



**Pioneer-Sarah Creek
Watershed Management Commission**

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**MINUTES
October 15, 2009**

1. CALL TO ORDER. A regular meeting of the Pioneer-Sarah Creek Watershed Management Commission was called to order at 4:04 p.m., Thursday, October 15, 2009, by Chair Lisa Whalen at Independence City Hall, 1920 County Road 90, Independence, MN.

Present: Jim Smith, Independence; Brenda Daniels, Loretto; John Sweeney, Maple Plain; Don Johnston, 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.

2. AGENDA.* Motion by Daniels, second by Johnston to approve the revised Agenda. *Motion carried unanimously.*

[Sweeney arrived 4:05 p.m.]

3. CONSENT AGENDA.* Motion by Johnston, second by Sweeney to approve the Consent Agenda and claims.

a. Minutes of September meeting.*

b. Treasurer's Report and claims.*

Motion carried unanimously.

4. OPEN/PUBLIC.

5. ACTION ITEMS.

a. Approve 2010 Cooperative Agreement with Hennepin County Environmental Services.*

The agreement contains the same language and terms as the 2009 contract and is in an amount not to exceed \$19,500.00. Motion by Daniels, second by Sweeney to approve the 2010 Cooperative Agreement with Hennepin County Environmental Services. *Motion carried unanimously.*

b. 2009-10 Northern Natural Gas Pipeline Project, Greenfield and Independence. As part of its Northern Lights 2009-2010 Zone EF Expansion Project, Northern Natural Gas Company is proposing to expand and upgrade parts of its existing pipeline system in Hennepin County. Approximately 11 miles of new 16" diameter pipe will be constructed within the Pioneer-Sarah Creek Watershed. Construction is scheduled to begin this winter and be completed by November 1, 2010. Because the Commission is the local government unit (LGU) in charge of administering WCA for the majority of the project, the portion in Independence was delegated by the City to the Commission.

Staff reviewed the project for WCA, floodplain and erosion and sediment control. The project proposes denuding a 100 ft corridor, laying the pipe, and restoring the channel to its original vegetation and contours. Three Rivers Park District is working with the applicant to create an agreement to avoid sensitive areas within the Lake Rebecca Park Reserve.

The applicant has requested a WCA exemption per MN WCA Rule 8420-420 Subp. 6 Utilities and meets all conditions for exemption. The project will impact 16.87 acres of wetland in Greenfield and 6.02 acres in Independence. The application indicates full restoration and monitoring of

all wetlands for vegetation reestablishment. 0.31 acres of shrub/scrub and woodland wetlands in Greenfield and 0.14 acres in Independence will be impacted because the area around the pipeline will be kept clear of large woody vegetation for maintenance purposes. The Board of Water and Soil Resources (BWSR) does not consider these substantial permanent impacts because the area will still be considered wetland. The Army Corps of Engineers does consider it a permanent impact and is requesting replacement of the shrub/scrub and woodland wetlands at a 0.25:1 ratio. If a WCA exemption is granted, replacement or banking is unnecessary. The applicant is open to replacement. Wetland credits are being purchased from an approved wetland bank in Anoka County. Motion by Whalen, second by Johnston to grant approval of this project subject to the eight conditions outlined in Staff's October 8, 2009 review plus the following conditions:

- 1) receipt of a copy of the three-year monitoring contract and annual reports or receipt of a \$7,500/basin surety ,
- 2) receipt of a planting plan for the shrub/scrub wetlands outside of the permanent corridor,
- 3) prior to spring snow melt, Commission staff will inspect the corridor areas that have been disturbed, and
- 4) applicant shall pay all legal expenses incurred by the Commission for enforcement actions, should they occur, resulting from applicant's failure to abide by the conditions of this approval and the conditions of their Stormwater Pollution Prevent Plan (SWPPP).

Motion carried unanimously.

6. PROJECT REVIEWS. See Staff Report for updates.

7. LOCAL PLANS. See Staff report

8. EDUCATION.

a. Clean Water Resource Fair. Whalen, Sweeney, Johnston, Kujawa and Lehr represented the Commission. Approximately 300 citizens attended. Additional promotion of the event may have drawn more attendees. Staff will request an update from the City of Independence.

b. The **2008 Annual Report** has been mailed to Commissioners and city clerks.

c. The **Joint Education and Public Outreach Committee (EPOC)** met on Tuesday, October 13, 2009, to begin developing the education and public outreach program for 2010. The focus will be on a west metro-wide plan that area watershed organizations can use as a framework for their own programs and projects. The EPOC will create a template each Commission can customize to create an education plan that can be included in their management plans. Educational components may be directed at commissioners, councilors, city staff or citizens and may include seminars by the Board of Water and Soil Resources (BWSR) or Nonpoint Education for Municipal Officials (NEMO). The next meeting of the Joint EPOC will be Tuesday, November 10, 2009.

d. Other educational events.

1. Third Hennepin County Conservation Forum, Golden Valley City Hall.
2. MN Landscape Arboretum RFP 2010 Exhibition.*
3. Stormwater U Raingarden Maintenance Workshops.*

4. MN Water Resources Conference.*
5. Stormwater Retrofitting Webcast.*
6. Renewable Energy: How Much, How Fast, and at What Cost.*
7. WaterFront Bulletin, September and October editions,
<http://www.pca.state.mn.us/water/tmdl/waterfront/index.html>.

9. **GRANT OPPORTUNITIES.**

- a. **MPCA Environmental Assistance Grants.***
- b. **Clean Water Fund and Competitive Grants.***
- c. **Surface Water Assessment Monitoring RFP.*** This grant provides two years of funding for monitoring and is applicable to a number of water bodies in the watershed. The Commission has budgeted funds for monitoring and/or TMDLs in 2010 and TRPD would also provide in-kind match for the grant. Motion by Johnston, second by Daniels to authorize Staff to work with Lehr to complete and submit a grant application prior to November 6. *Motion carried unanimously.* Letters of support from member cities and other entities will be requested.
- d. **Nutrient Management Initiatives.***
- e. **Water Quality Management Planning Grant.** Motion by Smith, second by Sweeney authorizing Staff to complete a grant application if a viable project is identified. *Motion carried unanimously.*

10. **OTHER BUSINESS.**

- a. Correspondence.
 - 1) Lake Independence Nutrient Management Program Report.*
 - 2) Insurance issues – Pond Maintenance.*
- b. Staff will request **bond coverage limits** from the member cities.
- c. **Upcoming Commission meetings.** November 19 and December 17, 2009.

11. **ADJOURNMENT.** There being no further business, motion by Sweeney, second by Daniels to adjourn. *Motion carried.* The meeting was adjourned at 5:31 p.m.

Respectfully submitted,



Amy LeMieux
Recording Secretary

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