

**IV. PROBLEMS AND CORRECTIVE ACTIONS**

Outlined below is an assessment of existing and potential water resource-related issues that are known at this time. These issues have been identified based on Commission input, member cities' input and public input. A description of any existing or potential problem within the topic area has been listed.

**A. LAKE, STREAM, AND WETLAND WATER QUALITY PROBLEMS**

While the Commission is concerned about the water quality of all water bodies, the following water bodies/issues were identified during the public input process as a concern. Water bodies that transcend municipal boundaries are marked with an asterisk (\*).

1. The water qualities of the following water bodies in **Maple Grove** were identified as a concern.
  - C Fish Lake
  - C Rice Lake
  - C Mud Lake
  - C Weaver Lake
  - C Elm Creek\*
  
2. The water quality of the following water body in **Plymouth** was identified as a concern.
  - C Mud Lake
  - C Elm Creek\*
  
3. The water qualities of the following water bodies in **Dayton** were identified as a concern.
  - C Hayden Lake
  - C Goose Lake\*
  - C Elm Creek\*
  - C Crow River\*
  - C Diamond Lake
  
4. The water quality of the following water body in **Corcoran** was identified as a concern.
  - C Jubert Lake
  
5. The water qualities of the following water bodies in **Champlin** were identified as a concern.
  - C Mill Pond
  - C Elm Creek\*
  - C Lemans Lake

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6. The water qualities of the following water bodies in **Hassan Township** were identified as a concern.
  - C Sylvan Lake
  - C Crow River\*
7. Water quality impacts associated with hobby farms and feedlots have been identified as a concern.
8. The lack of maintenance of stormwater ponds constructed as part of new development has been noted as a concern.

### **Corrective Action**

- a. The Commission shall provide assistance as requested by member communities to address water quality issues for water bodies that are located solely within one member communities' boundaries. The Commission shall not take the lead role in implementing water quality projects for these water bodies that are located only within one community.
- b. The Commission will support local cities' efforts to address and correct degradation problems within existing lakes and wetlands and meet water quality goals set forth in this Plan. These efforts may include but are not limited to the dredging of accumulated sediment or the construction of storm water quality basins.
- c. The Commission shall support and encourage enforcement of the State's ban on phosphorus fertilizers.
- d. The Commission shall undertake water quality improvement projects for water quality impacts that transcend municipal boundaries as funding becomes available.
- e. The Commission shall implement a public educational program targeted at educating the public about water quality.
- f. The Commission will develop a prioritized list of water bodies within the watershed.
- g. The Commission shall develop standards and/or a model ordinance related to manure management, feedlots, and fencing/setback requirements for livestock near water bodies.
- h. The local communities shall be responsible for ensuring that stormwater ponds constructed as part of new development are maintained. The local community will be required to adopt a stormwater system maintenance plan in conformance with this Plan. This maintenance could be funded through a Stormwater Utility Fee by the local government.

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### B. FLOODING AND STORMWATER RATE CONTROL CONCERNS WITHIN THE WATERSHED

1. The following flooding and stormwater rate control concerns have been identified within **Hassan Township**.
  - C County Road 101
  - C Flooding of Norden Estates during snow melt
  - C Sylvan Lake and Cowley Lake are landlocked lakes that will need an outlet in the future to prevent flooding adjacent areas.
  
2. The following flooding and stormwater rate control concerns have been identified in **Corcoran**.
  - C Flooding in the South Fork Rush Creek near County Road 10, Kalk Road, and Rolling Hills Road.
  - C Flooding in the ditch between Oakdale Drive and Meadow Circle.
  - C Flooding in the South Fork Rush Creek tributary near Homestead Trail, Horseshoe Trail, and Willow Drive.
  - C Flooding in the North Fork of Rush Creek near Rush Creek Boulevard and Bechtold Road.
  - C Flooding in the North Fork of Rush Creek tributary near Country Hills Drive.
  - C Flooding at Hunter Road north of Hackamore Road.
  - C Flooding at Schutte Road between County Road 101 and County Road 116.
  
3. The following flooding and stormwater rate control concerns have been identified in **Medina**.
  - C Flooding on Hamel Road near Elm Creek Drive.
  - C The Lake Medina Basin and outlet has been identified as a concern. The installation of a control structure to raise the height of the Lake has been proposed.
  - C Flooding and rate control within the public ditch system near TH55 and TH101 North.
  - C Flooding and rate control within the public ditch system near TH55 and CR116 West.
  
4. Deadfall in the creek systems has been noted as a concern.
  
5. The continued maintenance of drain tile has been noted as a problem.
  
6. The continued growth of vegetation in historic channels, especially through wetland areas, has resulted in high water problems for some landowners.

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### Corrective Actions

- a. The Commission defers to the member cities the responsibility of addressing stormwater runoff management needs and problems, provided that the impact of the problem and the source of the impact are wholly contained within a given community and the affected community is in conformance with the Commission's Watershed Management Plan. In addition, the Commission will require that flood problems recognized within this plan be recognized for capital improvements within the appropriate member cities' surface water management plan.
- b. In cases where surface water impacts or the source of impacts transcend municipal boundaries, or the community is found to not be in compliance with this Plan, the Commission shall review such problems and issue directives to the appropriate local governmental unit or units for resolution. It will be the responsibility of the member cities to implement a project that is acceptable to the Commission. In cases where the member city refuses to implement a project per the directives of the Commission, or requests the Commission to facilitate resolution of the problem, the Commission shall perform such a function in conformance with the terms of the Commission's Joint Powers Agreement. Funding for these projects shall be per the Joint Powers Agreement and/or through grants.
- c. The Commission shall implement the water quantity policies and standards outlined within the Plan in an effort to address flooding and increased flow rate and volume concerns within the watershed.
- d. The Commission shall implement a water quantity monitoring program to evaluate the water quantity of lakes and streams.
- e. The local communities shall be responsible for removing deadfall in creek channels as appropriate provided that the deadfall is no longer attached to the land. For deadfall that remains attached to the land, it is the responsibility of the landowner to remove the deadfall. The Commission shall mediate deadfall removal issues as requested by the member communities.
- f. The Commission shall develop a prioritized list of flooding problems as part of the implementation of this Plan.
- g. The maintenance of drain tile shall be the responsibility of the landowner or developer for all private, non-public drain tiles. For drain tile that may be identified as a County drainage system or judicial ditch, the maintenance responsibility shall be deferred to the County.
- h. Cleaning of channels or removal of vegetation from channels that are not public ditches shall be the responsibility of the property owner and/or local government, if an agreement between the parties has been

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developed. If work is undertaken, it must be in conformance with local, state, and federal requirements.

**C. FLOODING OR STORMWATER RATE CONTROL ISSUES BETWEEN THE MEMBER CITIES**

1. Increased flows in Elm Creek have been identified.
2. Increased low flows within Mill Pond in Champlin have been identified.

**Corrective Action**

- a. The Commission shall implement the water quantity standards outlined within the Plan in an effort to address flooding and increased flow concerns within the watershed.
- b. Where surface water impacts or the source of impacts transcend municipal boundaries, or the member community is found to not be in compliance with the Commission's Watershed Management Plan, the Commission shall review such problems and issue directives to the appropriate local governmental unit or units for resolution. It will be the responsibility of the member cities to implement a project that is acceptable to the Commission. In cases where the member community refuses to implement a project per the directives of the Commission, or requests the Commission to facilitate resolution of the problem, the Commission shall perform such a function in conformance with the terms of the Commission's Joint Powers Agreement. Funding for these projects shall be per the Joint Powers Agreement and/or through grants.
- c. The Commission shall implement a water quantity monitoring program to evaluate and track the water quantity of lakes and streams.

**D. IMPACTS OF WATER QUANTITY OR QUALITY MANAGEMENT PRACTICES ON RECREATIONAL OPPORTUNITIES**

1. It has been recognized that there is concern regarding the general quality of lakes, streams, and wetlands on active and passive water based recreational opportunities.

**Corrective Action**

- a. The Commission shall implement the water quantity and quality standards outlined within the Plan to address the impacts of quantity and quality practices on recreational opportunities.
- b. The Commission shall defer to the member communities the responsibility of addressing stormwater runoff management needs and problems, provided that the impact of the problem and the source of the

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impact are wholly contained within a given community and the affected community is in conformance with the Commission's Watershed Management Plan.

- c. The Commission shall implement a public education program targeted at educating the public about water quality and quantity management practices.

### **E. IMPACTS OF STORMWATER QUALITY ON FISH AND WILDLIFE RESOURCES**

1. Impacts to fish and wildlife resources have been identified, including decreased floristic diversity and impacted wildlife habitat, as a result of stormwater impact on water bodies.
2. The potential impact on fish and wildlife resources associated with a future road crossing of Elm Creek near Mill Pond has been identified as a concern.
3. The protection of the existing wildlife resources in and around Diamond Lake and French Lake has been identified as important.

#### **Corrective Action**

- a. The Commission defers to the member cities the responsibility of addressing stormwater runoff management needs and problems, provided that the impact of the problem and the source of the impact are wholly contained within a given community and the affected community is in conformance with the Commission's Watershed Management Plan. In addition, the Commission will require that water quality problems recognized within this plan be recognized for capital improvements within the appropriate member cities' surface water management plan.
- b. The Commission shall implement the water quality standards outlined within the Plan in an effort to address water quality impacts of fish and wildlife resources.
- c. The Commission shall work with those agencies involved in road crossings of Elm Creek to ensure the project is in conformance with the policies and standards outlined within this Plan.
- d. The Commission shall implement a public education program targeted at educating the public about water quality and quantity management practices.
- e. A wetland inventory and management plan to determine the functions and values of wetlands within the watershed shall be undertaken by the local communities and/or Commission as funding becomes available.

### **F. IMPACTS OF SOIL EROSION ON WATER QUALITY AND WATER QUANTITY**

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1. Construction site erosion has been identified as a concern within the watershed. This type of erosion carries sediment to water bodies within the watershed and has reduced the depth of water within these water bodies and degraded the quality of water in the basin.
2. Agricultural erosion has been identified as a concern within the watershed.
3. Erosion in Elm Creek, North Fork Rush Creek, Rush Creek, and Diamond Creek has been identified as a concern.
4. Sedimentation within Mill Pond has been identified as a concern.

### **Corrective Action**

- a. The Commission defers to the member cities the responsibility of addressing erosion problems, provided that the impact of the problem and the source of the impact are wholly contained within a given community and the affected community is in conformance with the Commission's Watershed Management Plan. In addition, the Commission will require that erosion problems recognized within this plan be recognized for capital improvements within the appropriate member cities' surface water management plan.
- b. The local community shall be required to adopt an erosion and sediment control ordinance and policies in conformance with the Commission's policies.
- c. The Commission shall implement the standards outlined within the Plan to address erosion issues within the watershed.
- d. The Commission shall maintain a list of erosion problem areas and provide this information to the member communities.
- e. The Commission will seek grants and, as funds become available, to implement erosion control measures on Elm Creek, Rush Creek, North Fork Rush Creek, and other areas as they are identified within the watershed.
- f. The Commission shall implement a public education program targeted at educating the public about erosion control.

### **G. GENERAL IMPACT OF LAND USE PRACTICES AND IN PARTICULAR, LAND DEVELOPMENT AND LAND ALTERATION ON WATER QUALITY AND WATER QUANTITY**

1. Selected areas of the watershed have been exposed to increased rates and volumes of stormwater runoff as a result of an increase in impervious

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surface area due to development.

2. Concern has been noted regarding the effluent treatment from the Maple Hill Estates Mobile Home Park in Corcoran east of CR 116 and north of Bass Lake Road. This septic system is regulated by the MPCA through an NPDES permit.
3. The issue of proper well abandonment associated with its impact on groundwater quality has been noted as a concern.

### **Corrective Action**

- a. The Commission will continue to work with the local cities to address the impacts of land use on Elm Creek watershed water resources.
- b. The Commission shall implement the policies and standards outlined within this plan.
- c. The Commission shall not become involved in septic system permitting. However, the Commission shall contact the County/PCA to request that the Commission be notified when the Mobile Home Park's effluent treatment permit is up for review.
- d. The Commission shall defer all well abandonment permitting and regulation to the Minnesota Department of Health and requires that all member communities cooperate with the Department of Health to ensure that all unsealed or improperly abandoned wells within the watershed are properly sealed in accordance with state regulations.

### **H. THE ADEQUACY OF EXISTING REGULATORY CONTROLS TO MANAGE OR MITIGATE ADVERSE IMPACTS ON PUBLIC WATERS AND WETLANDS**

1. The Commission feels that the existing regulatory controls contained within this watershed plan are adequate to manage or mitigate adverse impacts on public waters and wetlands, but that education of the public and city officials can assist in making existing control more effective.
2. Concern has been noted related to the maintenance of public ditches within the Elm Creek watershed. While Hennepin County is the public ditch authority, the County has not undertaken maintenance of the public ditches.
3. The lack of a responsible government unit to remove deadfall with the creek systems has been identified as a concern.

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- a. The Commission shall implement a public education program targeted at educating the public and city officials about wetlands and watershed management issues.
- b. The Commission shall defer the role of the public ditch authority to Hennepin County. The Commission shall be available as a resource to advise and comment on ditch maintenance and ditch designations.
- c. The local communities shall be responsible for removing deadfall in the creek channels as appropriate provided that the deadfall is no longer attached to the land. For deadfall that remains attached to the land, it is the responsibility of the landowner to remove the deadfall. The Commission shall mediate deadfall removal issues as requested by the member communities.

### **I. THE ADEQUACY OF PROGRAMS TO LIMIT SOIL EROSION AND CORRESPONDING WATER QUALITY DEGRADATION**

1. It is the position of the Commission that upon implementation of the policies and programs outlined within this Plan, the programs are adequate to limit soil erosion and corresponding water quality degradation, provided that enforcement of these programs is expanded.

#### **Corrective Action**

- a. The Commission shall require member communities to develop erosion and sedimentation ordinances in conformance with this Watershed Management Plan's policies and standards.
- b. The member communities shall be responsible for enforcement of these ordinances. If member communities are not enforcing these ordinances or member communities are not in conformance with the Commission Watershed Management Plan, the Commission shall exercise authority available to it through the Joint Powers Agreement.
- c. The Commission will annually review the development plan review process with its member communities.
- d. As funding resources allow, the Commission shall periodically review and inspect construction projects to ensure the developers and member communities are adhering to the erosion control and development plans approved by the permitting authority. Based on this review and inspection, the Commission shall review and modify its oversight capability as needed.

### **J. THE ADEQUACY OF PROGRAMS TO MAINTAIN THE TANGIBLE AND INTRINSIC VALUES OF NATURAL STORAGE AND RETENTION SYSTEMS**

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1. The programs outlined within this Plan along with other state and federal programs are adequate to maintain the tangible and intrinsic values of natural storage and retention systems.

### **Corrective Action**

- a. No corrective action is required.

**K. THE ADEQUACY OF PROGRAMS TO MAINTAIN WATER LEVEL CONTROL STRUCTURES**

1. The programs outlined within this Plan are adequate to maintain water level control structures.

**Corrective Action**

- a. Implement the programs outlined in this Plan.

**L. THE ADEQUACY OF CAPITAL IMPROVEMENT PROGRAMS TO CORRECT PROBLEMS RELATING TO WATER QUANTITY, WATER QUALITY MANAGEMENT, FISH AND WILDLIFE HABITAT, PUBLIC WATERS AND WETLAND MANAGEMENT, AND RECREATIONAL OPPORTUNITIES**

1. The capital improvement programs outlined within this Plan are adequate to correct problems related to these items.

**Corrective Action**

- a. Implement capital improvement programs in this Plan as funding becomes available. The funding reserves will need to grow to meet grant matching requirements.

**M. IDENTIFICATION OF POTENTIAL PROBLEMS WHICH ARE ANTICIPATED TO OCCUR WITHIN THE NEXT 20 YEARS BASED ON GROWTH PROJECTIONS AND PLANNED URBANIZATION**

1. The Commission anticipates that there will be increased pressure to improve the quality of water within the watershed and the appearance of stormwater retention areas.
2. The Commission anticipates that there will be increased flow volumes and resulting flooding within the watershed.

**Corrective Action**

- a. The Commission requires member cities to include within their local stormwater management plans a stormwater basin maintenance plan that defines and schedules necessary maintenance actions on stormwater basins.
- b. The Commission shall implement the studies, programs, and capital improvement projects outlined in this Plan as funding becomes available.

**N. THE ADEQUACY OF EXISTING TECHNICAL AND BACKGROUND INFORMATION ON SYSTEMS IN THE WATERSHED THAT ARE USED TO MANAGE WATER RESOURCES**

1. There are some areas within the watershed where a lack of hydrologic, hydraulic, and water quality stormwater modeling data has been identified.
2. There are some areas within the watershed where a lack of 2-foot contour mapping has been identified.
3. A flood study for Diamond Lake and French Lake is needed.
4. Some areas of the watershed do not have detailed land cover mapping.

**Corrective Action**

- a. This lack of data stems from a lack of funding to develop these information resources. The Commission will attempt to identify funding options and alternatives and prioritize this work as part of the implementation of this Plan. It is unknown which parties will be responsible for developing these data.
- b. Local communities may complete the Minnesota Land Cover Classification System (MLCCS) as a planning tool and to obtain more detailed land cover mapping.