

elm creek Watershed Management Commission

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MINUTES Regular Meeting February 8, 2023

I. A meeting of the Elm Creek Watershed Management Commission was called to order at 11:37 a.m., Wednesday, February 8, 2023, in the Plymouth Community Center, 14800 34th Avenue North, Plymouth, MN, by Vice Chair Catherine Cesnik.

Present were: Ken Guenther, Corcoran; Joe Trainor, Maple Grove; Terry Sharp, Medina; Catherine Cesnik, Plymouth; and David Katzner, Rogers. Not represented: Champlin and Dayton.

Also present: Derek Asche, Maple Grove; Amy Riegel and Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Diane Spector and Erik Megow, Stantec; James Kujawa, Surface Water Solutions; Kris Guentzel and Kevin Ellis, Hennepin County Environmental Services (HCEE); Brian Vlach, Three Rivers Park District; and Judie Anderson, JASS.

A. Motion by Katzner, second by Sharp approve the **agenda*** as revised. The items listed under 3. Open Forum were relisted as the first items under 4. Action Items. *Motion carried unanimously.*

B. Motion by Guenther, second by Trainor to approve the Consent Agenda:

1. **Minutes*** of the January 11, 2023, regular meeting.

2. **February Treasurer's Report and Claims*** totaling \$25,979.43.

Motion carried unanimously.

II. **Open Forum.**

III. **Action Items.**

A. **LOW SALT NO SALT MINNESOTA.***

1. One of the major items on the Commission's 2023 work plan is the development and implementation of additional education and outreach actions regarding the proper use of chloride in the watershed. While this is a very wide-ranging topic, the Hennepin County Chloride Initiative (HCCI) recently rolled out its LOW SALT NO SALT campaign, including some education and outreach programming specific to homeowner's associations and faith-based communities. The chloride topic will be discussed in more detail at a series of TAC and Commission meetings in the coming months as HCCI works through other targeted stakeholders and messaging. Guenther reminded the Commissioners that they need to be mindful of this programming while developing the 2024 budget.

Riegel provided an overview of the LOW SALT NO SALT program and answered Commissioner/TAC member questions. She also distributed a sample handout developed for the program, *Safety is the #1 Concern*. More information about the program and access to other materials can be found at the new LOW SALT NO SALT website [Low Salt No Salt Minnesota \(rpbcwd.org\)](http://Low Salt No Salt Minnesota (rpbcwd.org)).

Riegel, who helped to develop the LOW SALT NO SALT programming, attended a recent "Train the Trainer" session directed toward city staff desiring to provide on-site assistance to those targeted

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communities. She shared that the Minnesota Pollution Control Agency (MPCA) is presenting an online Smart Salt Training for Community Leaders workshop on Thursday, March 9, 2023, from 11:00 am – 1:00 pm. She stated that this might be a good training for Commissioners interested in learning more about smart salting practices. Sign up or get more information at: www.pca.state.mn.us/events-and-meetings/smart-salting-community-leaders-workshop-2023-03-09.

2. Included in the meeting packet was an article from the February 1, 2023 issue of the *Minneapolis Star Tribune* entitled, “Low Salt, No Salt Minnesota’ targets private contractors to cut chloride pollution.”

3. **Limited Liability Legislation for Certified Salt Applicators.*** Also included in the packet is a document with information about the Limited Liability legislation from Sue Nissen with Stop Over Salting. This document has information on the proposed legislation and how to support this effort. If you have questions about the proposed bills, contact Sue at n.sue4408@gmail.com. It would be especially helpful for Commissioners to contact members who represent districts encompassed by the watershed:

a. House Environment and Natural Resources Committee Members: [Environment and Natural Resources Finance and Policy Home Page - Minnesota House of Representatives \(mn.gov\)](#)

b. House Judiciary Committee Members: [Judiciary Finance and Civil Law Home Page - Minnesota House of Representatives \(mn.gov\)](#)

c. Senate Judiciary Committee Members: [Minnesota State Senate](#)

d. Senate Environment, Climate, and Legacy Committee Members: [Minnesota State Senate](#)

B. Project Review 2022-048 Hassan Elementary 2023 Pavement Renovation, Rogers.* This is a redevelopment project at Hassan Elementary School to increase parking and hardcover to help the flow of buses and cars during pick-up and drop-off. The project will disturb approximately 5.7 acres of the 24-acre site and increase impervious surface by 0.997 acres. The project triggers Commission Rules D and E. Staff’s review and findings dated February 1, 2023, were included in the meeting packet. Staff is recommending approval of this project with three conditions: (1) perform infiltration test to verify infiltration; (2) reconciliation of escrow fee balance; and (3) receipt of an operation and maintenance plan approved by the City of Rogers. Motion by Sharp, second by Katzner to approve Staff’s recommendations. *Motion carried unanimously.*

C. 2022 Work Plan in Review.* Staff is requesting acceptance of the Work Plan pending responses from USGS and Stantec on items 4 and 21 regarding USGS stream monitoring and the Floodplain Modeling project, respectively. Motion by Guenthner, second by Sharp to accept the Work Plan with those two inclusions. *Motion carried unanimously.*

IV. Old Business.

Included in the meeting packet for information only was the Findings and Conclusions page of the 2021 Elm Creek **PRAP report**.* PRAP is an acronym for BWSR’s Performance Review and Assistance Program. PRAP recommended four actions to be undertaken by the Commission. These will be specifically addressed in the Commission’s Fourth Generation Watershed Management Plan.

V. New Business.

A. Included in the meeting packet is the proposed **work plan for 2023**.* Many of the items on

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this list are routine, but some are special projects or studies. Highlights include:

1. Now that the Commission and Staff have some experience with the revised project review policies and fee structure, we will review them to determine if any revisions should be considered and whether the fee structure is adequate to cover Commission costs.
2. Chloride management is a priority topic, and the work plan includes the development of a chloride education and outreach plan that includes identifying the different stakeholders and messages and options for implementation.
3. The Watershed-Based Implementation Funding (WBIF) for 2023 will provide funding for a significant amount of new implementation in the Rush Creek Headwaters and Diamond Creek subwatershed. The funding will also support completion of the South Fork Rush Creek subwatershed assessment and feasibility analysis for re-meandering two streams: a portion of North Fork Rush Creek in a high priority area and the channel from Diamond Lake to Diamond Creek.
4. The Commission will also consider an Adequate Fund Reserve Policy and Staff and the financial subcommittee will work to reformat some of the financial reports for clarity and to make the Commission's financial position more understandable.

Motion by Trainor, second by Guenther to accept the 2023 Work Plan. *Motion carried unanimously.*

B. 2023-2027 Three Rivers Park District Cooperative Agreement.* The agreement outlines the lake and stream monitoring program to be undertaken in the coming five years. Contractually, the Park District will be responsible for monitoring three stream sites and four lakes annually. Other sites of particular interest may also be selected for monitoring each year. The Park District will reimburse the Commission for 12.5% of the monitoring costs for the stream monitoring (including the USGS site) and lake monitoring on those water bodies on which the District owns a portion of the shoreline. Motion by Katzner, second by Guenther to approve the agreement. *Motion carried unanimously.*

C. 2023 Services Provided by Hennepin County.* Over the last several years, Hennepin County staff have annually drafted a Watershed Services Agreement that outlines the services County staff will provide to the Commission, its participating cities, and their residents to support the Commission's Watershed Management Plan and the Elm Creek Total Maximum Daily Load study. Services are split into three categories:

1. Task 1: Commission meeting attendance, provided at no cost to the Commission
2. Task 2: Resident engagement and assistance to address erosion and runoff issues and to promote the implementation of conservation practices, with costs split evenly up to a not-to-exceed amount.
3. Task 3: Project implementation in priority subwatersheds, which has just been the Headwaters of Rush Creek over the last few years.

Exhibit A of the 2022 Watershed Services Agreement,* which more fully describes the services provided by the County, was included in the meeting packet for reference. The costs for Tasks 1-3 totaled \$123,050 in 2022.

Over the last few years, the County has largely copied and pasted this language from the previous year's agreement. But, with some new focus areas and initiatives, County Staff are asking for Commission TAC guidance on direction for 2023 activities. These new focus areas and initiatives include, but

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may not be limited to:

4. Adding another priority subwatershed, Diamond Creek. While the County hasn't received official direction that it is the primary entity tasked with implementing the WBIF funding the Commission has received, County Staff presume they should plan to implement WBIF dollars for Diamond Creek, along with Rush Creek (totaling \$175,000), as they have for previous grant implementation efforts.

5. The WBIF convening group also allocated \$92,274 for additional subwatershed and other priority assessments. The County will serve as a project partner and stakeholder for these efforts but, unless otherwise directed, presume the Commission and its technical advisors will lead implementation of this activity.

6. County staff have expanded technical assistance to municipal partners and residents within the Elm Creek Watershed. This has included guidance on waste storage facility implementation and feedlot management, as well as consultation on livestock ordinances in Corcoran. Working more closely with cities with technical assistance and outreach could expand and streamline conservation assistance directly to more residents. This has historically been covered under Task 2 but could be more explicitly outlined or added to with Commission direction.

7. With COVID restrictions ending the County anticipates additional outreach activities this year, including a public open house in spring and a field day (or similar) event in late summer, among other potential activities. County staff are interested in feedback on how they can better coordinate this work with city partners and the Commission.

County Staff will return to the March meeting with the revised 2023 agreement. The County was requested to include in the agreement a map of the subwatershed assessments and where they are work-wise.

VI. Communications.

A. **Staff Report.*** Staff reports provide updates on the development projects currently under review by Staff. The projects listed in the table beginning on page 6 of these minutes are discussed in the February 1, 2023, report.

B. **Hennepin County Staff Report.*** Guentzel and Ellis recapped the February 1, 2023, report.

1. Progress made on the Clean Water Fund grant for the Rush Creek Subwatershed was submitted to BWSR. Highlights include:

- a. Reached 241 landowners through targeted outreach
- b. Ten residents assisted with site visits, technical assistance, and project planning
- c. Five grassed waterways, one WASCOD (water and sediment control basin), two livestock exclusion fences, two livestock waterers and gutter upgrades were made
- d. Reduce an estimated 47.22 tons TSS and 110.86 lbs TP from reaching Rush Creek annually
- e. Momentum continues as multiple projects including two WASCODs, one manure bunker, and one wetland restoration are underway. Multiple projects are still possible.

2. **2023 Planning.** County staff are working on 2023/2024 planning and would appreciate some conversation with the Commission and/or the TAC to inform the 2023 Cooperative Agreement and County work planning. (See V.C.6., above.)

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3. Outreach Planning. Hennepin County staff are currently working on an outreach plan for future communications with residents and cities. Overall goals of this effort are to increase the profile and awareness of Hennepin County Environment and Energy programs, target potential projects in priority subwatersheds, and continue to streamline and improve customer service procedures. Activities included in the draft plan include:

- a. Holding more educational events such as field days, farm tours, or workshops
- b. Virtual educational opportunities such as webinars and videos
- c. Implementation of new programming such as Soil Health Initiative
- d. Identification, outreach, and implementation of potential BMP opportunities outlined in subwatershed assessments in priority watersheds such as Rush, and Diamond Creek.

The Outreach Plan is in draft form and will be circulated to Communications staff for review in mid-February.

4. The Plastic-Free Challenge starts today! This is a chance to commit to actions that help create a plastic-free world, and get support, motivation, and resources to help form new habits. By taking steps to avoid packaging and reduce use of single-use plastics, you can help:

- a. Keep our lakes and rivers clean: Plastic waste and litter threatens the health of our environment, our iconic wildlife, and ourselves.
- b. Protect the health of your family and future generations: Plastics in our environment don't go away. Instead, they break down into microplastics that are found almost everywhere with largely unknown health impacts.
- c. Address climate change: Most plastics are made from oil and gas – fossil fuels that contribute to climate change.
- d. Create change in your community: Our actions have a greater impact when we share them with others, and the challenge will provide opportunities to connect with and encourage your family, friends, favorite businesses, and community to also take action.

VII. Education and Public Outreach.

A. The **Conservation Education and Implementation Partnership Program** will be coordinated by a new limited-duration education and outreach coordinator shared with Hennepin County and the Richfield-Bloomington WMO. Watershed-Based Implementation Funding (WBIF) to help fund the program has been approved by the Board of Water and Soil Resources (BWSR). The Hennepin County Board has approved the new position and the County is in the process of finalizing the job description and working through the hiring process.

A focus group of city staff and other stakeholders met to discuss their specific needs and desires so that the program Steering Committee can refine the first year's work plan. The second year will build off knowledge gained, and needs identified by the stakeholders as well as the education and outreach needs of the five participating WMOs. The focus group results will be discussed at the next WMWA meeting.

B. The **West Metro Water Alliance (WMWA)** will meet via Zoom at 8:30 a.m., February 14, 2023.

VIII. Grant Opportunities and Project Updates.

Spector reported that the executed WBIF grant was received February 3, 2023.

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IX. Other Business.

- A.** Commissioner **appointments** have been received from Maple Grove, Medina and Plymouth.
- B.** **Election of officers** will occur at the March meeting.

X. Adjournment. There being no further business, the meeting was adjourned at 1:29 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary

JAA:tim

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Project No.	Project Name
W=wetland	
2014-015	Rogers Drive Extension, Rogers.
2015-030	Kiddiegarten Child Care Center, Maple Grove.
2016-005W	Ravinia Wetland Bank Plan, Corcoran.
2017-014	Laurel Creek, Rogers.
2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
2018-046	Graco, Rogers.
2019-021	Brenly Meadows, Rogers.
2019-026	Interstate Power Systems, Rogers.
2020-009	Stetler Barn, Medina.
2020-017	Meadow View Townhomes, Medina.
2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
2020-033	Weston Woods, Medina.
2020-036	Balsam Pointe, Dayton.
2021-007	Birchwood 2nd Addition, Rogers
2021-016	Territorial Lofts, Rogers.
2021-020	Crew Carwash, Maple Grove.
2021-021	Territorial Triangle, Dayton.
2021-023	Maple Grove Medial Office Building (MOB).
2021-024	Riverwalk, Dayton
2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
2021-027	Xcel Energy Elm Creek Substation, Maple Grove
2021-029	Tri-Care Grocery / Retail, Maple Grove
2021-031	Cook Lake Edgewater, Maple Grove
2021-034	BAPS Hindu Temple, Medina.
2021-035	Mister Car Wash - Rogers
2021-036	D & D Service, Corcoran.
2021-037	Marsh Pointe, Medina.
2021-039	1-94 Logistics Center, Rogers.
2021-040	Napa Auto, Corcoran.
2021-041	Carlson Ridge, Plymouth.
2021-043	Northwood Community Church Maple Grove.

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2021-044	Balsam II Apartments, Dayton.
2021-047	CR 10 Box Culvert Replacement, Corcoran
2021-050	Evanswood, Maple Grove.
2021-051	Fields of Nanterre Drainage Improvements, Plymouth.
2021-052	Norbella Senior Living, Rogers.
2021-053	Towns at Fox Creek, Rogers.
2021-055	Morningside Estates 6th Addition, Champlin.
2022-002	Summerwell, Maple Grove.
2022-003	Fox Briar Ridge East, Maple Grove.
2022-006	Hamel Townhomes, Medina.
2022-008	Bechtold Farm, Corcoran.
2022-009	Dunkirk Lane Development, Plymouth.
2022-011	Arrowhead Drive turn Lane expansion,
2022-012	Graco Building 2, Dayton.
2022-013	Dayton 94 Industrial Site, Dayton.
2022-014	Aster Mill, Rogers.
2022-015	County Road 47 Phase I Reconstruction, Plymouth.
2022-016	Rogers Activity Center, Rogers.
2022-017	City Center Drive, Corcoran.
2022-018	Big Woods, Rogers.
2022-019	Grass Lake Preserve, Dayton.
2022-020	Skye Meadows Extension, Rogers.
2022-022	Cook Lake Highlands, Corcoran.
2022-023	Asguard, Rogers.
2022-024	Bridge No. 27J70, Maple Grove.
2022-025	Harvest View, Rogers.
2022-026	Archway Building, Rogers
2022-027	Edison at Maple Grove Apartments.
2022-028	Elsie Stephens Park, Dayton.
2022-029	Hayden Hills Park, Dayton.
2022-030	Garages Too, Corcoran.
2022-031	Corcoran II Substation.
2022-033	Pet Suites, Maple Grove.
2022-034	CSAH 101 Improvements, Maple Grove.
2022-035	Rush Hollow, Maple Grove.
2022-036	West French Lake Road Improvements, Maple Grove.
2022-037	CSAH13 CR203 Culvert Replacement, Dayton.
2022-038	Tavera North Side, Corcoran.
2022-039	Garland Commons, Maple Grove.
2022-040	Karinieimi Meadows,
2022-041	Elm Creek Swim Pond Culvert, Maple Grove.
2022-042	Walcott Glen, Corcoran.
2022-043	Meander Park and Boardwalk, Medina.
2022-044	Trail Haven Road Bridge Replacement, Corcoran.
2022-045	Corcoran Water Treatment Plant.
2022-046	CSAH12 Culvert and Guardrail Replacement, Dayton.
2022-047	Suite Living of Maple Grove.

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2022-048	Hassan Elementary Pavement Renovation, Rogers.
2022-049	Connexus Energy South Dayton Substation.
2023-001	Chankahda Trail Reconstruction Phase 2, Plymouth.
2023-002	Lynde Greenhouse Fire Damage Repair, Maple Grove.

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