

elm creek Watershed Management Commission

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Regular Meeting Minutes April 14, 2021

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:31 a.m., Wednesday, April 14, 2021, by Chair Doug Baines.

Present were: Bill Walraven, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Dan Riggs, Maple Grove; Terry Sharp, Medina; Catherine Cesnik, Plymouth; Kevin Jullie, Rogers; Joe Waln, Barr Engineering; James Kujawa, Surface Water Solutions; Brian Vlach, Three Rivers Park District (TRPD); and Judie Anderson, JASS.

Also present: Todd Tuominen, Champlin; Kevin Mattson, Corcoran; Nico Cantarero, Wenck/Stantec, Dayton; Derek Asche, Maple Grove; Earth Evans, WSB Engineering, and Dusty Fink, Medina; Ben Scharenbroich and Amy Riegel, Plymouth; Andrew Simmons, Rogers; Kris Guentzel, Hennepin County Environment and Energy (HCEE); Ross Mullen, Ed Matthiesen and Diane Spector, Wenck/Stantec; Steve Christopher, Board of Water and Soil Resources (BWSR); and Chad Ayers, Sambatek, for Project Review 2021-011.

A. Motion by Walraven, second by Cesnik to approve the **agenda*** as amended. *Motion carried unanimously.*

B. Motion by Walraven, second by Guenther to approve the **Minutes*** of the March 10, 2021 regular meeting. *Motion carried unanimously.*

C. Motion by Walraven, second by Sharp to approve the **April Treasurer's Report and Claims,*** including the LMIC insurance premium of \$3,456.00, totaling \$81,421.74. *Motion carried unanimously.*

II. Open Forum.

[Jullie arrived 11:34 a.m.]

III. Action Items.

A. Motion by Walraven, second by Jullie to accept the Commission's **2020 Annual Activity Report.*** *Motion carried unanimously.* It will be transmitted to BWSR by the April 30, 2021 deadline.

B. **Project Review 2021-002 Skye Meadows Variance, Rogers.*** Motion by Weir, second by Walraven to approve and authorize the Chair to sign **Resolution 2021-02 Concerning a Variance to Project 2020-016, Skye Meadows.*** *Motion carried, Plymouth voting nay.*

C. **Project Review 2021-007 Birchwood 2nd Addition, Rogers.*** This project is located east of CR13 (Brockton Lane) approximately 1/2 mile south of the intersection of CR 144 (141st Avenue North) and CR13. The applicant is proposing to develop the site into 30 single-family residential lots. The site drains south and east into Grass Lake. This work will disturb 10 acres and create 4.0 acres of new impervious area.

RULE D - STORMWATER MANAGEMENT

RULE E - EROSION AND SEDIMENT CONTROL

RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION

RULE H - BRIDGE AND CULVERT CROSSINGS

RULE I - BUFFERS

*indicates enclosure

CHAMPLIN - CORCORAN - DAYTON - MAPLE GROVE - MEDINA - PLYMOUTH - ROGERS

In their findings dated March 16, 2021, Staff recommends approval, contingent upon the final SWPPP being submitted prior to grading and receipt of any outstanding project review fees. *Motion carried unanimously.*

D. Project Review 2021-008 Edgewater 3rd Addition, Rogers.* This project is located on an 18-acre site located north of the intersection of Edgewater Parkway and Industrial Boulevard. The project would construct 65 single-family residential lots, disturbing 17.7 acres and creating 6.89 acres of new impervious surface. Stormwater would be managed by a new infiltration basin and an existing regional stormwater pond. The project was reviewed for Rules D and E. In their findings dated April 6, 2021, Staff recommends approval contingent upon receipt of any outstanding project review fees. *Motion carried unanimously.*

E. Project Review 2021-009 Palisades at Nottingham 3rd Addition, Maple Grove.* This is a 5-acre project located east of Zanzibar Lane approximately 400 feet north of the intersection with Nottingham Parkway. The applicant is proposing to develop the site into seven single-family residential lots. The site drains east into the Elm Creek basin. This work will disturb 3.5 acres and create 1.45 acres of new impervious area. In their findings dated March 23, 2021, Staff recommends approval conditioned upon final wetland replacement plan submittal, review by permitting agencies, approval by the LGU prior to impacts, and receipt of any outstanding project review fees. *Motion carried unanimously.*

IV. Old Business.

Mattson requested that **HUC8 FEMA Floodplain Mapping** be added to the agenda for discussion. In his email* to Staff, included in the supplemental meeting packet, Mattson posed a number of questions. He was particularly concerned about DNR's process for revising the floodplain information. He noted that Corcoran has completed a preliminary analysis of the draft mapping provided by DNR and has found significant differences from some of the City's recent mapping. He queried how Corcoran and other cities should go about rectifying these differences. Members were able to answer some of his questions and suggested he contact Stacy Harwell and Ceil Strauss at DNR for more information.

The Elm Creek **Flood Risk Review meeting** rescheduled from March 18 to April 13, 2021, was cancelled and will be rescheduled, likely within the coming month. Staff will be notified of the new meeting date and will inform TAC members.

V. New Business.

Included in the supplemental packet was the most recent **Capital Improvement Program (CIP) spreadsheet.*** Staff requested cities to review and update the projects they have listed there and to provide the revisions and any new projects to Staff by April 30. The Technical Advisory Committee (TAC) will meet prior to the May meeting to discuss the updated spreadsheet.

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 on page 6 of these minutes are discussed in this month's report.

B. Hennepin County Updates.*

1. The Rush Creek Clean Water Fund cooperative agreement between the Commission and the County is making its way through the Hennepin County signature process. A fully executed version of the agreement will be forwarded to the Commission as soon as it is available.

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2. Hennepin County Environment and Energy recently posted for a Conservation Specialist, who will lead implementation of the Rush Creek CWF Implementation Grant and other rural conservation initiatives of the department. The **new Conservation Specialist, Kevin Ellis**, began work on April 12 and will attend his first Elm Creek meeting in May.

3. Diamond Lake subwatershed assessment (SWA). No update this month.

4. Rush Creek Clean Water Fund Implementation Grant. Final or near final designs and engineer’s estimates have been received on several projects over the past few weeks. The table below shows estimates and shares from all funding sources. The grant end date is currently December 31, 2021. County staff have discussed a one-year grant extension with BWSR Board Conservationist Steve Christopher. Staff were advised to request an extension once contracting has been completed for the first round of the Jubert Lake projects.

Anticipated Construction	Project	Engineer’s Estimate	Commission Share Estimate	Hennepin & LO Share Estimate	Grant Share Estimate
Spring 2021	Top of Hill WASCOD + Waterway	\$32,704.80 [#]	\$8,176.20	\$3,270.48	\$17,987.64
	Arens WASCOD + Waterway	TBD	TBD	TBD	TBD
Fall 2021	Phase 1 BMP 4 – Waterway	\$13,360	\$3,340	\$1,336	\$7,348
	Phase 1 BMP 9 – 2 Waterways	\$26,275	\$6,568.75	\$2,627.50	\$14,451.25
	Phase 1 BMP 13 – 4 Waterways	\$48,127	\$12,031.75	\$4,812.70	\$26,469.85
	Phase 1 BMP Other – Creek Bank Stabilization at Field Crossing	\$7,840	\$1,960	\$784	\$4,312
2022	Ph 1 BMP 11-Wetland Expansion	\$75,610	\$18,902.50	\$7,561	\$41,585.50
	TOTAL	\$203,916.80	\$50,979.20*	\$20,391.68**	\$112,154.24***

[#] Bid estimate from contractor | *Commission Capital Funds remaining = \$55,747 | **Hennepin and Landowner will contribute 10% each, values in column represents contribution from each party | ***Grant funds unencumbered = \$31,443.40

5. Jubert Lake Agricultural BMPs. “Phase 1” projects (7 grassed waterways, 1 wetland expansion, 1 creek stabilization): Designs have been shared with landowner for review. Engineer’s estimate for all projects is \$171,000. Because of the amount the County will contract this year with Stotts Family Farms, LLC; approval of these projects will be brought to the County Board for action on May 4.

a. Waterways and creek stabilization construction likely for fall 2021; wetland expansion is more complicated involving an additional neighbor so construction likely in 2022.

b. “Top of Hill WASCOD + Waterway”: Designs are complete and contracting with Stotts Family Farms LLC is in process. Bid estimate for this project is \$32,704.80.

c. Arens WASCOD + Waterway: Engineer requested additional survey, which was completed week of March 29th. During survey, staff identified water intakes in the road right of way that appear to drain toward the proposed BMP location. Staff will require information from the City of Corcoran about those intakes in order to accurately estimate volumes and capacity at the BMP location.

d. “Phase 2” projects and wetland consulting: County will be requesting proposals for engineering services and wetland permitting assistance.

6. 10000 Ebert Road: Landowner was referred to County staff by NRCS after the Conservation Reserve Program did not seem to be the right fit for the landowner’s conservation objectives.

*indicates enclosure

Overall objective is to convert the full 120-acre parcel from agricultural use to restored habitat, which will occur in phases over a timeline that has not yet been determined. County convened a site visit with landowner, USFWS, and NRCS during the week of March 29. Next step will be to confirm presumed tile locations. Likely BMP projects in the short-term will be grading and planting grassed waterways in several areas, and beginning planning, design, and engineering work to restore up to 16 individual drained wetlands on the property with native buffers.

7. 25880 Territorial Road, Rogers: Landowner requested information about low interest loan options for replacement of a failing septic system. Staff recommend working through Ag BMP Loan process to access low interest financing. Landowner seeking quote and researching options with participating banks.

8. 14100 117th Avenue North, Dayton: Landowner requested information about technical and financial assistance available to add pollinator habitat to about 4 acres of former pastureland. Staff have assisted landowner to identify several locations for “pollinator nodes” in a dense stand of warm season grasses. Areas will be prepped for forb seed with 2 sprays and some mowing June through September 2021. USFWS Partners for Fish and Wildlife Program will provide seed to be sowed over snow during the winter of 2021/2022.

9. Refuge at Rush Creek Wetland Bank: Neighbors contacted staff regarding City of Corcoran’s public notice for a Drainage and Utility Easement Vacation. Staff referred questions to City of Corcoran’s wetland consultant.

10. Agricultural Soil Health Initiative. In late February, Hennepin County staff sent a few dozen mailers to targeted farmers regarding cover crops and other soil health initiatives. Staff have received interest in one farm in the Pioneer-Sarah Creek watershed with interest in planting cover crops. County plans to send a follow-up mailer to all those that received the original mailers.

C. Reminders.

1. The Budget Committee will meet April 27. Commissioners will consider the **2022 budget** at the May meeting. The budget must be approved by the June meeting for transmittal to member cities by July 1, 2021.

2. The Performance Review and Assistance Program (**PRAP**) coordinator will describe the program at the May meeting. Commissioners will review the resultant report at the July meeting.

3. Commissioners must accept the **2020 Audit Report** at the June meeting with transmittal to the State Auditor by June 30, 2021.

4. TAC meeting to review CIP will be held in May.

5. TAC meeting to review Rules and Standards will be held in June.

6. Public meeting will be held during June regular meeting.

VII. Education and Public Outreach.

The **West Metro Water Alliance** (WMWA) met on April 13, 2021, with the primary topic of discussion being education and outreach items in the new NPDES General Permit. Areas of concentration are chloride and pet waste. WMWA subgroups have reviewed existing materials relating to chloride and bacteria to determine if they meet the new requirements or could be revised to do so, and to identify any needs for addi-

tional materials. The subcommittees will continue this assessment and determine additional needs and required resources (e.g., design assistance, fabrication, printing) as well as a plan for disseminating the materials.

At the May WMWA meeting these will be combined into a proposal to complete the work using the WMWA Special Projects budget, which had a balance of \$10,700 at the end of 2020. The agreement between the four WMOs in WMWA (Bassett Creek, Elm Creek, Shingle Creek and West Mississippi) requires that Special Projects be approved by the four WMOs before expenditures can be made. This proposal is expected to be submitted to the Commissions for consideration at their May meetings. The goal is to have all the work completed by the end of 2021.

The May meeting, a virtual meeting, is scheduled for 8:30 a.m., Tuesday, May 11, 2021. The **Zoom number** is <https://us02web.zoom.us/j/922390839>. Or call in at any of these numbers using **meeting ID: 922 390 839**: (1) +1 301 715 8592 US (Germantown); (2) +1 312 626 6799 US (Chicago); (3) +1 929 205 6099 US (New York); or (4) +1 253 215 8782 US (Tacoma). The **passcode is water**.

VIII. Grant Opportunities and Project Updates.

IX. Other Business.

A. In his April 8, 2021 email,* Jeff Strom, Wenck/Stantec provided an update on the **Diamond Lake SWA**. He reported that Hennepin County staff, Kris Guentzel and Paul Stewart, have offered to perform site visits of the rural BMPs sited during our modeling analysis. They will be conducting the site visits in mid/late April and will provide their final edits/recommendations by early May. Also, TRPD staff has offered to compile and process the field data they collected during their Diamond Creek Channel Condition Assessment in 2012. This data will be used to identify a prioritized list of problem areas to include in the final report. TRPD is currently working on that data. The final report will be submitted to the stakeholders for review after these pieces from the County and TRPD are incorporated into the report, likely in the next 4-6 weeks. Cantarero responded to questions from the members.

B. Adjournment. There being no further business, motion by Walraven, second by Guenther to adjourn. *Motion carried unanimously.* The meeting was adjourned at 12:42 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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Item No.	A	E	I R PFI	AR	Project No.	Project Name
			RP D			
					W Denotes wetland project	
ah.				AR	2014-015	Rogers Drive Extension, Rogers.
ai.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
aj.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
ak.				AR	2017-014	Laurel Creek, Rogers.
al.				AR	2017-029	Brayburn Trails, Dayton.
a.					2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
b.					2018-020	North 101 Storage, Rogers.
am.				AR	2018-046	Graco, Rogers.
an.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
ao.				AR	2019-002	Parkside Villas, Champlin.
ap.				AR	2019-021	Brenly Meadows, Rogers.
c.			R		2019-024	Boston Scientific, Maple Grove.
aq.				AR	2019-026	Interstate Power Systems, Rogers.
ar.				AR	2019-027	Havenwood at Maple Grove.
as.				AR	2019-032	OSI Expansion, Medina.
at.				AR	2020-001	Outlot L, Markets at Rush Creek, Maple Grove.
d.					2020-002	Project 100 Minnesota Health Village, Maple Grove.
au.				AR	2020-008	Ione Gardens, Dayton.
av.				AR	2020-009	Stetler Barn, Medina.
e.					2020-016	Skye Meadow, Rogers.
aw.				AR	2020-017	Meadow View Townhomes, Medina.
ax.				AR	2020-023	Ziegler Dayton Site Upgrades, Dayton.
ay.				AR	2020-025	Paulsen Farms, Corcoran.
az.				AR	2020-027	Kariniemi Addition, Corcoran.
f.					2020-029	Sundance Greens 5th 6th Addition, Dayton.
ba.				AR	2020-030	Nelson International, Corcoran.
bb.				AR	2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
g.					2020-033	Weston Woods, Medina.
bc.				AR	2020-036	Balsam Pointe, Dayton.
h.			R		2021-001	Boston Scientific MG Campus, Maple Grove.
i.	A	E			2021-002	Skye Meadows Variance, Rogers.
j.			R		2021-003	Cranberry Ridge, Plymouth.
k.			R		2021-004	Roers Maple Grove Apartments, Maple Grove.
l.					2021-005	WJD Two Third Addition, Rogers.
m.			R		2021-006	Boston Scientific WL3 West Building, Maple Grove
n.	A	E			2021-007	Birchwood 2nd Addition, Rogers
o.	A	E			2021-008	Edgewater 3rd Addition, Rogers
p.	A	E			2021-009	Palisades at Nottingham 3rd 2nd Addition, Maple Grove
q.					2021-010	Gleason Fields, Maple Grove
r.		E			2021-011	Graco Building 1, Dayton
s.					2021-012	The Oaks at Bauer Farm, Champlin
r.					2021-013	Rush Creek Reserve Phase 1. Corcoran
s.					2021-014	Elm Creek Stream Restoration Phase 4, Champlin

A= Action item E = Enclosure provided I = Informational update will be provided at meeting R PFI - 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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