

elm creek

Watershed Management Commission

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Regular Meeting Minutes February 9, 2022

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, February 9, 2022, by Chair Doug Baines.

Present were: Gerry Butcher, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Terry Sharp, Medina; Catherine Cesnik, Plymouth; David Katzner, Rogers; and Amy Juntunen and Judie Anderson, JASS.

Also present: Heather Nelson, Champlin; Kevin Mattson, Corcoran; Nico Cantarero, Stantec, Dayton; Derek Asche and Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Ross Mullen, Ed Matthiesen, and Diane Spector, Stantec; James Kujawa, Surface Water Solutions; Rebecca Carlson, Resilience Resources; Kris Guentzel and Kevin Ellis, Hennepin County Environmental Services (HCEE); and Brian Vlach, Three Rivers Park District (TRPD).

A. Motion by Guenther, second by Butcher to approve the **revised agenda**.* *Motion carried unanimously.*

B. Motion by Guenther, second by Sharp to approve the consent agenda:

1. **Minutes*** of the January 12, 2022, regular meeting.

2. **February Treasurer's Report and Claims*** totaling \$22,126.99, plus an additional claim* from Hennepin County in the amount of \$1,685.64.

Motion carried unanimously.

II. **Open Forum.**

III. **Action Items.**

A. **Project Reviews.**

1. **2021-043 Northwood Community Church, Maple Grove.*** The existing project site is owned by Northwoods Community Church and functions as church offices. The proposed project demolishes these office buildings and constructs a church on the 10.56-acre parcel. The project was reviewed for Rules D, E, G, and I. In their findings dated January 19, 2022, Staff recommend approval of the project conditioned on receipt of the escrow fee balance and a Stormwater Maintenance Agreement enacted between the applicant and the city. Motion by Guenther, second by Trainor to approve Staff's recommendations. *Motion carried unanimously.*

2. **2021-046 Len Busch Roses, Plymouth.*** This project proposes to add an additional 25,000-square foot greenhouse on this site, disturbing 1.70-acres and creating 0.64-acres of new impervious on the site. The project was reviewed for Rules D and E. In their findings dated January 12, 2022, Staff recommend approval of the project with two conditions: receipt of escrow fee balance and a Stormwater

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Maintenance Agreement enacted between the applicant and the city. Motion by Trainor, second by Butcher to approve Staff’s recommendations. *Motion carried unanimously.*

3. 2021-047 County Road 10 Box Culvert Replacement, Corcoran.* Hennepin County will be replacing an existing 6’x10’box culvert with a box culvert embedded one foot, a 6’x4 box culvert approximately two feet above the 6’x6’ box culvert, and a 3-foot diameter circular pipe approximately four feet above the 6’x6’ box culvert to replicate the existing flows of Hennepin County Ditch #16 under CR 10. The project was reviewed for Rules D, E, F, G, and H. In their findings dated January 13, 2022, Staff recommend approval of the project pending receipt of the escrow fee balance and an approved wetland alterations plan. Motion by Guenthner, second by Trainor to approve Staff’s recommendations. *Motion carried unanimously.*

B. Technical Advisory Committee (TAC) Recommendations.

In the meeting packet were two memos dated December 22, 2021, from Wenck/Stantec regarding rules revisions. At their January meeting the TAC approved a number of changes to revise or clarify the Commission’s existing rules regarding Low Floor/Freeboard, Linear Projects, and Infiltration/Abstraction. Mullen presented the proposed revisions for the Commissioners’ consideration. After much discussion, it was a consensus to return the revisions to the TAC for some suggested wordsmithing.

IV. Old Business.

A. The **PRAP subcommittee** will convene at 1:00 on February 16, 2022.

B. Included in the meeting packet was the final draft of the **2021 Work Plan in Review.*** Its contents will be inserted into the Commission’s 2021 Annual Activity Report.

V. New Business.

A. A **draft 2022 Work Plan*** was presented to the TAC members and the Commissioners. Staff requests revisions/additions by Friday, February 25, so that the final draft plan can be accepted at the March meeting.

B. Asche recapped the **Technical Advisory Committee meeting** that preceded this meeting.

1. The TAC received two proposals to revise and complete the **floodplain mapping project**. These proposals were in response to a determination identified in Stantec’s third party review that there were significant differences between the flood elevations in community hydrologic and hydraulic models and the Preliminary HUC-8 Study just completed. It was a consensus that the Commission should direct a letter to the DNR describing where the Commissioners believe they are relative to receiving a complete and accurate floodplain mapping work product.

2. Members of the TAC also approved **revisions to the Commission’s cost share policy** relating to capital projects and the ad valorem levy process. The revised policy will be brought to the Commission at its March meeting.

3. Language pertaining to the receipt of **Operation and Maintenance Agreements** as part of the project review approval process will be revised to eliminate the onus on the Administrative staff to collect them in order to complete the approval process and finalize escrows. This item will also be brought to the Commission in March.

4. Spector updated the TAC members on the **Watershed-Based Implementation Fund process for 2022-2023**. Nelson from Champlin and Cantarero from Dayton volunteered to be the two city representatives.

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C. Nominations for Officers. Election of officers will occur at the March meeting. Nominees are Baines, Chair; Cesnik, Vice Chair; Bill Walraven, Champlin, Secretary; and Guenther, Treasurer.

D. Volunteers are being solicited for **CAMP monitoring** this year. Staff will review which lakes are needful of monitoring data.

VI. Communications.

A. Staff Report.* Staff reports provide updates on the development projects currently under review by Staff or awaiting final recordations. The projects listed in the table beginning on page 4 of these minutes are discussed in this month’s report. Mullen provided his **Communications Log*** of activities related to project reviews as an addendum to the Staff Report.

B. Hennepin County Staff Report.*

1. The **2022 Technical Services Agreement*** with the Commission was included in the meeting packet. Exhibit B, Volunteer Monitoring Programs and Educational Services, has been removed from the agreement. That Exhibit covered the County’s RiverWatch and Wetland Health Evaluation Program (WHEP) services. These programs have been on hold since 2020 and are both under review by County leaders to determine what programming can occur in 2022. Some events may occur later this summer and fall, but the County does not intend to invoice partners for that work. Therefore, that Exhibit has been removed for 2022. The County may consider adding it back to the 2023 Technical Services Agreement if activities in either program return to pre-pandemic levels.

The not-to-exceed (NTE) value for landowner technical services has been increased to \$17,000. (This increase is offset by the decrease in monitoring services, above.) This change was made as the County’s staff investment in landowner services has steadily increased over the last several years. In 2021, the County invested about \$45,000 in staff time to conservation work and coordination in Elm Creek Watershed’s jurisdiction and anticipate that work to continue (and potentially increase) in 2022.

Motion by Guenther, second by Butcher to approve the 2022 Cooperative Agreement with Hennepin County. *Motion carried unanimously.*

2. A summary of the work done in 2021 for the **Rush Creek CWF grant** has been submitted to BWSR. Included in the County report was a recap of the activities that occurred under that program.

3. Information on **grants to increase pollinator habitat on residential properties** was also included in the report.

VII. Education and Public Outreach.

A. The West Metro Water Alliance (WMWA) met on February 8, 2022.

B. Blue Thumb/Metro Blooms. WMWA will be forwarding to the cities in the four member WMOs (Bassett Creek, Elm Creek, Shingle Creek, and West Mississippi) information about 2022 potential resilient yards workshops that Metro Blooms now offers virtually. City sponsorship may fulfil an MS4s obligation to provide workshops or other learning opportunities to their residents.

C. Flyer Update. The pet waste and water softener flyers have been completed and work is nearly done on the proper ice melt use flyer. These will be available to all the MS4s in the WMOs to help meet their NPDES permit obligations.

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D. Watershed PREP. The new educator, Jessica Sahu Teli, is working with the retiring educator to solicit classroom opportunities for this spring.

E. The next meeting will be held via Zoom at 8:30 a.m., March 8, 2022.

VIII. Grant Opportunities and Project Updates.

FY22-23 Watershed-based Implementation Funding Program.* For the coming year, the group of participants in each watershed allocation area will be called a partnership, e.g., the Elm Creek partnership, and meetings will be referred to as Convene meetings. BWSR staff have confirmed that the Convene process may now begin, and that the development of a work plan(s) may occur starting in June 2022. The TAC was charged with initiating the Convene process at its February 2022 meeting. (See V.B.4., above.) Guentzel or Ellis will represent Hennepin County in its capacity as the county SCWD. Baines volunteered to be the Commission’s representative.

The first official Convene meeting will be held at the end of the March 9, 2022, TAC meeting, just prior to the regular March meeting of the Commission. At that meeting the group will begin discussing options for the use of the funds.

IX. Other Business.

X. Adjournment. There being no further business, motion by Butcher, second by Baines to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:28 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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Item No.	A	E	I RPFI	AR	Project No.	Project Name
			RP DD			
					W=wetland project	
ba.				AR	2014-015	Rogers Drive Extension, Rogers.
bb.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
bc.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
bd.				AR	2017-014	Laurel Creek, Rogers.
be.				AR	2017-029	Brayburn Trails, Dayton.
a.		E			2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
bf.				AR	2018-046	Graco, Rogers.
bg.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
bh..				AR	2019-021	Brenly Meadows, Rogers.
bi.				AR	2019-026	Interstate Power Systems, Rogers.
bj.				AR	2019-027	Havenwood at Maple Grove.
bk.				AR	2020-008	lone Gardens, Dayton.
bl.				AR	2020-009	Stetler Barn, Medina.
bm.				AR	2020-017	Meadow View Townhomes, Medina.

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bn.				AR	2020-023	Ziegler Dayton Site Upgrades, Dayton.
bo.				AR	2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
bp.				AR	2020-033	Weston Woods, Medina.
bq.				AR	2020-036	Balsam Pointe, Dayton.
br.				AR	2021-007	Birchwood 2nd Addition, Rogers
b.					2021-013	Rush Creek Reserve, Corcoran.
bs.				AR	2021-016	Territorial Lofts, Rogers.
bt.				AR	2021-020	Crew Carwash, Maple Grove.
bu.				AR	2021-021	Territorial Triangle, Dayton.
bv.				AR	2021-023	Maple Grove Medial Office Building (MOB).
bw.				AR	2021-024	River Walk, Dayton
c.					2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
d.					2021-026	Prairie Creek Subdivision, Medina.
bx.					2021-027	Xcel Energy Elm Creek Substation, Maple Grove
e.					2021-028	The Cubes at French Lake, Dayton
f.					2021-029	Tri-Care Grocery / Retail, Maple Grove
g.					2021-030	Tri-Care Grading and Roads, Maple Grove
h.					2021-031	Cook Lake Edgewater, Maple Grove
i.					2021-033	Weston Commons, Maple Grove
j.					2021-034	BAPS Hindu Temple, Medina.
by.					2021-035	Mister Car Wash - Rogers
bz.					2021-036	D & D Service, Corcoran.
k.					2021-037	Marsh Pointe, Medina.
l.					2021-038	Bellwether 6th/Amberly, Corcoran.
m.					2021-039	1-94 Logistics Center, Rogers.
ca.					2021-040	Napa Auto, Corcoran.
cb.					2021-041	Carlson Ridge, Plymouth.
n.					2021-042	Risor Senior Living, Maple Grove
o.	A	E			2021-043	Northwood Community Church Maple Grove.
p.					2021-044	Balsam II Apartments, Dayton.
q.					2021-045	REO Plastics Phase 2 Addition, Maple Grove
r.	A	E			2021-046	Len Busch Roses, Plymouth
s.	A	E			2021-047	CR 10 Box Culvert Replacement, Corcoran
t.					2021-048	Bellwether - Newman West, Corcoran
u.					2021-049	Dayton Interchange Business Center, Dayton.
v.					2021-050	Evanswood, Maple Grove.
w.					2021-051	Fields of Nanterre Drainage Improvements, Plymouth.
x.					2021-052	Norbella Senior Living, Rogers.
y.					2021-053	Towns at Fox Creek, Rogers.
z.					2021-054	Stotts Family Farm Grassed Waterways, Corcoran.
aa.					2021-055	Morningside Estates 6 th Addition, Champlin.
ab.					2022-001	Dayton Field 2nd Addition, Dayton.

= Action item E = Enclosure provided I = Informational update will be provided at meeting RPF - removed pending further information
 R = Will be removed RP= Information will be provided in revised meeting packet.... D = Project is denied AR awaiting recordation

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