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### Technical Advisory Committee and Regular Meeting Minutes February 10, 2016

I. A meeting of the **Technical Advisory Committee (TAC)** for the Elm Creek Watershed Management Commission was convened at 10:30 a.m., Wednesday, February 10, 2016, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN by Vice Chairman Elizabeth Weir.

In attendance were Todd Tuominen, Champlin; Susan Nelson, Wenck Associates, Corcoran; Rick Lestina and Mark Lahtinen, Maple Grove; Shane Nelson and Kaci Fisher, Hakanson-Anderson, Medina; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Ali Durgunoğlu, James Kujawa, and Said Matan, Hennepin County Dept. of Environment and Energy (HCEE); Rich Brasch, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; Kate Drewry and Jason Spiegel, DNR; and Judie Anderson, JASS.

Also present: Doug Baines, Dayton; Elizabeth Weir, Medina; and Fred Moore, Plymouth.

A. The **agenda** was approved by consensus.

B. **Use of tire-derived products.** Included in the meeting packet was a guidance document from the Minnesota Pollution Control Agency on the topic of "Beneficial use of tire derived products."\* The use of TDPs was discussed during consideration of project review 2015-030 Kiddiegarten Child Care Center in Maple Grove. Since the Commission's rules do not specifically address this topic, the project was approved with no conditions concerning their use. Staff will write a letter to the applicant, copying the City, to state the Commission's concerns. Staff will also contact the Commission's attorney regarding this subject. [NOTE: Response from Attorney Joel Jamnik is: "I would be worried that use of chipped tires outside of roadways would be considered an improper disposal of the tire. If someone is proposing to place them in one of our basins I'd want them to defend and indemnify us fully and prove that use is allowed."] A future action to create a rule not permitting the use of TDPs in non-roadway situations was suggested.

C. It was agreed that a Commission policy should be set in place regarding **Project Review expiration dates**. Staff will contact the member cities to determine at what point projects are considered to be "finalized."

D. **City restrictions and permitted uses within city zoning laws.** This topic was discussed and determined not to be under the purview of the Commission.

E. **Model manure management ordinance.\*** Various documents regarding Medina's ordinance were included in the meeting packet. Staff will contact the Commission's attorney regarding the minimum criteria for such an ordinance. The most restrictive, the Commission's or the City's, would apply. One purpose for the use of this ordinance would be to facilitate the transition from agricultural to rural residential land use. What kind of BMPs should be used when animals are present? How do we quantify load reduction credits?

F. **Buffer inspection/enforcement requirements.** The Joint Powers Agreement does not give the Commission permission to perform inspections, unless requested by the member cities, and grants the Commission no enforcement authority, excepting when serving as the LGU for the Wetland Conservation Act. These duties could be assumed by the Commission through a Memorandum of Understanding with each individual city. Staff will prepare a draft MoU and apprise the cities that this service is available.

\*in meeting packet

**G. Easement Ownership.\*** Included in the packet was an email from Attorney Jamnik re the ownership of easements. It reads, in part, "... title in property, or ownership of any interest in property should be in the name of an entity (member city) that exists in perpetuity, or for which the law provides for a transfer of interest upon annexation or other boundary adjustment, consolidation or dissolution." This item is informational only.

**H. Consideration of 2016 CIP submittals.\*** The following projects were submitted for inclusion on the Commission's 2015 Third Generation Watershed Management Plan CIP. *Action taken is in italics.*

1. **2016-CH-01 Mill Pond Rain Gardens.** *Currently on CIP, moved from 2017 to 2018 - \$100,000.*
2. **2016-MG-01 Ranchview Wetland Restoration.** *Currently on CIP, increased project cost to \$2,000,000, moved Commission share of \$250,000 to 2017.*
3. **2016-MG-02 Rush Creek Main – Stream Restoration.** *Currently on CIP in 2016 - \$250,000.*
4. **2016-MG-03 Rush Creek South – Stream Restoration.** *Currently on CIP – moved to 2018 - \$168,750.*
5. **2016-MG-04 Fish Lake Alum Treatment – Phase 1.** *New project. \$300,000. Commission share of \$75,000 in 2016.*
6. **2016-RO-01 Fox Creek Stream Bank Stabilization – Segment 2, Creekview Drive.** *Currently on CIP, increased project cost to \$321,250, Commission share of \$80,312 in 2016.*
7. **2016-RO-02 Rush Creek and Fox Creek Monitoring Stations.** *Deemed not to be a CIP, can be funded from other Commission sources.*
8. **2016-RO-03 Downtown Rogers Pond Expansion and Reuse.** *New project. \$406,000. Commission share of \$101,500 in 2018. This project will be reviewed to determine if work is "above and beyond" meeting standards.*
9. **2016-RO-04 Agricultural Best Management Practices.** *Deemed not to be a CIP, can be funded from other Commission sources.*

It was a consensus to bring these projects to the Commission for its consideration.

**I. Other Business.**

Weir queried how **phosphorus reductions from land conversion** will be measured. Brasch and the technical staff will meet to develop a methodology for this conversion.

The meeting of the Technical Advisory Committee of the Elm Creek Watershed Management Commission was adjourned at 11:52 a.m.

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**II.** A regular meeting of the Elm Creek Watershed Management Commission was called to order at 11:55 a.m., Wednesday, February 10, 2016, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN by Chairman Doug Baines.

Present were: Bill Walraven, Champlin; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Fred Moore, Plymouth; Kevin Jullie, Rogers; Ali Durgunoğlu, James Kujawa, and Said Matan, Hennepin County Dept. of Environment and Energy (HCEE); Rich Brasch, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

Not represented: Corcoran.

Also present: Todd Tuominen, Champlin; Rick Lestina and Mark Lahtinen, Maple Grove; Jesse Larson and Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; and Kate Drewry and Jason Spiegel, DNR.

**A.** Motion by Walraven, second by Weir to approve the **revised agenda**.\* *Motion carried unanimously.*

**B.** Motion by Walraven, second by Weir to approve the **minutes**\* of the January 13, 2016 regular meeting. *Motion carried unanimously.*

\*in meeting packet

C. Motion by Moore, second by Jullie to approve the **February Treasurer's Report and Claims\*** totaling \$19,422.06 and to encumber the 2015 unused portion of funds allocated for Studies, Project Identification and Subwatershed Assessments totaling \$34,315.54. *Motion carried unanimously.*

D. **Open Forum.**

E. **Action Items.**

Tuominen distributed copies of the Mississippi Shoreline Repair project. He is requesting administrative review and approval at this time so that construction can proceed prior to the next Commission meeting. The project will be forwarded to Staff as project review 2016-006. Motion by Weir, second by Walraven to approve this request. *Motion carried unanimously.*

F. **Watershed Management Plan.**

1. Motion by Walraven, second by Weir to accept the **revised 2016 Work Plan\*** with insertion of the pending information. *Motion carried unanimously.*

2. Motion by Weir, second by Walraven to approve the updates and additions to the CIP as brought forward by the TAC (see page 2 of these minutes) and to proceed with the Minor Plan Amendment (MPA) process. *Motion carried unanimously. [Steve Christopher, BWSR Board Conservationist, has determined that three of the five projects proposed for 2016 will require a MPA. They are the Fox Creek Restoration Project at Creekview, the Fish Lake Alum Treatment Project, and the Rush Creek Main Stem Restoration Project.]*

G. **Elm Creek Watershedwide TMDL.** The draft TMDL report and supporting appendices are available for informal review on the Commission's website. Comments are requested to Brasch by February 22. Brasch will recap all of the comments received into one document. Brasch announced that he has received comments on the WRAPS from MPCA and is reviewing them. From all the comments received Staff will determine whether a TAC meeting should be scheduled prior to the Stakeholders meeting.

H. **New Business.**

I. **Communications.**

J. **Education.**

1. Baines provided a recap of the February 9 **West Metro Water Alliance (WMWA) meeting**. Focus of the meeting was twofold: development of the new WMWA website and progress by the Educators in scheduling Watershed PREP classes in schools in the WMWA area.

2. The **next WMWA meeting** is scheduled for Tuesday, March 8, 2016, at Plymouth City Hall. Commissioners are encouraged to attend.

K. **Grant Opportunities.**

L. **Other Business.**

1. **Commissioner appointments** have been received from Maple Grove, Medina and Plymouth.

2. Hearing no other nominations, motion by Moore, second by Weir to **nominate the current officers** as officers for 2016. *Motion carried unanimously.* The nominees are Baines, Chair; Weir, Vice Chair; Walraven, Secretary; and Moore, Treasurer. Elections will occur at the March meeting.

3. The following **projects** are discussed in the February Staff Report.\* ("W" denotes wetland project.)

- a. 2012-021W Kreps Wetland Violation, Corcoran.
- b. 2013-041 Jomico, Corcoran.
- c. 2013-046 Woods of Medina, Medina.
- d. 2014-015 Rogers Drive Extension, Rogers.
- e. 2014-033 Kinghorn Industrial Park Spec Building, Rogers
- f. 2014-038 Sawgrass, Corcoran.

\*in meeting packet

- g. 2014-040W Sawgrass Wetland Replacement Plan, Corcoran.
- h. 2014-042 Launch Park Addition (Outlot B), Rogers.
- i. 2015-001 Highway 47/Troy Lane School, Plymouth.
- j. 2015-004 Kinghorn Outlet A, Rogers.
- k. 2015-006 Veit Building and Parking Lot Addition, Rogers.
- l. 2015-007 Parkway Preserve, Rogers.
- m. 2015-013 Wayzata High School, Plymouth.
- n. 2015-016 Brockton PUD, Plymouth.
- o. 2015-020 Strehler Estates, Corcoran.\*
- p. 2015-021 The Pines at Elm Creek, Plymouth.
- q. 2015-025 OP3 Outdoor Storage, Rogers.
- r. 2015-028 Sundance Woods Phase II, Dayton.
- s. 2015-029 Enclave at Rush Creek, Maple Grove.
- t. 2015-030 Kiddiegarten Child Care Center, Maple Grove.
- u. 2015-032 Rogers High School Auditorium Addition, Rogers.
- v. 2015-033W Corcoran Community Solar Garden – Oakdale Lane.
- w. 2015-035 Kal Point, Medina
- x. 2015-039 The Enclave at Dunlavin Woods, Maple Grove.
- y. 2016-001 CSAH 115/CR 116 Reconstruction, Medina.

4. **Raingarden workshops** are being scheduled. Champlin will host a workshop on May 12, Plymouth in late April or early May. Other communities wishing to host a workshop should contact Anderson.

**M. Adjournment.** There being no further business, motion by Weir, second by Walraven to adjourn. *Motion carried unanimously.* The meeting was adjourned at 12:41 p.m.

Respectfully submitted,



Recording Secretary

JAA:tim

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\*in meeting packet