

**MINUTES  
July 16, 2009**

**1. CALL TO ORDER.** A regular meeting of the Pioneer-Sarah Creek Watershed Management Commission was called to order at 2:00 p.m., Thursday, July 16, 2009, by Chair Lisa Whalen at Independence City Hall, 1920 County Road 90, Independence, MN.

Present: Jill Krout, Greenfield; Carole Peter, Independence; Brenda Daniels, Loretto; John Sweeney, Maple Plain; Dick Picard, Medina; Lisa Whalen, Minnetrista; James Kujawa, Hennepin County Department of Environmental Services (HCDES); Randy Lehr, Three Rivers Park District (TRPD); and Judie Anderson and Amy LeMieux, JASS.

Also present: Sylvia Walsh, Greenfield; Toni Hirsch, Independence; and Mike McLaughlin, Medina.

**2. AGENDA.\*** Motion by Picard, second by Peter to approve the revised Agenda. *Motion carried.*

**3. CONSENT AGENDA.\*** Motion by Picard, second by Whalen to approve the Consent Agenda

**a. Minutes of June meeting.\***

**b. Treasurer's Report and claims.\***

*Motion carried.*

[Sweeney arrived 2:10 p.m.]

**4. OPEN/PUBLIC.**

Hirsch announced that the Wright Hennepin Clean Water Resource Association (WHCWRA), an association with the goal of compiling water-related information in one place as a public resource, will be holding a **Clean Water Resource Fair** at Independence City Hall on September 17, 2009. Hirsch requested the Commission to participate in the fair and for financial assistance since the fair's purpose is public education. The money would be used for public relations and materials required to host the fair.

The Commission's Surface Water Management Plan has an educational component. There is currently \$2500 remaining in the 2009 Education budget. Staff recommended supporting the fair with a \$500 contribution and to participate with a booth. Motion by Peter, second by Daniels to approve contributing \$500 to WHCWRA for the specific purpose of covering expenses of the Clean Water Resource Fair. Expenses related to the Commission's booth at the fair are separate and not included in the contribution. *Motion carried.*

**5. ACTION ITEMS.**

**a. 2002-12 Cavanaugh Run, Greenfield.** The Commission holds a surety of \$3,000 cash escrow for the proper construction and monitoring of one wetland basin on this project. The wetland replacement was proposed to be 5,000 SF of new wetland (type 2) and 4,000 SF of upland buffer adjacent to the new wetland. Monitoring in 2007 determined the areas graded in 2006 have established the wetland and buffer sizes necessary to meet the original wetland replacement plan requirements. However, the buffer does not meet WCA requirements due to homeowner mowing and removal of some buffer signs. For that reason, monitoring is still necessary through at least 2009. Per Wetland Conservation Act (WCA) requirements, Staff sent a letter notifying the developer that monitoring must continue past the normal five-year period. The letter was returned undeliverable. If the developer cannot be contacted, the Commission will need to monitor the site using the escrow received for this purpose. Staff recommended the Commission authorize Staff to solicit bids for monitoring the site for the rest of 2009. Additionally, from visits to the site, it appears some additional work may be necessary to reseed the buffer area and replace

three wetland buffer signs that have been removed. The first monitoring visit should determine if this will be necessary. A second option is to purchase buffer credits to meet the Commission's WCA requirements for this project.

Motion by Sweeney, second by Picard to use the \$3,000 cash surety to establish the buffer per WCA rules and requirements, with a course of action to be determined at the Commission's August meeting. *Motion carried.* Staff will contact the homeowner to discuss the buffer requirements and Restrictions and Covenants on the property.

**b. 2008-021 City of Medina Local Surface Water Plan.** Revisions to Medina's local plan were received on June 5, 2009. The revised plan is very thorough and addresses the TMDL issues of the City. Staff recommended approval. Motion by Daniels, second by Sweeney to approve the City of Medina's Local Surface Water Plan. *Motion carried.*

**c.** Staff provided copies of the **2008 Preliminary Audit Report** for review and will recommend approval at the August meeting, allowing Commissioners time to review the report.

**d.** The **Lake Sarah TMDL Cooperative Agreement with TRPD** expired in May 2009. The 2008 drought and issues with the modeling software have delayed completion of the TMDL. Extension of the Agreement will have no additional cost. Motion by Peter, second by Picard to extend the agreement to December 31, 2009. *Motion carried.*

[Sweeney departed at 3:02p.m.]

**e. 2007-07 Heritage Woods, Greenfield.** The Commission is holding a \$5,000 construction escrow and \$7,500 monitoring escrow for a required 0.88 acres of wetland replacement. The developer created five acres of wetland. The wetland has been established but has some buffer issues. Staff recommended reducing the monitoring escrow to \$0 since the developer is required to monitor in order to deposit wetland credits into the wetland bank. Permanent buffer markers and easements are in place. Staff also recommended reducing the construction escrow to \$2,500. Motion by Daniels, second by Krout to eliminate the monitoring escrow and reduce the construction escrow to \$2,500. *Motion carried.*

**6. PROJECT REVIEWS.** See Staff Report for updates.

## **7. LOCAL PLANS.**

**a. 2008-12 City of Greenfield Comprehensive Plan.** The original plan was received July 3, 2008. Comments were provided to the City in September 2008. Revisions were received on May 29, 2009. Comments on the revised plan were sent to the City on June 29. The current plan still does not meet the Commissions requirements. Krout reported that the Greenfield Planning Commission is currently reviewing the comments.

**b. 2009-03 City of Independence SWMP, Independence.** The draft SWMP was approved by the Independence City Council in April, 2009. The final draft report was received May 15. At their June meeting the Commission forwarded comments to the City requesting modifications to their plan prior to approval. No new information has been received.

**c.** The Staff Report provides the **status of local plans.**

## **8. EDUCATION.**

**a. The Clean Water Resource Fair** is scheduled for Thursday, September 17, 2009, 1:00-8:00 p.m. at Independence City Hall. (*See item 4., above.*)

b. The brochure, *Ten Things You Can Do to Improve Minnesota's Lakes and Streams* will be delivered to the JASS offices next week. The member cities have elected to publish the brochure in their newsletter and/or on their websites. In addition, the Commission has ordered 8,800 copies of the printed brochure for distribution to the cities. The brochure qualifies as part of the cities' education component in their Stormwater Pollution Prevention Plans (SWPPPs).

**9. CLEAN WATER LEGACY PROGRAM.**

**Final Cost Update.\*** Seventeen projects were completed through the Clean Water Legacy grant. Project reimbursement totaled \$342,242.47 and Technical Assistance reimbursement totaled \$40,627.80. Unused funds totaling \$27,129.73 were returned to the Board of Water and Soil Resources (BWSR). The total grant amount was \$410,000. The Staff Report provides more information re the projects completed under this program.

**10. OTHER BUSINESS.**

a. Correspondence.

1) The **Second Hennepin County Conservation Forum** is scheduled for July 30, 2009. Whalen and Lehr plan to attend this event.

2) The City of Medina has scheduled a meeting on Wednesday, August 12, 2009 for residents interested in **forming a lake or river group**. The city has asked the three watershed organizations within their boundaries to provide Staff representation and information re local waters. Kujawa and TRPD will represent both the Pioneer-Sarah Creek and Elm Creek watersheds. Anderson and Mary Karius from HCDES will also attend.

b. **BWSR Clean Water Fund dollars match for MPCA 319 TMDL Implementation project grants.** This grant opportunity was announced after the June meeting with a deadline of July 15, 2009. The Commission is interested in grant funding in order to assist cities in creating nutrient ordinances. However, BWSR stated this would be administrative rather than technical in scope and would not meet grant requirements. TRPD will assist in identifying other grant opportunities that will support this project.

c. **Upcoming Commission meetings.** August 20 (budget hearing) and September 10, 2009.

**11. ADJOURNMENT.** There being no further business, motion by Peter, second by Daniels to adjourn. *Motion carried.* The meeting was adjourned at 3:20 p.m.

The meeting was followed by a tour of the CWLA Projects.

Respectfully submitted,



Amy LeMieux  
Recording Secretary

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