

# elm creek Watershed Management Commission

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## Technical Advisory Committee and Regular Meeting Minutes April 12, 2017

I. A meeting of the **Technical Advisory Committee (TAC)** for the Elm Creek Watershed Management Commission was convened at 10:03 a.m., Wednesday, March 8, 2017, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN.

In attendance were: Todd Tuominen, Champlin; Susan Nelson, Wenck Associates, Corcoran; Rick Lestina and Mark Lahtinen, Maple Grove; Shane Nelson, Hakanson-Anderson, Medina; Ben Scharenbroich, Plymouth; Ali Durgunoğlu, James Kujawa and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Rich Brasch and Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson and Amy Juntunen, JASS.

Not represented: Dayton and Rogers.

Also present: Bill Walraven, Champlin; Sharon Meister, Corcoran; Elizabeth Weir, Medina.

A. Motion by Scharenbroich, second by Lestina to approve the **meeting agenda**.\* *Motion carried unanimously.*

B. Motion by Kujawa, second by Scharenbroich to approve the **minutes of the March 8, 2017 TAC meeting**\* with the following revisions:

~~I.C. Areas within MUSA will not be able to have livestock.~~ It will be up to the cities to allow livestock in the areas where a regulated conveyance system exists.

**I.C.2.c.2)** Scraping of feedlots should be practiced regularly and the scrapings composted.

*Motion carried unanimously.*

C. A call was made to elect a chairman of the Technical Advisory Committee. Motion by Lestina, second by Scharenbroich to elect Kujawa as chair. Hearing no other nominations, the *motion passed unanimously.*

## II. Old Business.

A. **Model Manure Management Ordinance**.\* Creating well-designed sites, ordinances, and layouts will allow cities to avoid later issues with land use conflicts, having to grandfather in facilities, water quality issues, etc. Long term, the ordinance helps avoid costs and headaches for landowners having to renovate facilities, do restorations, etc.

1. In her memo,\* Barta discussed manure management, maintaining livestock away from water, manure pit regulation, soil conservation, and proper siting and wetland restoration.

2. In a second memo\* Barta offered suggestions for city ordinances within the Elm Creek watershed for areas transitioning from rural to developing.

a. Where there was no livestock before – follow animal expansion recommendations from the Pioneer-Sarah Creek Commission policy.

b. New operations with grazing animals should have a proper grazing plan/appropriate designed feedlot.

c. Where there was livestock before, proper disposal procedures should be followed when sealing and cleaning out waste pits.

d. Where cropped fields are being converted into housing, temporary crop cover should be sown until lawn/pasture is established.

e. Topsoil should be conserved on site as much as possible.

f. Buffers should be maintained along waterways as needed.

g. Wetland restoration should occur where feasible.

3. Manure management should be practiced appropriately depending on species. New facilities for both pasture and manure must meet MPCA, Minnesota Ag, or Extension Services regulations. If enough animal units are present, MPCA feedlot rules must be followed.

a. Composting should be practiced, especially for horse operations.

b. Livestock must be excluded from streams, wetlands, and other sensitive areas.

c. For cattle, swine and poultry, proper manure holding facilities should be established following NRCS guidelines and MPCA regulations.

1) Wastewater filter strips should be established below barn and feedlot facilities.

2) Scraping of feed lots and composting of scrapings should be practiced regularly.

4. Impacts will be measured using U of M, BWSR, and MPCA nutrient load calculation tools, RUSLE, and other programs/tools as needed and appropriate.

5. Barta indicated she is willing to work with individual cities, focusing on cities where issues are likely to occur. She also stated that PCA is cracking down on landowners who are in violation of state laws.

6. The Commission will offer the services of its attorney to work with the cities' attorneys to craft their own ordinances. (The Commission will absorb the cost of its attorney during this process.)

7. Barta will continue to work on this task; Staff will communicate with Attorney Joel Jamnik.

**B. Rules pertaining to filtration, infiltration and abstraction during stormwater management review.**

Staff has requested from the member cities their stormwater pond, infiltration, filtration, and runoff volume abstraction rules and standards. From the information received, Staff is compiling a sequencing guide and adjusting the credits. It will be available for discussion at the June TAC meeting.

**C. Cost-share policy.\*** Staff will run various scenarios for discussion at the June meeting.

**D. Prioritizing special projects other than SWAs.\*** Based on responses by the members of the TAC, staff compiled their rankings of various criteria to prioritize special projects. As determined by the members the rankings are as follows:

- |                                       |   |
|---------------------------------------|---|
| 1. Primary.                           | 2. Secondary.                             |
| a. Load reductions                    | a. In city's CIP                          |
| b. Grant opportunity/eligibility      | b. Multiple benefits                      |
| c. TMDL-related                       | c. Included in Commission's op. budget    |
| d. Total project costs                | d. Location in watershed                  |
| e. Protects high quality resource     | e. Result of regulatory mandate           |
| f. Exceeds city management activities | f. Total impacted area/no impacted cities |
|                                       | g. Timing of project                      |
|                                       | h. On Commission-derived schedule         |

**III. New Business.**

**A. Calls for additions/revisions to Commission's current CIP.\*** The members reviewed the revised CIP. After consultation with the City of Rogers, which was not represented at the meeting, the following additions/revisions/deletions have been made:

1. The following projects would be added:
  - a. Elm Creek Stream Restoration Reach D, Plymouth, est cost \$850,000, Comm share in 2018 = \$212,500
  - b. Cowley-Sylvan Connections BMPs, Rogers, est cost \$300,000. Comm share in 2018 = \$75,000
2. The following project would be removed:
  - a. Stonebridge Storm Sewer Retrofit, Maple Grove.
3. Funding for the following projects would be shifted:
  - a. Fox Creek at South Pointe, Rogers, est cost \$90,000, shift \$22,500 from 2017 to 2019
  - b. Stone's Throw Wetland, Corcoran, est cost \$450,000, shift \$112,500 from 2017 to 2018
  - c. Ranchview Wetland Restoration, Maple Grove, est cost \$2,000,000, shift \$250,000 from 2017 to 2018
  - d. Watershed-wide Ag BMPs, est cost \$50,000 annually, shift \$50,000 from 2017 to 2020-2024
4. The remaining projects on the CIP are unchanged.
5. The total of the projects slated for funding in 2017, payable 2018, is \$490,000.

Motion by Scharenbroich, second by Lestina to approve these revisions and to recommend to the Commission that the Commission's share of the 2017 projects be funded by a County ad valorem levy. *Motion carried unanimously.*

**B. Other Business.**

1. The next TAC meeting is scheduled for May 10, 2017, prior to the regular Commission meeting.
2. The meeting was adjourned at 11:26 a.m.

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**IV. A regular meeting** of the Elm Creek Watershed Management Commission was called to order at 11:35 a.m., Wednesday, April 12, 2017, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN, by Vice Chairman Elizabeth Weir.

Present were: Bill Walraven, Champlin; Sharon Meister, Corcoran; Tim McNeil, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Fred Moore, Plymouth; Ali Durgunoğlu, James Kujawa and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Rich Brasch and Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson and Amy Juntunen, JASS.

Also present: Todd Tuominen, Champlin; Brad Martens and Susan Nelson, Corcoran; Mark Lahtinen, Maple Grove; and Lisa Vertelney and Ben Scharenbroich, Plymouth.

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

**B.** Motion by Walraven, second by Moore to approve the **minutes**\* of the March 8, 2017 regular meeting. *Motion carried unanimously.*

**C.** Motion by Moore, second by Walraven to approve the April **Treasurer's Report and Claims**\* totaling \$12,502.38. *Motion carried unanimously.*

**V. Open Forum.**

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

**VI. Action Items.**

**A. Project Reviews.**

**1. 2017-005 Creekside Hills, Plymouth.\*** This is a 69-acre residential lot located east of CR 101 and north of MN State Highway 55. The applicant proposes to develop 156 single-family residential lots, associated streets, utilities and three onsite wet stormwater detention ponds with filtration bench and filter strip to provide stormwater treatment and rate control. The existing site is a combination of golf course, wetlands and woodland. This project will create 17.7 acres of new impervious surface. The project was reviewed for compliance with the Commission's requirements for stormwater management, erosion and sediment controls, buffer strips and floodplain. Staff reviewed site plans dated February 28, 2017 and recommends the Commission approve the project without conditions. Motion by Moore, second by Walraven to approve Staff's recommendation. *Motion carried unanimously.*

**2. 2017-006 Summers Edge, Plymouth.\*** This project is located on the east side of Brockton Lane, north of Medina Road. The site plans include all or portion of three PIDs and a ROW area that is proposed to be abandoned totaling 46.2 acres. The actual areas being grading total 30.9 acres. The current land use is cropland, woodland, wetlands and grassland. Proposed land use will be 52 single-family residential lots on approximately 22 acres. The Commission's standards require review of Rule D, Stormwater Management, Rule E, Erosion and Sediment Controls, and Rule I, Buffer Strips. Erosion and sediment control plans were reviewed and administratively approved by Staff on February 23, 2017. Staff reviewed site plans dated February March 2, 2017 and recommends the Commission approve the project without conditions. Motion by Moore, second by Walraven to approve Staff's recommendation. *Motion carried unanimously.*

**B.** Two lakes are included in the 2017 budget for **CAMP monitoring**. The Citizen Assisted Monitoring Program is sponsored by Metropolitan Council. Volunteers will be sought for this year's program, likely Jubert plus one more.

**C. Mill Pond Monitoring.** The Commission approved water quality monitoring of the Mill Pond as part of its monitoring services arrangement with the Park District at its last meeting. Because the Mill Pond will be drawn down again this fall to facilitate removal of sediment and some of the riparian habitat work, both the City and the TAC felt that conducting early and late summer aquatic plant surveys would be of more interest and value than water quality monitoring. The purpose of the aquatic plant monitoring would be to establish a pre-sediment removal and restoration project baseline for the aquatic plant community and help assess how both curly leaf pondweed and the native plant community responded to the first drawdown associated with the dam rehabilitation project. The costs for the aquatic plant surveys would be the same as for the water quality monitoring efforts (\$800). Motion by Walraven, second by Trainor to proceed with the aquatic plant surveys as proposed. *Motion carried unanimously.*

**D.** Motion by Moore, second by Walraven to accept the **2016 Audit Report**. *Motion carried unanimously.* A reference to the Pioneer-Sarah Creek Commission in the text will be corrected.

**E.** Motion by Trainor, second by Walraven to accept the **2016 Annual Activity Report**. *Motion carried unanimously.* Brasch will review the lake report cards for accuracy and the USGS stream monitoring data will be inserted when it becomes available.

**VII. Watershed Management Plan.**

**A. Report from the Technical Advisory Committee.** (See Minutes, above.) The TAC will meet in June to continue discussion of manure management guidelines and the cost-share policy.

**B.** The amended version of the **Capital Improvement Program (CIP)** was reviewed by the Technical Advisory Committee (TAC) at its meeting earlier today. The TAC recommended \$490,000 of projects for ad valorem funding by Hennepin County in 2017. (III.A., above.) Motion by Moore, second by Walraven to approve the TAC's recommendation and to call for a public meeting to consider the proposed amended CIP. *Motion carried unanimously.* Staff will notify Hennepin County of this proposed maximum levy amount.

**C. Minor Plan Amendment.** Legal notice of a public meeting to receive comments on the proposed amended CIP will be published in the Commission's official newspaper and forwarded to the member cities. The Public meeting will be held as part of the Commission's regular May 10, 2017 meeting.

[McNeil arrived 12:20 p.m.]

**VIII. Elm Creek Watershedwide TMDL.** Approval of the TMDL by the Environmental Protection Agency is expected soon.

**IX. Grant Opportunities and Updates.**

**A. Internal Phosphorus Loading Control in Fish Lake project.** Included in the meeting packet was a letter\* from Brasch to the MPCA informing the agency of the proposed alum treatment project. Also included was copy of a Joint Powers Agreement\* between the Park District, the City of Maple Grove, and the Commission to undertake the project. Motion by Moore, second by McNeil authorizing the Vice Chair to sign the agreement on behalf of the Commission. *Motion carried unanimously.* As a provision of the agreement the City will work with the Fish Lake Area Residents Association (FLARA) to reach agreement on a contribution from that organization to defray a portion of the local cost-share. It is anticipated the first half treatment will occur between September 18 and October 13, 2017.

The Board of Water and Soil Resources (BWSR) has informed Staff that an **Assurance Agreement** will be required for this project since the proceeds exceed \$200,000. Staff will keep the Commission informed as the agreement is developed.

**B. Rush Creek Headwaters Subwatershed Assessment project.** No update.

**C.** The **Minnesota Stormwater Research Council** has released its 2017 **request for proposals\*** to conduct stormwater research. Proposals are requested for projects up to two years in length beginning December 2017. Approximately \$80,000 will be available for this competition. Proposals must address 1) pre-treatment for stormwater practices; 2) effectiveness of current stormwater practices; or 3) chloride/road salt use, management, pollution, and best practices. Proposals are due June 16, 2017.

**X. Education.**

**A.** The **Plymouth Home Expo** was held April 7-8, 2017. A recap will be provided at the May meeting.

**B.** The next **WMWA meeting** is scheduled for 8:30 a.m., Tuesday, May 9, 2017, at Plymouth City Hall. Commissioners are encouraged to attend.

**XI. New Business.**

**XII. Communications.**

**A.** The Minnesota Environmental Partnership has requested its partners to contact their state legislators, asking them to **vote NO on the Omnibus Environment and Natural Resources Budget Bill, HF88 and SF723.\*** Their position is that these bills will roll back environmental protections and make it more costly and time-consuming to adopt new protections for the state's air, land, lakes, rivers, and streams. It would also result in significant cuts in grant funds. They state in the letter that the bill includes a number of policy provisions that obstruct or prohibit state agencies charged with protecting our water and controlling pollution from carrying out their functions and duties, putting the State at odds with the Clean Water Act.

**B. Buffer Law: Alternative Practices Overview.\***

**XIII. Other Business.**

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

1. 2013-046 Woods of Medina, Medina.
2. 2014-015 Rogers Drive Extension, Rogers.
3. 2015-004 Kinghorn Outlet A, Rogers.
4. 2015-006 Veit Building and Parking Lot Addition, Rogers.
5. 2015-013 Wayzata High School, Plymouth.
6. 2015-020 Strehler Estates, Corcoran.
7. 2015-030 Kiddiegarten Child Care Center, Maple Grove.

8. 2016-002 The Markets at Rush Creek, Maple Grove.
9. 2016-004 Park Place Storage Site Plans, Corcoran.
10. 2016-005W Ravinia Wetland Bank, Corcoran.
11. 2016-014 Balsam Apartments, Dayton.
12. 2016-018 Cambridge Park, Maple Grove.
13. 2016-019 Just for Kix, Medina.
14. 2016-021 Diamond View Estates, Dayton.
15. 2016-022 AutoZone, Maple Grove.
16. 2016-026 Faithbrook Church, Dayton.
17. 2016-038 AutoMotorPlex, Medina.
18. 2016-039 Fields at Meadow Ridge, Plymouth.
19. 2016-040 Kinghorn 4th Addition, Rogers.
20. 2016-041 Meadow ridge Ponds (Bartus), Plymouth.\*
21. 2016-047 Hy-Vee Maple Grove #1, Maple Grove.
22. 2016-049 Medina Senior Living, Medina.
23. 2016-052 The Woods at Rush Creek, Maple Grove.\*
24. 2017-002 RDO Site Plan, Dayton.\*
25. 2017-004W Cartway Trail, Champlin.
26. 2017-005 Creekside Hills, Plymouth.
27. 2017-006 Summers Edge II, Plymouth.
28. 2017-007 Downtown Corcoran Ditch Maint/Cimarron Circle Drainage Maintenance, Champlin.
29. 2017-008 TH169 Reconstruction, Champlin.
30. 2017-009 Maple Grove Senior HS Tennis Court Rehabilitation, Maple Grove.

**B. Adjournment.** There being no further business, motion by Walraven, second by McNeil to adjourn.  
*Motion carried unanimously.* The meeting was adjourned at 12:36 p.m.

Respectfully submitted,



Judie A. Anderson  
Recording Secretary  
JAA:tim

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