

elm creek

Watershed Management Commission

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Regular Meeting Minutes July 11, 2018

I. A **regular meeting** of the Elm Creek Watershed Management Commission was called to order at 10:31 a.m., Wednesday, July 11, 2018, 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; Sharon Meister, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Fred Moore, Plymouth; James Kujawa, Jason Swenson, and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; Diane Spector, Wenck Associates; and Judie Anderson, JASS.

Also present: Todd Tuominen, Champlin; Kevin Mattson, Corcoran; Mark Lahtinen and Heather Albrecht, Maple Grove; Catherine Cesnik, Ben Scharenbroich and Trevor Cammack, Plymouth; Andrew Simmons, Rogers; and Justin Klabo, AEZS, and Craig Allen, GWSA, for item III.D.

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

B. Motion by Weir, second by Walraven to approve the **minutes*** of the June 13, 2018, regular meeting. *Motion carried unanimously.*

C. Motion by Walraven, second by Weir to approve the July **Treasurer's Report and Claims*** totaling \$13,133.10. *Motion carried unanimously.*

II. Open Forum.

A. Vlach presented TRPD's **2017 stream monitoring results**. He indicated that he would like to review Met Council's 2016 land use data to correlate with TRPD results. In the future, stream monitoring results will be presented in a more user-friendly way and uploaded to the Commission's website, perhaps as stream "report cards." Trend data will also be presented in the future.

B. Baines and Spector recapped the July 10 meeting of the Hennepin County Board Administrative Committee where the Commission's proposed **Minor Plan Amendment** was heard. A number of questions were brought forth by the Hennepin County Commissioners, including:

1. How are the WMOs (and the County) taking climate change and changing precipitation patterns into account; and

2. Are the projects being undertaken making a difference?

The Commissioners also queried about *flooding* issues.

Motion by Moore, second by Walraven to draft a letter of response to the Commissioners. *Motion carried unanimously.* Barta will provide the link to the tape of the meeting to Anderson for forwarding to the Elm Creek Commissioners and TAC members.

III. Action Items.

A. **Project Review 2018-013 Wayzata Elementary School #9, Plymouth**.* This site is the southwest 24-acre area of a 73-acre parcel located at CSAH 101 and Prairie Creeek Road. The property was subdivided into a phased 111 unit residential subdivision on 49 acres last year (ECWMC project 2017-036, The Enclave of Elm Creek) with this area to be reviewed and approved when submitted. Stormwater was designed and approved by the Commission with both projects as one management system, but the final plans for the school site had not been determined at the time of the

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Enclave review. Approval for project 2017-036 was contingent upon, a) the school project review and approval or b) an alternative abstraction design being implemented in the residential project. This submittal is for the school project review and approval. The Commission review for the Elementary School site will be for rules D, E, F and I. Staff has reviewed revised plans and in their findings dated June 20, 2018, recommends approval conditioned on an approved stormwater basin operation and maintenance plan being recorded on the land title for this property within 90 days of the final plat recording. Motion by Moore, second by Walraven to approve Staff’s recommendation, with the further condition that site grading in Medina cannot proceed until all WCA and grading regulations for the portion of the school site within the jurisdiction of the City of Medina are permitted by Medina. *Motion carried unanimously.*

B. Project Review 2018-020 North 101 Storage, Rogers.* This is an existing 3-acre lot in the northwest corner of Highway 101 and CR144. The current land use is a combination of mini-storage units and outdoor storage. The site is proposed for complete demolition and the construction of seven new mini-storage buildings. Site plans must comply with Rules D and E. Because the project is disturbing over 50% of the site area (100% actual), Staff review was the same as for a new development and stormwater management plans must comply with all impervious areas, not just the new impervious area. In their findings dated July 9, 2018, Staff recommends approval pending final Staff approval of four items relating to abstraction requirements and the infiltration system. Motion by Moore, second by Weir to approve Staff’s recommendation as stated in their findings. *Motion carried unanimously.*

C. Project Review 2018-021 113th Lane Extension/Brockton/101, Rogers.* The City of Rogers is proposing to extend 113th Lane to provide a second access to the proposed second phase of the Laurel Creek Development. The proposed road will extend from Brockton Lane to the development entrance. It will include a 4-lane divided roadway from Brockton Lane to the development entrance; an off-road trail north of 113th Lane; and construction of an intersection to meet County turn lane requirements. The project will create 2.13 acres of new impervious surface. In their findings dated July 10, 2018, Staff recommends approval pending receipt of signed final plans. Motion by Moore, second by Walraven to approve Staff’s recommendation. *Motion carried unanimously.*

D. Project Review – Pine Meadows Development, Dayton. At the June meeting, Dayton’s City Engineer discussed this proposed development in northeast Dayton. He presented the City’s position regarding the stormwater design for the proposed project. The proposed stormwater design results in a discharge from the site prior to the modelled 100-year event. City and Commission rules require rate control under post-developed conditions. The City is seeking a variance from the Commission for the following reasons.

1. The proposed stormwater system (extends and) utilizes an outlet partially constructed in 2007 as part of a City project. The outlet was installed at that time for the purpose of serving future development in the proposed location. The outlet is consistent with the current surface water management (comprehensive plan), which is sized appropriately to serve as an outlet under normal conditions, that is, for discharge during events smaller than the 100-year frequency.

2. This piped outlet, once extended, will be a direct connection from this development area to the Mississippi River. Additionally, any bypass flows due to obstruction or surcharging would continue overland directly to the river, without raising concern for potential localized flooding.

The City of Dayton is supportive of, and even promotes, extending and utilizing the proposed outlet to serve this area. It is consistent with the City’s comprehensive stormwater plan and the City believes the risk of negative impacts downstream is low.

In their response to the City, Commission staff indicated the project as proposed could not be approved under current Commission rules. They cited the following:

1. If an outlet is provided for something under a 100-year event, where there is no discharge under a 100-year event today, the project is not compliant with Rule D. Rule D requires that the site discharge rates be maintained below the existing runoff rates for the 2, 10, and 100-year events in the developed condition. Constructing an outlet below the 100-year elevation would not comply with this requirement.

RULE D - STORMWATER MANAGEMENT	RULE G - WETLAND ALTERATION
RULE E - EROSION AND SEDIMENT CONTROL	RULE H – BRIDGE AND CULVERT CROSSINGS
RULE F – FLOODPLAIN ALTERATION	RULE I – BUFFERS

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2. In addition to the runoff requirement, the site must meet the requirement that there is no net increase in TP or TSS discharge from the site in the post developed condition. Construction of an outlet will immediately increase these discharges which are essentially zero, assuming no discharge in a 100-year event today.

3. Staff do not believe the requirements for providing a landlocked basin are being followed. The rules state that outlets are allowed from Landlocked Basins if they: (1) Retain a hydrologic regime complying with flood-plain and wetland alterations. (2) Provide sufficient storage below the outlet run-out elevation to retain back-to-back 100-year, 24-hour rainfalls and runoff above the highest anticipated groundwater elevation and prevent damage to property adjacent to the basin. (3) Do not create adverse downstream flooding or water quality conditions.

Staff also noted that, at the time the storm sewer line was extended to this area in 2007, all of the above rules were in place in the Elm Creek Watershed, so these are not new requirements imposed by the latest generation plan.

At the June meeting, the Commissioners generally agreed that this is a case where a variance may be warranted, and directed Staff and the applicant to continue working on a potential variance request that would come to the Commission at a future meeting as part of the review of the project.

Motion by Trainor, second by Walraven to direct Staff to notify the applicant that if they want to begin grading prior to the Commission's decision on the site plan and a proffered variance request, they will need to 1) add a separate grading and erosion control review/approval request to their application or in a separate email and 2) provide the Commission with a letter stating they will assume any risks associated with meeting the Commission's final decision on the site plan and variance. *Motion carried unanimously.*

E. Livestock Management Policy.* Following review and discussion of the draft policy and associated documents, Staff was directed to work with the cities and to return to the August meeting with a revised draft policy.

F. Watershed-based Pilot Funding.* Included in the meeting packet were the minutes of the pre-convene planning meetings, the final list of projects and practices to be funded by the \$1,018,000 pilot program, as well as a July 3, 2018 memo from Wenck Associates describing the next steps.

The group of eleven watershed organizations decided to form a Steering Committee to guide the development and eventual implementation of a plan related to the Countywide Chloride Programming. As part of their discussions the Group of Eleven agreed to dedicate 10% of the funding to this program. The remainder of the funding will be distributed to the WDs and WMOs according to a formula that takes into account land area and taxable market value. The Riley-Purgatory-Bluff Creek Watershed District has agreed to be the lead agency and fiscal agent for the Steering Committee.

Hennepin County and Riley-Purgatory have asked each watershed organization to designate a person to represent them on the Steering Committee. Motion by Moore, second by Walraven to appoint Scharenbroich to be the Commission's representative. *Motion carried unanimously.* Any Commissioner may attend these meetings and serve as an Alternate.

G. Diamond Lake Subwatershed Assessment.* In their July 9, 2018 letter to the Commission the City of Dayton is requesting the Commission to undertake a subwatershed assessment (SWA) of the Diamond Lake watershed. In order to obtain funding for the project, the City is also requesting that the Commission apply for an Accelerated Implementation Clean Water Fund Grant. If awarded, the Commission would be responsible for providing a 25% grant match and member cities within the subwatershed (Rogers and Dayton) would be responsible for 25% of that match.

Motion by Baines, second by Moore to approve this request and to authorize Staff to write a grant application for review at the August meeting. *Motion carried unanimously.* Barta volunteered to write the application. The SWA area will include downstream to French lake, stopping at Zanzibar Lane.

IV. New Business.

V. Water Quality.

VI. Grant Opportunities and Updates.

A. Internal Phosphorus Loading Control in Fish Lake project. Vlach will present a pictorial update at the August meeting.

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B. Rush Creek Headwaters Subwatershed Assessment project.* Comments received were mostly minor. The finalized report has been be uploaded onto the website, http://www.elmcreekwatershed.org/uploads/5/8/3/0/58303031/rush_creek_headwaters_swa_final_july_2018__1_.pdf. Wenck is also converting the GIS shapefiles of all the BMPs identified into kmz files, which can be imported into Google Earth, allowing Commission and city staff to access this information without having to use a GIS application.

Included in the meeting packet is a map* depicting the proposed SWA schedule.

C. 319 Small Watersheds Focus Program. The Minnesota Pollution Control Agency (MPCA) is looking for interested watershed organizations to partner with in developing a long-term roadmap to support comprehensive implementation on a small-scale watershed. Selected "Focus Watersheds" will be prioritized to receive four 4-year grant awards to implement a series of projects outlined in the Focus grant workplan, provide a steady source of funding, focus implementation efforts, and achieve measurable water quality improvements on a specific waterbody. BMPs identified in the Rush Creek SWA may be good candidates for the program.

VII. Education.

A. West Metro Water Alliance (WMWA). The next WMWA meeting is scheduled for 8:30 a.m., Tuesday, August 14, 2018, at Plymouth City Hall.

B. Included in the packet is a flyer* announcing **the Level 1 Winter Maintenance for Roads workshop**, September 26, 2018, Crystal Community Center. The workshop is free, but registration is required. For more information, laura.jester@keystonewaters.com.

VIII. Communications.

IX. Other Business.

A. The following **projects** are discussed in the July 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. 2015-030 Kiddiegarten Child Care Center, Maple Grove.
5. 2016-002 The Markets at Rush Creek, Maple Grove.
6. 2016-005W Ravinia Wetland Bank, Corcoran.
7. 2016-040 Kinghorn 4th Addition, Rogers.
8. 2016-047 Hy-Vee Maple Grove #1, Maple Grove.
9. 2016-052 The Woods at Rush Creek, Maple Grove.
10. 2017-014 Laurel Creek, Rogers.
11. 2017-016 Territorial Woods, Maple Grove.
12. 2017-017 Mary Queen of Peace Catholic Church, Rogers
13. 2017-019 Medina Senior Living Community, Medina.
14. 2017-021 Hindu Society of MN Staff Housing, Maple Grove.
15. 2017-029 Brayburn Trails, Dayton.
16. 2017-034 Plymouth Memory Care, Plymouth.
17. 2017-037 L-80 Lift Station MCES, Corcoran.
18. 2017-038 Bass Lake Estates, Corcoran.
19. 2017-039 Rush Creek Apartments, Maple Grove.
20. 2017-044 Reserve at Medina 2nd Addition, Medina.
21. 2017-045 Fish Lake Estates, Maple Grove.
22. 2017-046W Wessell Wetland Delineation, Corcoran.
23. 2017-048W Ebert Parcel Wetland Delineation, Corcoran.
24. 2017-050W Ernie Mayer Wetland/floodplain violation, Corcoran.*

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25. 2017-051 Mallard South 2nd Addition, Rogers.
26. 2017-053 Sunrise Solar Garden, Corcoran.
27. 2018-001 Rush Creek Commons, Maple Grove.
28. 2018-004 Rush Creek Restoration Project, Maple Grove.
29. 2018-005 Sundance Greens, Dayton.
30. 2018-007 Copper Creek of Nottingham, Maple Grove.
31. 2018-008 Hayden Hills Golf Course Subdivision, Dayton.
32. 2018-009 NW Greenway Trail Phase IV, Plymouth.
33. 2018-012 The Meadows Neighborhood Park, Plymouth.
34. 2018-013 New Wayzata Elementary School, Plymouth.*
35. 2018-014 Fehn Meadows Second Addition, Corcoran.
36. 2018-015 Laurel Creek 2nd Addition, Rogers.
37. 2018-016W Krueger Wetland Delineation, Corcoran.
38. 2018-017W Larkin Road Wetland Delineation, Corcoran.
39. 2018-018 Summers Edge Phase III, Plymouth.
40. 2018-019W Fuss Wetland Delineation, Corcoran.
41. 2018-020 North 101 Storage, Rogers.*
42. 2018-021 113th Lane Extension & Brockton Lane/CSAH 101 Intersection, Rogers.*
43. 2018-022 Fernbrook Athletic Fields, Maple Grove.
44. 2018-023 King Solutions Distribution Center Addition, Dayton.
45. 2018-024W Schober Parcel Wetland Delineation, Corcoran.
46. 2018-025W Watten Wetland Delineation/Replacement Plan, Corcoran.
47. 2018-026 Windrose, Maple Grove.
48. 2018-027 CR 202 Elm Creek Bridge Replacement, Dayton.
49. 2018-028 Tricare Third Addition, Maple Grove.
50. 2018-029 McConn, Plymouth.

B. Adjournment. There being no further business, the meeting was adjourned at 12:57 p.m.

Respectfully submitted,



Judie A. Anderson, Recording Secretary

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