

**REGULAR MEETING MINUTES
February 16, 2017**

1. CALL TO ORDER. A regular meeting of the Pioneer-Sarah Creek Watershed Management Commission was called to order at 6:00 p.m., Thursday, February 16, 2017, by Vice Chair Joe Baker at Maple Plain City Hall, 5050 Independence Street, Maple Plain, MN.

Present: Tom Cook, Greenfield; Joe Baker, Independence; Brenda Daniels, Loretto; John Fay, Maple Plain; Pat Wulff, Medina; Shannon Bruce, Minnetrista; James Kujawa and Kirsten Barta, Hennepin County Environment and Energy (HCEE); Rich Brasch and Brian Vlach, Three Rivers Park District (TRPD); and Judie Anderson, JASS.

Also present: Scott Johnson, Medina, and Rachel Olmanson, Minnesota Pollution Control Agency (MPCA).

2. AGENDA. Motion by Cook, second by Wulff to approve the revised agenda* as presented. *Motion carried unanimously.*

3. CONSENT AGENDA. Motion by Cook, second by Daniels to approve the consent agenda. *Motion carried unanimously.*

a. **Corrected January 19, 2017 Meeting Minutes.***

b. **Monthly Claims/Treasurer's Report.*** Monthly claims totaling \$6,356.69.

4. ACTION ITEMS.

a. **Election of officers.**

- 1) Motion by Wulff, second by Cook to nominate Baker as Chair.
- 2) Fay volunteered to serve as Vice Chair.
- 3) Daniels volunteered to serve as Secretary.
- 4) Motion by Baker, second by Daniels to nominate Cook as Treasurer.

These actions were approved by consensus.

Motion by Bruce, second by Wulff to elect the slate of candidates as presented. *Motion carried unanimously.*

b. Motion by Daniels, second by Fay to approve the following **Annual Appointments.**

- 1) Official depositories - 4MFund/US Bank
- 2) Deputy Treasurer -Judie Anderson
- 3) Auditor - Johnson & Company
- 4) Official newspaper – *Crow River News*.

Motion carried unanimously.

c. The **biennial solicitation of interest proposals*** for administrative, legal, technical and wetland consultants was published in the January 17, 2017 edition of the *State Register*. One technical, two wetland, one legal, and one administrative consultant responded to the solicitation. Motion by Baker, second by Cook to retain the current technical legal and administrative consultants for the 2017-2018 term and to forego selection of a wetland consultant at this time. *Motion carried unanimously.* Selected were HCEE, technical; Campbell Knutson PA, legal; and Judie Anderson's Secretarial Service, Inc., administration.

d. **2016 Work Plan in Review.*** The members reviewed Staff's February 9, 2017 memo that summarized the work undertaken by the Commission in 2016 to meet the goals, objectives, and projected work plan

outlined in the *2015 Annual Report*. After further updates, motion by Cook, second by Daniels to accept the 2016 Work Plan in Review. *Motion carried unanimously*. The 2016 Work Plan, with the latest revisions, will be emailed to the Commissioners and incorporated into the *2016 Annual Report*. A draft 2017 Work Plan will be reviewed at the March meeting.

e. City of Loretto Local Plan. On January 5, 2017 the City of Loretto submitted its local plan for review to the Commission and Metropolitan Council as prescribed in Minnesota Rules Chapter 8410. Letters* of review findings were included in the meeting packet. Both Met Council and the Commission's technical staff requested more detail and clarification of a number of items in the plan. The City will revise its plan in response to the comments. No action at this time.

Per the amended MN Rule 8410.0105, subp. 9, and 8410.0160, subp. 6, **Local Water Plans must be prepared by metropolitan cities and towns and must become part of their local comprehensive plans. They must be revised essentially once every ten years in alignment with the local comprehensive plan schedule. A municipality has two years prior to its local comprehensive plan being due to adopt its local water plan. The next local comprehensive plans are due December 31, 2018; thus all cities and towns in the seven-country metropolitan area must complete and adopt their local plans between January 1, 2017 and December 31, 2018. Thereafter, add ten years to each of the previous dates. Local water plans may be updated more frequently by a municipality at its discretion.**

Staff will email reminders to the member communities regarding this requirement.

f. Project Review 2007-14W Murray Ball Wetland Bank, Greenfield.* The trustees of the Ball estate are requesting certification of the wetland banking credits for this site. The wetland bank was approved by the Commission in May 2008. Since that time the applicant's estate has gone into trusteeship. The site has developed according to the original plan and the trustee is now requesting that the wetland bank credits totaling 9.1485 acres be certified. The Technical Evaluation Panel (TEP) met on the site last fall and recommended the wetland credits be certified by the LGU. **ACTION:** Approve certification of 9.1485 acres for wetland banking credits per the BWSR Application to Deposit Wetland Credits Into the Minnesota Wetland Bank dated February 6, 2017 and signed by the TEP members February 7, 2017.

Motion by Cook, second by Baker to approve the determination. *Motion carried unanimously*.

g. Membership in WaterShed Partners.* This item will be discussed at the March meeting.

5. OPEN FORUM.

No one wished to speak to items not on the agenda.

6. OLD BUSINESS.

Call for CIPs. Staff will contact member cities to solicit revisions and additions to the Commission CIP for consideration at the March meeting of the Technical Advisory Committee (TAC). Submissions are due by March 6. The CIP list included in Appendix F of the Third Generation Watershed Management Plan will be reviewed for projects that were to be completed in or before 2017. The CIP list* included in the meeting packet was updated to include actual spending on projects. Most projects that were listed for completion in prior years that have not been acted upon were discovered to have issues that can be detailed to explain why they had not moved forward. That information will also be updated.

To date the TAC has received five projects from Medina resulting from the Ardmore SWA. All cities need to review their projects and submit new projects to the Commission through the documented CIP process for consideration. Commissioners are requested to speak with their Councils and City Staff to determine priorities and commitments for projects in 2017 and future years. After the TAC review, the CIP will be submitted for Commission approval and Council review. If no projects are submitted, other than those already received from Medina, the TAC will not meet. If more projects are submitted than funding allows, the TAC will prioritize the projects for funding.

The TAC consists of Brasch, Kujawa, and Ed Matthiesen, Wenck Associates, as well representatives from the

member communities. Cities are encouraged to have their City Engineer or Public Works Director attend the TAC meeting and provide input/feedback on projects and priorities. A notice of the TAC meeting will be sent to City Administrators with a request that each City name a TAC member. Commissioners are encouraged to speak with their Administrators and Clerks to ensure the correct person is identified to serve on the TAC.

7. NEW BUSINESS.

On January 23, 2017, Staff was notified by Steve Christopher, BWSR Board Conservationist, that in 2017, BWSR will be conducting a **Level II Performance Review (PRAP)** of the Commission. This is a routine, interactive review intended to cover all LGUs at least once every 10 years. The last time the Commission was reviewed at this level was 2008. A Level II review evaluates progress on plan implementation, operational effectiveness, and partner relationships. Dale Krystosek, BWSR PRAP coordinator, and Christopher will work through the PRAP process with the Commission and Staff. Krystosek and Christopher are planning on attending the Commission's March meeting to inform the members about PRAP and why it is being conducted. The PRAP evaluation will include the performance standards, evaluation of WMO Plan implementation, and a survey of board members, staff and partners who the WMO works with. Krystosek will work with Staff to gather the names and contacts for the PRAP surveys and document the progress of the current watershed management plan using a PRAP template. The survey will be conducted by BWSR and the information compiled by Krystosek for drafting an assessment report. The two will review the draft with Staff and request time at the Commission's May 18 meeting to present the review to the full Board. The final report will include an opportunity for the Board to respond to recommendations and provide feedback on any recommendations or actions needing to be completed.

Vice Chair Baker requested Staff to provide a range of administrative hours and Commissioner time to complete the proposed PRAP, including any/all recommendations coming from the review. In their February 16, 2017 memo* Staff estimated that administrative staff will spend approximately 40-42 hours (\$55-60/hour) to complete this activity and that technical staff and TRPD would spend an additional 4-8 hours in collaboration. (34.39 hours/\$1,946 were spent in 2008.) The estimate includes 1-2 hours of Commissioner time to develop the responses to the PRAP questionnaire and an additional 1-2 hours for them to respond to BWSR's final report. It does not include time to perform activities that may be identified in BWSR's recommendations. Other PRAP-related materials* were also included in the meeting packet. A copy of the 2017 questionnaire was not available.

[Cook departed 7:07 p.m.]

8. STAFF REPORT.*

a. Both the **WRAPS Plan** and **TMDL study** are available for a 30-day stakeholder review. Both reports are available on the Commission's website at <http://www.pioneersarahcreek.org/wraps.html> and on the MPCA website at <https://www.pca.state.mn.us/water/tmdl/pioneer-sarah-creek-watershed-restoration-and-protection-strategy-tmdl-project>. Staff has sent notices to stakeholders and other interested folks. Comments should be submitted to Rachel Olmanson, MPCA Project Manager, at Rachel.Olmanson@state.mn.us by **March 8, 2017**. Comments can be informal; a formal written letter is not required.

b. During her initial **buffer analysis** of the Pioneer-Sarah Creek watershed Barta, Rural Conservationist at HCEE, identified approximately 800 impacted parcels. Twenty-two were found to be non-compliant and 35 others needed further field review. She continues to contact landowners who appear to be not compliant, discussing the Buffer Law information with them, and meeting with them or setting up spring meetings with them as requested. Five properties located along the Minnehaha Creek watershed border were found to be compliant or needed no further review.

c. Kujawa met with Ed Matthiesen, Wenck Associates, regarding the **Koch Project**. This project is an existing weir structure placed in Koch's Creek by the Koch family in the late 1990s with the assistance of the local SWCD. In addition to the weir, a Reinvest in Minnesota (RIM) easement was procured in the resultant wetland and pool areas created by the structure. The City of Independence and the Commission are assessing the potential to modify this structure to install an iron enhanced filter system to treat the soluble phosphorus loads flowing into Lake

Independence from this creek. This process is in the preliminary phases at this time. Significant work and preliminary permissions would be necessary from the Koch family and surrounding easement holders, the State of Minnesota (for the RIM easement) and wetland regulators before a thorough feasibility could be conducted. This preliminary work will help identify some of these issues and the preliminary feasibility of such a project.

9. EDUCATION.

10. COMMUNICATIONS.

11. COMMISSIONER REPORTS.

- a. **Fay** reported that Caitlin Cahill is the fifth member of the Maple Plain City Council..
- b. **Baker** will remain focused on the Baker Park Ravine and Koch property projects.
- c. **Bruce** is working on a project on Whaletail Lake with Brasch for submittal to the Commission's CIP.
- d. **Daniels and Wulff** had nothing additional to report.

12. OTHER BUSINESS.

- a. The **next meeting** is scheduled for March 16, 2017.

13. ADJOURNMENT. There being no further business, motion by Wulff, second by Daniels to adjourn. *Motion carried unanimously.* The meeting was adjourned at 7:21 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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