Water body type	Year added to List	Delist year	AUID	Affected designated use	Pollutant or stressor
Lower Twin	Lake	2002	2014	27-0042-03	Aquatic Recreation	Nutrients
Ryan	Lake	2002	2014	27-0058-00	Aquatic Recreation	Nutrients
Schmidt	Lake	2002	2014	27-0102-00	Aquatic Recreation	Nutrients
Bass	Lake	2002	Proposed 2024	27-0098-00	Aquatic Recreation	Nutrients
Pomerleau	Lake	2002	Proposed 2024	27-0100-00	Aquatic Recreation	Nutrients

We look forward to partnering with the Shingle Creek and West Mississippi Creek WMOs as you move into the implementation of your plan. The MPCA is aware of the many efforts underway in the Mississippi River-Twin Cities Watershed. We hope to continue to work in cooperation with local governments in the watershed. If we may be of further assistance, please contact me, Amy Timm, at 651-757-2632.

Thank you again for the opportunity to provide comments toward your local water plan.

Sincerely,

A handwritten signature in black ink that reads "Amy Timm". The signature is written in a cursive, flowing style.

This document has been electronically signed.

Amy Timm
Environmental Specialist
Watershed Division

To: Shingle Creek/West Mississippi WMO Commissioners

From: Todd Shoemaker PE
Diane Spector
Katie Kemmitt

Date: November 3, 2022

Subject: Fourth Generation Plan Update

Recommended Commission Action	Each Commission to initiate the 60-day review process and direct staff to submit the 60-day review draft Plan to the required review agencies, member cities, and county.
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A review draft of the Fourth Generation Watershed Management Plan has been posted on the Commissions’ website in early October, and a notice was emailed to Commissioners, TAC members, city staff members, and other stakeholders that it was available for review. The Commission received comments from the Board of Soil and Water Resources, Minnesota Pollution Control Agency, and Metropolitan Council. In addition to providing links to resources and commending the Watersheds for emphasizing a commitment to climate change and environmental justice, agencies provided a few informal comments that are summarized below. No comments warrant any significant changes to the Plan.

- The Plan should clearly state how a municipality could adopt the whole Plan or portions to act as their Local Surface Water Management Plan [Met Council]
- Consider more commitment to reducing chlorides [MPCA]
- Consider adding protection strategies for lakes that have been delisted [MPCA]

As was discussed at the September 8 meeting, the next step in the planning process is to proceed to the 60-day review period. During this period, the member cities and other review agencies will be asked for formal comments on the Plan. On the completion of the 60-day review, the Commissions must hold a public hearing to take further public comment. Following any revisions in response to the comments, the Commissions must then send the revised Plan, a compilation of all the comments received, the responses, and a summary of how the Plan was revised in response to comments to BWSR. BWSR staff will review the Plan and then make a recommendation to BWSR’s Metro Water Planning Committee, who will review the Plan and make a recommendation to the full BWSR Board to either approve the Plan or require revisions. After approval by the BWSR Board, the Plan will come back to the Commissions for final adoption. The law provides BWSR 90 days for this review process, but it can be completed in less time.

The following is the tentative schedule for this process:

Initiate 60-Day Review	November 10, 2022
Complete 60-Day Review	~January 9, 2023 (date is set by BWSR)
Hold Public Hearing	February 8, 2023
BWSR Approval	April or May, 2023
Commission Adoption	May 11, 2023 or June 8, 2023

To: Shingle Creek/West Mississippi WMO

From: Todd Shoemaker PE
Lisa Tilman, P.E.

Date: November 3, 2022

Subject: Legal Boundary Update

**Recommended
Commission Action**

For information.

With the Commission’s review of the proposed updated legal boundaries at the September Commission meeting, the proposed boundary line and draft letters of concurrence were sent to the neighboring watershed organizations for their review and concurrence. We received comments from Mississippi WMO, Elm Creek WMC, and Bassett Creek WMC with clarifications on drainage patterns along the shared boundary.

The Stantec team met with representatives from Mississippi WMO and Bassett Creek WMC to discuss the recommended revisions to the proposed boundary and has responded to the comments received through the review by Elm Creek WMC’s member cities. Comments received were based on specific local knowledge of municipal storms sewer networks and drainage patterns and presented meaningful refinement to the accuracy of the proposed boundary. Stantec is in the process of making the recommended edits to distribute a final draft boundary to each of the neighboring watershed organizations. Review by municipalities will follow the neighboring watershed concurrence. The meetings targeted for boundary review and concurrence at upcoming Watershed Commission meetings are:

Bassett Creek – November 16th

Elm Creek – December 14th

Mississippi – January 10th

After watershed and municipal concurrence, the boundary update will be submitted to Hennepin County, so the County can update the watershed’s special taxing district. Submittal by July 1st of an updated boundary map and a list of parcels within the new boundaries will ensure the update is included in the following year’s taxes

To: Shingle Creek/West Mississippi WMC TAC/Commissioners
From: Todd Shoemaker PE
Date: November 3, 2022
Subject: Cost Share Request by City of Minneapolis for 46th Ave Outfall Improvements

Recommended Commission Action	For discussion. Recommend approval by the Shingle Creek Commission.
--------------------------------------	---

The City of Minneapolis submitted a cost share request to the Shingle Creek WMC for improvements proposed adjacent to 46th Avenue and Shingle Creek (Figure 1). The proposed improvements would replace a failed and eroded outlet to Shingle Creek and incorporate green infrastructure to manage and convey runoff to the creek rather than traditional pipes. The green infrastructure consists of two rain gardens, a dry swale, and a step pool system consisting of three pools discharging into Shingle Creek (Figure 2). The City requests the maximum cost-share amount of \$50,000.

The City prepared preliminary designs for two options with the estimated cost of the stormwater work at between \$151,000 (Option B) and \$163,000 (Option A). The higher cost of option A is because of larger step-pools adjacent to Shingle Creek.

Stantec has reviewed the preliminary plans and notes the following benefits of the project:

- Replacing failed “gray” infrastructure (pipe) with the more natural aesthetic of green infrastructure.
- This is a “pilot project” for Minneapolis and may serve as an example for future outfall stabilization projects.
- Improving water quality (Table 1) for an area with no existing stormwater management.
- Adding green space for the surrounding community.

Table 1. Water quality benefits of the proposed project.

	Volume Captured (cf)	TSS Reduction (lb/yr)	TP Reduction (lb/yr)	Normalized Cost (\$/lb TP)
Proposed Green Infrastructure*	2,134	216	1.2	\$4,200-\$4,600

*Water quality benefits represent both Options A and B.

Stantec recommends the City address the following comments as the project proceeds to final design:

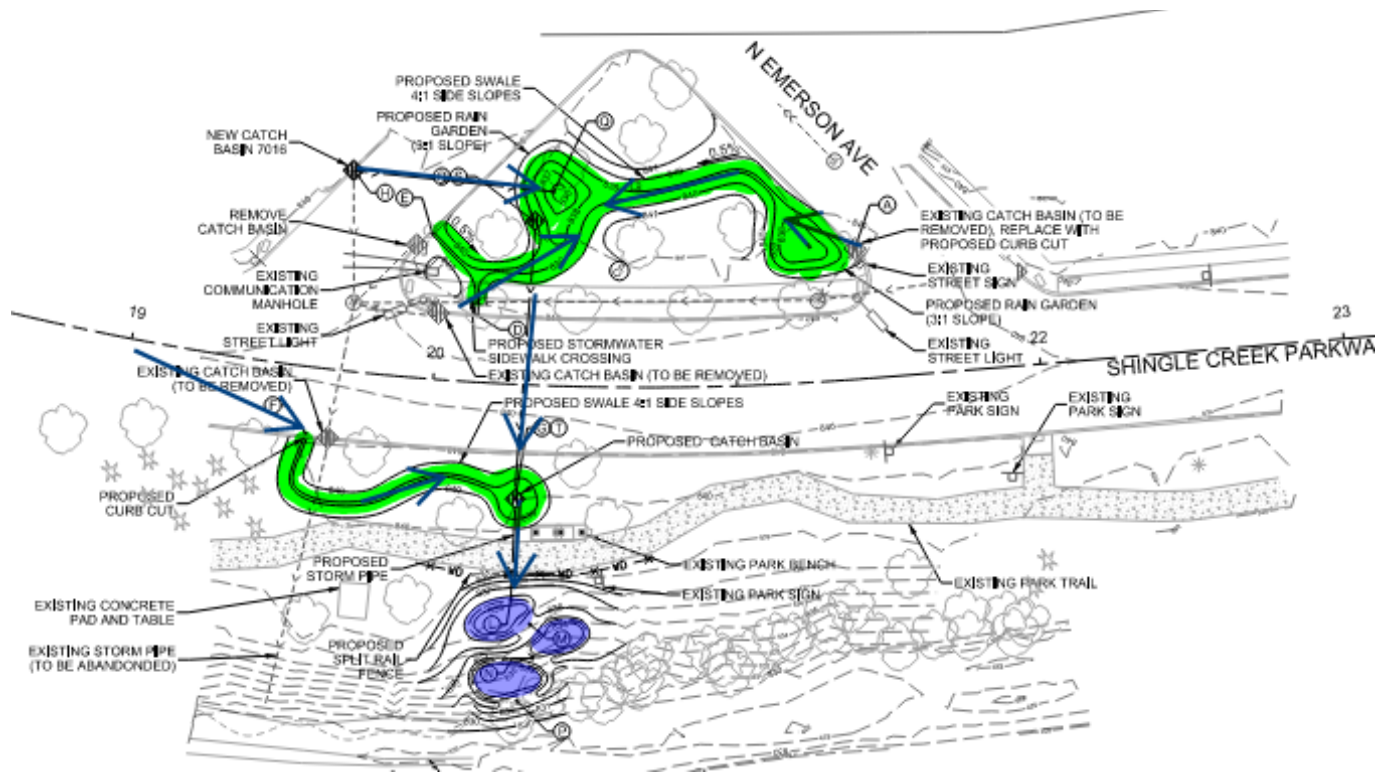
1. Document plunge pool stability:
 - a. Effect of Shingle Creek flows
 - b. Effect of pipe flows
2. Provide MIDS BMP parameters or MIDS file to confirm modeling corresponds to the design.
3. Conduct soil borings to verify design infiltration rates.
4. Provide pretreatment to ensure the functionality of the credited system.
5. Provide a reinforced EOF at the dog leg of swale for 100-yr event.
6. Provide a revegetation plan (native species recommended).
7. Verify that a public easement (or equivalent) is dedicated.
8. Execute and record an Operations and Maintenance Agreement prior to release of any funds.

The City will present this application to the TAC at the November 10, 2022 meeting. With the revisions recommended above and the concurrence of the TAC, staff recommends approval of this cost share application. As of January 1, 2022 the balance in the City Cost Share Fund was \$329,210.

Figure 1. Project Location



Figure 2. 30% Project Design Plans.



To: Shingle Creek/West Mississippi WMO Commissioners/TAC

From: Todd Shoemaker, PE
Diane Spector

Date: November 3, 2022

Subject: MPCA Climate Resilience Grants

**Recommended TAC/
Commission Action**

Discuss. TAC consider making a recommendation to the Shingle Creek Commission regarding preparation of grant application. Commission consider authorizing staff to prepare a grant application.

The MPCA is now taking applications for the Planning Grants for Stormwater, Wastewater, and Community Resilience program (attached). \$395,000 is available to support climate-planning projects in communities across Minnesota. This funding will help communities assess vulnerabilities and plan for the effects of Minnesota’s changing climate in three areas:

- Improving stormwater resilience and reducing localized flood risk
- Improving the resilience of wastewater systems
- Adapting community services, ordinances, and public spaces

This was a new grant program in 2021, and the Commission approved submitting a grant application to use the Shingle Creek HUC8 model to estimate the potential impacts of future precipitation patterns. Unfortunately, it was not funded. Supposedly the DNR is doing some modeling for at least some parts of West Mississippi, but we have not seen it and can’t say whether it is suitable for such a modeling exercise.

We recommend that Shingle Creek reapply this year using the same general work plan as last year. Last year the grant program did fund grants to a few other WMOs and cities to undertake essentially the same activities:

1. Model and map midcentury precipitation scenarios to create projected flood inundation areas for the 1%+ 24-hour rainfall event and the 1%+ 10 day event. A ‘plus’ is a rainfall depth taken from the 90th percentile estimate for the given rainfall frequency. FEMA often evaluates not only the 1% storm event but also the 1%+ storm event as a way to provide perspective on the range of values one COULD expect in the 1% event. The State Climatology Office also suggests using the 90th percentile as a proxy for midcentury precipitation.
2. Identify potential future flooding risks in the watershed by reviewing known flooding areas, infrastructure, structures, and emergency vehicle routes in or in close proximity to predicted future hazardous flood conditions.

3. Develop policy recommendations for using the scenario data. For example, this modeling could be used to help the cities and county better understand how to properly design new infrastructure such as culverts, bridges, etc. that would be expected to have a mid-century useful life.

It should be noted that completing this type of resiliency modeling is called out in the Fourth Generation Plan as a priority implementation action. The cost of undertaking this work was estimated last year as just under \$25,000, with a grant request of about \$22,000 and a 10% local match of about \$2,500. We haven't yet updated the estimate but believe it will be in that ballpark.

Applications are due January 12, 2023. If the TAC recommends and the Commission approves pursuing this grant, we will bring a draft workplan and application to the Commission at the December 8, 2022 meeting. The level of effort to prepare the application and associated documents will be minimal since we can reuse much of what was prepared last year.

Planning Grants for Stormwater, Wastewater, and Community Resilience Request for Proposals (RFP)

The RFP assists applicants in applying for state grants. This document describes the State Fiscal Year 2023 (FY23) Planning Grants for Stormwater, Wastewater, and Community (SWC) Resilience, including information on who may apply for funding, activities eligible for funding and other information that will help the applicants plan their project and submit a competitive application. Applications are due no later than **Thursday, January 12, 2023, at 4:00pm Central Time (CT)**.

The applicant should check the [SWIFT Supplier Portal](#) and the Minnesota Pollution Control Agency (MPCA) [Planning Grants for SWC Resilience](#) webpage for any updates.

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The Grant Application Form, Workplan and Budget, Sample Grant agreement, Questions and Answers, and any addendums can be found in the [SWIFT Supplier Portal](#).

1. Project overview

Minnesota’s climate is changing, causing harmful effects in communities across our state today. The impacts experienced include risks to health and safety, overwhelmed infrastructure, damaged property, dying trees and culturally important native species, and the inability of population centers to cool off overnight. Climate trends identified through monitoring over decades of changes in temperature and precipitation, snow depth, and lake ice, storms and droughts, our growing season, and more show that Minnesota is becoming warmer and wetter, with more damaging rains, and cold weather warming. More extreme heatwaves and extended periods of drought alternating with intense precipitation are expected in the future.

During the 2021 Legislative Session, 1st Special Session, ongoing funding was appropriated in the Omnibus bill [Chapter 6 – S.F.No.20](#), Article 1, Sec. 2, Subdivision 7(h) to increase the resilience of water infrastructure and communities in Minnesota. This is the third RFP for funding from this new grant program.

This funding provides an opportunity for communities to assess vulnerabilities and plan for the effects of Minnesota’s changing climate in three areas: how to increase resilience to stormwater and reduce localized flood risk, how to improve the resilience of wastewater systems, and how to reduce human health effects and adapt community services, ordinances, and public spaces to the changing climate.

2. Funding

Approximately \$395,000 is available for planning projects to be awarded during FY23. Grant projects must be completed no later than June 30, 2024. There is no minimum and no maximum grant award under this RFP.

Match requirement

The minimum match requirement is 10% (ten percent) of the grant amount, either cash or in-kind, provided by any organization involved in the project. Grantees will be expected to track and report all match provided for the project by kind and source, even if the amount exceeds 10%. This will assist MPCA with better understanding of project funding needs for future grant solicitations.

Reimbursement schedule

Grant funding for eligible costs of the planning project will be reimbursed during and upon completion of the approved project with approved invoices.

Invoices for expenses incurred to-date may be submitted as frequently as monthly. Grantees are required to submit their first invoice no later than midway through the project. A final invoice for payment of remaining grant funds expended by the project is required to be submitted at the completion of the project. Payment of the final 10% of grant funds will be held back until the project is completed satisfactorily and all deliverables have been submitted and approved. Invoices are sent directly to MPCA Accounts Payable with cc to the MPCA Authorized Representative.

3. Eligible and ineligible applicants

Eligible applicants

Tribal Nations, and Local Governmental Units (LGUs) including only cities, counties, towns (townships), soil and water conservation districts (SWCDs), water management organizations (WMOs), water districts (WDs), regional development commissions (RDCs), and the Metropolitan Council of the Twin Cities region, and that are located within the geographic boundaries of the state of Minnesota are eligible applicants.

An eligible applicant may designate a different organization to serve as fiscal agent for the grant, upon approval by the MPCA.

Note: Applicants who applied for the FY23 Small Communities Planning Grants for Stormwater, Wastewater, and Community Resilience RFP are eligible to apply or to be included in an application as a partner under this RFP, HOWEVER awarded applicants will not be eligible to receive an award under this RFP for the same project.

Ineligible applicants

- Any other organization or individual not listed above as an eligible applicant.
- Entities that are currently suspended or debarred by the State of Minnesota and/or the federal government are ineligible applicants.
- The MPCA may also deem an applicant ineligible because of, but not limited to: enforcement issues, labor standards, tax status, past grant performance, or other such issues.

4. Eligible and ineligible projects

Eligible projects

Eligible projects are those that conduct **planning for increased resilience** to the impacts of Minnesota’s changing climate (i.e. already becoming warmer and wetter with more damaging rains and cold weather warming, and expected to have more extreme heat and drought in the future) **within any of the following three focus areas: stormwater, wastewater, community resilience.**

Some examples of eligible planning projects in the three focus areas –

Stormwater resilience:

- Vulnerability assessment using a hydrologic/hydraulic model such as XP-SWMM or equivalent to identify areas (e.g. creek corridors, bridges, intersections, etc.) within a tribal/local governmental unit that are at risk for flooding. Includes assessment of changes in future precipitation with storm events of greater intensity and frequency to evaluate how to optimize resiliency of stormwater infrastructure.
- Inventory of water infrastructure issues developed using new or existing modeling information to identify critical impacts (e.g. number of structures flooded, frequency of flooding, social vulnerability, local environmental impacts, etc.), including but not limited to consideration of existing asset management plans. Provides a prioritized list of critical areas needing infrastructure improvements to increase resilience.
- Feasibility study that compares design alternatives (e.g. replacing small or undersized stormwater infrastructure, adding surface or underground stormwater storage areas, increasing infiltration of stormwater, etc.) to address known or predicted areas of flooding within a tribal/local governmental unit. Identifies a preferred alternative with sufficient information to support consideration for future construction funding.
- Plan development (conducted in-house or by contract) for the bidding or contracting, design work, modeling, etc. needed for self-funded projects (those not on the Project Priority List (PPL) / Intended Use Plan (IUP) but which may include other outside funding sources) that have been identified by a tribal/local governmental unit risk assessment or adaptation/resilience plan.

Wastewater resilience:

- Risk assessment of wastewater facilities using the Environmental Protection Agency (EPA) Climate Resilience Evaluation and Awareness Tool (CREAT) or similar analysis to discover which extreme weather hazards pose significant challenges to the utility, identify the critical assets at risk, and explore various actions to protect them.
- Climate vulnerability assessment of public and/or privately-owned sewer and/or sewer sheds.
- Planning and investigative work for climate resiliency of wastewater, sewer, and or Inflow & Infiltration (I&I) projects to determine implementation plan for self-funded projects (that are not anticipated to be part of a Facilities Plan for a Public Facilities Authority (PFA) /Project Priorities List (PPL) but which may include other outside funding sources)
- Plan development (conducted in-house or by contract) for the bidding or contracting, design work, modeling, etc. needed for self-funded projects (those not on the Project Priority List (PPL) / Intended Use Plan (IUP) but which may include other outside funding sources) that have been identified by a risk assessment or adaptation/resilience plan (CREAT or other).

Community resilience:

- Community-wide climate vulnerability assessment involving stakeholders and authentic community engagement processes to identify community assets (such as parks and recreational areas,

roads, public buildings, local power infrastructure, etc.) at risk from more extreme weather and changing climate conditions, as well as local population segments at greater risk from harm, stress or displacement due to climate change.

- Community-wide climate adaptation planning involving stakeholders and authentic community engagement to identify specific strategies, policies, actions, and responsible parties needed for equitable adaptation.
- Plan development (costing, bidding or contracting, design work, modeling, etc.) needed for projects that will increase the climate resilience of one or more community assets identified by a community-wide vulnerability assessment or climate adaptation plan.

Ineligible projects

Projects that do not fit any of the three focus areas – stormwater, wastewater, or community resilience – and **projects that are not planning-oriented are ineligible.**

5. Eligible and ineligible costs

Eligible costs

Any cost that is directly related to the workplan tasks of an eligible planning project and not deemed ineligible below or by MPCA staff.

Ineligible costs

Ineligible costs include costs that are not directly related to the workplan tasks of an eligible planning project. The following costs, including but not limited to, even if they are directly related to the project, are ineligible:

- Any expenses incurred before the contract is fully executed including applicant's expense for preparing the eligibility and cost applications
- Bad debts, late payment fees, finance charges or contingency funds, interest, and investment management fees
- Attorney fees
- Employee worksite parking
- Lobbying, lobbyists and political contributions
- Mark-up on purchases and/or subcontracts
- Taxes, except sales tax on eligible equipment and expenses
- Activities associated with permit fees
- Activities addressing enforcement actions or that involve a financial penalty
- Memberships (including subscriptions and dues)
- Reimbursement to or stipends to non-staff stakeholders for their attendance at stakeholder participation meetings or their related expenses
- Food (other than staff per diem)
- Alcoholic refreshments
- Entertainment, gifts, prizes and decorations
- Merit awards and bonuses
- Donations and fundraising
- Purchase of equipment (leasing or paying for services that include use of equipment during an eligible project are allowed)

- Computer(s), tablets, and software, unless unique to the project and specifically approved by the MPCA as a direct expense
- Purchase or rental of mobile communication devices such as pagers, cell phones, and personal data assistants (PDAs), unless unique to the project and specifically approved by the MPCA.

6. Priorities

It is the policy of the State of Minnesota to ensure fairness, precision, equity and consistency in competitive grant awards. This includes implementing diversity and inclusion in grant-making. [The Policy on Rating Criteria for Competitive Grant Review](#) establishes the expectation that grant programs intentionally identify how the grant serves diverse populations, especially populations experiencing inequities and/or disparities.

This grant prioritizes communities with higher concentrations of low-income residents and people of color, including tribal communities. Click on the link below for MPCA's criteria and interactive mapping tool (recently updated on the MPCA website with data from a five-year 2016-2020 summary of the American Community Survey) to see if the project is located in an area of concern for Environmental Justice (EJ):

<http://mpca.maps.arcgis.com/apps/MapSeries/index.html?appid=f5bf57c8dac24404b7f8ef1717f57d00>.

This grant also prioritizes:

- Projects located in Minnesota outside of the 7-county Metropolitan Area comprised of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.
- Stormwater projects that address localized flooding.

7. Application instructions

All applicants must complete the Grant Application Form, work plan and budget. Applications without all forms submitted will be deemed ineligible.

8. Application submission instructions

Applications must be received electronically by the MPCA by **Thursday, January 12, 2023, at 4pm CT**. Application submissions received after the deadline will not be considered eligible.

Applications must be submitted through the [SWIFT Supplier Portal](#). Note: The RFP is termed an "Event" within SWIFT. MPCA is not responsible for any errors or delays caused by technology-related issues.

Applicants do not need to log in to view the RFP and associated documents in the SWIFT system. Applicants interested in applying will need to register as a bidder in the system by clicking on the [SWIFT Supplier Portal](#), then *Register for an Account and Register as a Bidder*. Applicants should allow up to two business days to become registered as a Bidder.

Questions regarding submitting an application can be directed to the Vendor Assistance Help Desk at 651-201-8100, option 1 or by clicking on *Supplier Portal Help* within the [SWIFT Supplier Portal](#).

Applications submitted via any other method, including but not limited to email, fax, mail, in-person deliveries, will not be accepted.

9. Application questions

The MPCA is obligated to be transparent in all aspects surrounding grant work. To meet this obligation, **all questions must be submitted in the same manner, and answers are only provided via the [SWIFT Supplier Portal](#)**. It is the applicant's responsibility to check the [SWIFT Supplier Portal](#) and [MPCA website](#) for the most recent updates.

Applicants who have any questions regarding this RFP must email questions to grants.pca@state.mn.us, subject line: “FY 23 Planning Grants for SWC Resilience”, no later than 4pm CT on **Friday, January 6, 2023**. Answers to questions will be posted frequently in the [SWIFT Supplier Portal](#).

MPCA personnel are not authorized to discuss this RFP with applicants outside of the Question-and-Answer forum. Contact regarding this RFP with any MPCA personnel may result in disqualification.

10. Application review process

Applicants are encouraged to review the Evaluation Score-Sheet (Exhibit A) before submitting their application and make sure they are providing all the relevant information. Formal review of applications will be conducted by a team of MPCA staff.

Applications received by the grant deadline will be reviewed by MPCA staff using a two-step process described below. **Late applications will not be considered for review.**

Step 1: Eligibility review

The MPCA will determine if eligibility requirements are met. Any application found to be ineligible will be eliminated from further evaluation. Minimum requirements:

- Applicant is eligible as described in section 3.
- Project is eligible as described in section 4.
- All required forms submitted by the deadline.

Step 2: Application scoring

Only applications meeting the eligibility criteria under Step 1 will be considered for scoring in Step 2. Reviewers will evaluate applications per project using the weighted criteria listed in Exhibit A.

In addition to the ability to partially award projects, the MPCA reserves the right to refrain from awarding any grants.

In the event two applicants are tied in the scoring and there isn't sufficient funding to award both projects, the MPCA will select the applicant with the highest score in the following criteria, in descending order, until a winner is able to be determined:

- Environmental Justice
- Project located outside the 7-county Twin Cities Region
- Stormwater project that addresses localized flooding

Notification

All applicants will be notified by MPCA staff after approximately 4-6 weeks of application due date. Applicants selected for funding will be contacted concerning the next steps in the award process, including execution of the appropriate agreements with follow-up by the grantee within a reasonable time frame.

11. Grantee responsibilities

Awardees are required to be a registered vendor in SWIFT and will sign the grant agreement using DocuSign.

Grant agreement

Each awardee must enter into a grant agreement. The agreement will address the conditions of the award. Once the agreement is signed, the recipient is required to comply with all conditions.

Reporting requirements

Email updates about the status of the project are required to be provided to the MPCA Authorized Representative whenever an invoice is submitted to MPCA Accounts Payable. The MPCA Authorized Representative will not approve an invoice through the state system without this project update. A Grant Project Final Report, in a format provided to the Grantee by the MPCA, is required to be submitted to the MPCA Authorized Representative at the same time as the final invoice is submitted to MPCA Accounts Payable.

Public data

Applications are private or nonpublic until opened. Once the applications are opened, the name and address of the applicant and the amount requested is public. All other data in an application is private or nonpublic data until all agreements are fully executed. After all agreements are fully executed, all remaining data in the applications is public with the exception of trade secret data as defined and classified in [Minn. Stat. § 13.37](#). A statement by a grantee that the application is copyrighted or otherwise protected does not prevent public access to the application ([Minn. Stat. § 13.599](#), subd. 3).

Conflict of interest

MPCA will take steps to prevent individual and organizational conflicts of interest, both in reference to applicants and reviewers per [Minn. Stat. §16B.98](#) and [Conflict of Interest Policy for State Grant-Making](#).

Organizational conflicts of interest occur when:

- a grantee or applicant is unable or potentially unable to render impartial assistance or advice to the Department due to competing duties or loyalties
- a grantee's or applicant's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties

In cases where a conflict of interest is suspected, disclosed, or discovered, the applicants or grantees will be notified and actions may be pursued, including but not limited to disqualification from eligibility for the grant award or termination of the grant agreement.

Grant Monitoring

[Minn. Stat. §16B.97](#) and [Policy on Grant Monitoring](#) require the following:

- One monitoring visit during the grant period on all state grants of \$50,000 and higher.
- Annual monitoring visits during the grant period on all grants of \$250,000 and higher.
- Conducting a financial reconciliation of grantee's expenditures at least once during the grant period on grants of \$50,000 and higher. For this purpose, the grantee must make expense receipts, employee timesheets, invoices, and any other supporting documents available upon request by the State.

The monitoring schedule will be determined at a later date.

Grantee Bidding Requirements

For Municipalities

Grantees that are municipalities must follow:

- The contracting and bidding requirements in the Uniform Municipal Contracting Law as defined in [Minn. Stat. §471.345](#)
- The requirements of prevailing wage for grant-funded projects that include construction work and have a total project cost of \$25,000 or more, per [Minn. Stat. §§177.41](#) through [177.44](#) These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole.

The grantee must not contract with vendors who are suspended or debarred in MN:

<http://www.mmd.admin.state.mn.us/debarredreport.asp>.

Audits

Per [Minn. Stat. § 16B.98](#) Subdivision 8, the grantee's books, records, documents, and accounting procedures and practices of the grantee or other party that are relevant to the grant or transaction are subject to examination

by the granting agency and either the legislative auditor or the state auditor, as appropriate. This requirement will last for a minimum of six years from the grant agreement end date, receipt, and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

Affirmative Action and Non-Discrimination requirements for all Grantees:

- A. The grantee agrees not to discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status in regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age in regard to any position for which the employee or applicant for employment is qualified. [Minn. Stat. §363A.02](#). The grantee agrees to take affirmative steps to employ, advance in employment, upgrade, train, and recruit minority persons, women, and persons with disabilities.
- B. The grantee must not discriminate against any employee or applicant for employment because of physical or mental disability in regard to any position for which the employee or applicant for employment is qualified. The grantee agrees to take affirmative action to employ, advance in employment, and otherwise treat qualified disabled persons without discrimination based upon their physical or mental disability in all employment practices such as the following: employment, upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. [Minnesota Rules, part 5000.3500](#).
- C. The grantee agrees to comply with the rules and relevant orders of the Minnesota Department of Human Rights issued pursuant to the Minnesota Human Rights Act.

Voter Registration Requirement:

The grantee will comply with [Minn. Stat. § 201.162](#) by providing voter registration services for its employees and for the public served by the grantee.

Exhibit A: Application evaluation score sheet

A 100 – point scale will be used to evaluate eligible applications and develop final recommendations.

Evaluation Category	Maximum Points
Project has clearly defined objectives, tasks that describe how those objectives will be met, a realistic timeframe, and a detailed budget that includes reasonable and cost-effective expenses.	20
Organizations and specific individuals that will do the work on the project are well-qualified for their roles with the knowledge, skills and abilities to carry out the project successfully.	15
Project will benefit and engage communities within area(s) of concern for EJ. Points will be scored as follows: <ul style="list-style-type: none"> • 5 pts: project located in an EJ area • 5 pts: substantive engagement • 5 pts: project will yield benefits in an EJ area 	15
Project methodology effectively incorporates consideration of current climate trends and projections of future climate conditions and how the impacts are anticipated to affect the general location of the project.	10
The project will address a much-needed resiliency planning issue that can make a meaningful difference to the community’s preparedness for Minnesota’s changing climate, including human health impacts.	15
The project will provide results that position a tribal/local government to take further action, assign responsibility for implementation, and/or pursue further funding to implement the resilience project(s) for which planning was completed	15
The project is located in Minnesota outside the 7-county Metropolitan Area.	5
The project is a stormwater project to address localized flooding.	5
Total	100

To: Shingle Creek WMO Commissioners
From: Diane Spector
Date: November 3, 2022
Subject: Authorize Renewal of WMWA Educator Agreement

**Recommended
Commission Action**

Authorize execution of the agreement.

The West Metro Water Alliance (WMWA), which is a partnership of Shingle Creek and West Mississippi, Elm Creek, and Bassett Creek WMOs, contracts with a licensed teacher to provide education and outreach, primarily to 4th graders through the Watershed PREP program, but also at other school and community events. The professional services agreement with the current educator has expired and is in need of renewal. Shingle Creek acts as the fiscal agent for WMWA, so the agreement is actually between Shingle Creek and that individual, who is an independent contractor.

The Commission's attorney has drafted the attached agreement. Staff recommends that you authorize its execution.

PROFESSIONAL SERVICES AGREEMENT FOR EDUCATIONAL SERVICES

THIS PROFESSIONAL SERVICES AGREEMENT FOR EDUCATIONAL SERVICES (“**Agreement**”) is made and entered into by and between the Shingle Creek Watershed Management Commission (“**Commission**”), a Minnesota joint powers organization, and Jessica Sahu Teli (“**Contractor**”). The Commission and the Contractor may hereinafter be referred to individually as a “party” or collectively as the “parties.”

1. **Services.** The Contractor agrees to perform educational services for the Commission (collectively, the “**Services**”). The Services primarily consist of the Contractor using a PowerPoint presentation and guiding the lab experiments to teach two one-hour Watershed PREP classes on water science to 4th grade students in area schools. The Services include contacting schools/teachers to schedule classes, update the PowerPoint presentation with school-specific maps, transporting lab equipment materials to schools and storage of materials (plastic trays, sponges, squirt bottles), attend WMWA meetings to provide updates and share feedback, and attending other educational events as directed by the WMWA members. WMWA may also direct the Contractor to provide research services for other education and outreach programs and attend monthly meetings to provide updates on the Watershed PREP program.
2. **Compensation.** The Commission agrees to compensate the Contractor at a rate of \$45 per hour for providing the Services under this Agreement. Time shall be kept in no greater than 15-minute increments and the Contractor shall submit itemized invoices for the Services provided no more than monthly. The Commission will process and pay the invoices in accordance with its usual claims review and approval process. The total compensation and expenses paid under this Agreement to the Contractor shall not exceed \$16,000.
3. **Expense Reimbursement.** The Commission agrees to reimburse the Contractor for expenses reasonably incurred in providing the Services on a monthly basis. Contractor shall submit a detailed invoice for the Services so it is received by no later than the 5th of each month to be approved for payment in the same month. An invoice received after that date shall be submitted at the meeting in the following month for approval and payment. Reimbursable expenses are limited to mileage, materials, and supplies used to provide the Services. Requests for reimbursement shall be included with the Contractor’s invoice and be supported by receipts or other documentation acceptable to the Commission.
4. **Term and Termination.** This Agreement shall be in effect as of the date indicated below and shall continue to August 31, 2023, unless terminated earlier. Either party may terminate this Agreement at any time for any reason by providing the other party at least 10 days written notice of termination. The Contractor shall be entitled to payment for Services actually completed prior to the effective date of the termination.
5. **Substitution and Assignment.** The Services under this Agreement shall be provided by the Contractor herself and no substitutions are allowed unless agreed to in writing by the

Commission. Neither party may assign this Agreement without the prior written consent of the other party.

6. **Amendments.** This Agreement constitutes the entire agreement between the parties and no modifications of its terms shall be valid unless reduced to writing and signed by both parties.
7. **Independent Contractor.** The Contractor (including the Contractor's employees, if any) is not an employee of the Commission. The Contractor shall act as independent contractor and shall acquire no rights to tenure, workers' compensation benefits, unemployment compensation benefits, medical and hospital benefits, sick and vacation leave, severance pay, pension benefits or other rights or benefits offered to employees of the Commission. The Contractor shall not be considered an employee of the Commission for any purpose including, but not limited to: income tax withholding; workers' compensation; unemployment compensation; FICA taxes; liability for torts; and eligibility for benefits. The Contractor will not be provided with a place of business and will retain control over the manner and means of the Services provided as an independent contractor. The Contractor will provide, at the Contractor's expense, necessary office space, transportation, computer capability, and other materials and supplies necessary to provide the Services.
8. **Data Practices and Records.** All records, information, materials and other work product, in written, electronic, or any other form, developed in connection with providing Services under this Agreement shall be the exclusive property of the Commission. All such records shall be maintained with the records of the Commission and in accordance with the instructions of the Commission. The Contractor will comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality.
9. **Indemnification.** The Contractor will defend, hold harmless, and indemnify the Commission, its officers, employees, and agents, against any and all claims, costs, losses, expenses, demands, actions or causes of action, including reasonable attorneys' fees and other costs and expenses of litigation, that may arise out of the Contractor's performance of Services under this Agreement.
10. **Compliance with Laws.** The Contractor shall comply with all applicable federal, state and local laws, regulations or ordinances in performance of the Contractor's duties hereunder, such laws including but not limited to those relating to non-discrimination in hiring or labor practices.
11. **Audit.** The Contractor agrees that the Commission, the State Auditor, or any of their duly authorized representatives, at any time during normal business hours and as often as they may reasonably deem necessary shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, and records that are relevant to and involve transactions relating to this Agreement.
12. **Applicable Law.** The law of the State of Minnesota shall govern all interpretations of this Agreement, and the appropriate venue and jurisdiction for any litigation that may arise under this Agreement will be in and under those courts located within the County of Hennepin,

State of Minnesota, regardless of the place of business, residence, or incorporation of the Contractor.

13. **No Agency.** The Contractor is an independent contractor and shall not be considered to be the agent or servant of the Commission for any purpose and shall have no authority to enter into any contracts, create any obligations, or make any warranties or representations on behalf of the Commission.

14. **Notices.** Any notice or demand, authorized or required under this Agreement shall be in writing and shall be sent by certified mail to the other party as follows:

To the Contractor: _____

To the Commission: Shingle Creek Watershed Management Commission
3235 Fernbrook Lane North
Plymouth, MN 55447

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the date indicated below.

Effective Date: _____, 2022.

FOR THE CONTRACTOR:

FOR THE COMMISSION:

By _____
Its _____

By _____
Its Chair

By _____
Its Administrator



**SHINGLE CREEK / WEST MISSISSIPPI WATERSHED MANAGEMENT COMMISSION
MONTHLY COMMUNICATION LOG
October 2022**

Date	From	To	SC	WM	Description
10/3/22	Aaron Oppenheimer, HTPO	Todd Shoemaker	X		Discuss project review thresholds and stormwater management standards for a forthcoming project.
10/4/22	James Solis, City of Brooklyn Center	Todd Shoemaker	X		Discuss project review thresholds and stormwater management standards for a forthcoming project.
10/4/22	Chuck Kendall	Todd Shoemaker	X		Curly leaf pondweed management in Upper Twin Lake.
10/6/22	Randy Pavey, Ebert Construction	Todd Shoemaker	X		Discuss requirements for infiltration test of recently constructed basin.
10/12/22	Ericka Miller, Alatus	Todd Shoemaker	X		Alatus, LLC submitted a complete project review application on 6/24/22. Sixty calendar-days expires on 10/27/2022. Therefore, the Commission must approve or deny this project no later than the 10/13/2022 meeting to comply with the 60-day review requirement unless an extension is granted. In an email to Todd Shoemaker, the applicant requested an additional 60 days for this project review. Stantec therefore extended the review deadline to 12/26/22, which requires Commission action at the 12/8/22 meeting.
10/24/22	Rachael Crabb, City of Minneapolis	Todd Shoemaker, Diane Spector	X		Status update on debris removal from within Shingle Creek channel.
10/24/22	Steve Christopher, BWSR	SCWM WMC	X	X	Request from Minnehaha Creek to the Mississippi River-West Watershed Partnership WBIF group to authorize substitution of a new project for a project previously selected by the group for grant funding. Spector agreed on behalf of the Commissions.
10/27/22	Dan Sjoblom, Alliant	Todd Shoemaker	X		Endeavor Development submitted a complete project review application on April 28, 2022. In an email to Todd Shoemaker on May 26, 2022, the applicant acknowledged some site changes were still occurring, and therefore, requested an additional 60 days for this project review. Stantec extended the review deadline to August 26, 2022. Endeavor submitted a second extension request on August 5, 2022. Stantec extended the review deadline to 10/27/22, which requires Commission action at the 10/13/22 meeting. Endeavor submitted a third extension request on October 27, 2022. Stantec extended the review deadline to 12/24/22, which requires Commission action at the 12/8/22 meeting.