

elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane
Plymouth, MN 55447
PH: 763.553.1144 • FAX: 763.553.9326
Email: judie@jass.biz
www.elmcreekwatershed.org

TECHNICAL OFFICE
Hennepin County
Dept. of Environment and Energy
701 Fourth Ave S Suite 700
Minneapolis, MN 55415-1600
PH: 612.348-7338 • FAX: 612.348.8532
Email: James.Kujawa@hennepin.us

Technical Advisory Committee and Regular Meeting Minutes July 12, 2017

I. A meeting of the **Technical Advisory Committee (TAC)** for the Elm Creek Watershed Management Commission was convened at 10:05 a.m., Wednesday, July 12, 2017, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN.

In attendance were: Todd Tuominen, Champlin; Meaghan Watson, Wenck Associates, Corcoran; Rick Lestina and Mark Lahtinen, Maple Grove; Kaci Fisher, Hakanson-Anderson, Medina; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; James Kujawa and Jason Swenson, Hennepin County Dept. of Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

Not represented: Dayton.

Also present: Doug Baines, Dayton; Elizabeth Weir, Medina.

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

B. Motion by Lestina, second by Scharenbroich to approve the **minutes of the April 12, 2017 TAC meeting**.* *Motion carried unanimously.*

II. Old Business.

Proposed revisions to Rule D. Stormwater Management.* The members reviewed Staff's proposed revisions to Rule D. Following discussion of a number of issues, it was agreed that a meeting that includes the individuals who are actually responsible for the maintenance of the proposed facilities, structures and systems would be the most effective next step. That meeting will be scheduled for later in the year.

III. New Business.

A. Commission's future role as Local Government Unit (LGU) for the Wetland Conservation Act (WCA).

The 1991 Wetland Conservation Act requires that each governmental unit within the seven county metropolitan area indicate its willingness to serve as the LGU under the permanent rules of the Act or to designate the water management organization in which it resides to administer the rules on its behalf. In 1993 the Commission adopted Resolution 93-1208 whereby it agreed to serve as the LGU if so requested by the member city/town. Also in 1993, both Champlin and Corcoran adopted resolutions designating the Elm Creek watershed Management Commission as the LGU to oversee wetland alterations within the watershed boundaries within their cities under the permanent rules established by BWSR to administer the WCA. To date, a substantial amount of time is spent by the Commission's technical staff in this role, of which most has been funded by the general operating budget of the Commission.

Tuominen stated that Champlin would not have a problem assuming the role of LGU for the WCA. Watson indicated she would need to bring this subject to the attention of Corcoran's city staff and was unsure of their response.

Motion by Scharenbroich, second by Tuominen to recommend to the Commission that it discontinue its role as LGU for the WCA or to invoice the cities who elect to have the Commission continue to act as their LGU for all the WCA-related time spent in that role. *Motion carried unanimously.* Kujawa will contact Champlin and Corcoran prior to bringing the recommendation forward to the Commission.

B. Call for 2017 CIPs. The members considered the following projects for funding in 2018.

1. Project 2017-01

2012 CIP-23 Fox Creek Streambank Stabilization Project Phase 3*
Location: I-94/Hyacinth Drive, Rogers
Project Description: Correct stream bank erosion along 3,000 feet of stream bank
Proposed Levy: ~~\$90,000~~ \$112,500

Motion by Scharenbroich, second by Simmons to recommend to the Commission certifying for payment by Hennepin County in 2018 of the Commission’s share of the cost of this project, as noted in the CIP, in the amount of \$90,000. *Motion carried unanimously.*

Motion by Simmons, second by Tuominen to recommend to the Commission certifying for payment by Hennepin County in 2018 of the Commission’s share of the cost of this project , as noted in the updated Exhibit A from the City, in the amount of \$112,500. *Motion carried unanimously.* Since this amount does not exceed the 125% cost-increase policy of the Commission, no Plan Amendment is required for this adjustment.

2. Project 2017-02

CIP-2016-MG-02: Main Stem Rush Creek stream restoration, Phase 2*
Location: East of I-94, west of Fernbrook Lane, Maple Grove.
Project Description: Stabilize and restore 11,000 feet of stream bank
Proposed Levy: \$75,000

The City of Maple Grove requested that this project be moved to 2018.

3. Project 2017-03

Mill Pond Fishery and Habitat Restoration
Location: Mill Pond, Champlin
Project Description: Remove bed load in Mill Pond, improve depth and winter fish habitat, restore natural stream and lake biota. Improve recreational opportunities.
Proposed Levy: \$250,000

Design work for this project will occur in 2017, with the shoreline restoration being completed in late 2018. Motion by Lestina, second by Scharenbroich to recommend to the Commission certifying for payment by Hennepin County in 2018 of the Commission’s share of the cost of this project, in the amount of \$250,000. *Motion carried unanimously.*

4. Project 2017-04

Rain Garden at Independence Avenue
Location: Independence Avenue, Trussel Avenue, Reynolds Park, Champlin.
Project Description: Construct infiltration Pond–Rain Garden to treat stormwater from approximately 9 acres, reducing TSS and PH from existing surfaces before discharging into Elm Creek. The abstraction of pollutants is important to the proposed Mill Pond Aquatic Restoration project.
Proposed Levy: \$75,000

This project will be completed in two phases. Phase One will be completed in 2017, Phase Two in 2018. Motion by Kujawa, second by Lestina to recommend to the Commission certifying for payment by Hennepin County in 2018 of the Commission’s share of the cost of this project, in the amount of \$75,000. *Motion carried unanimously.*

The total cost of these three projects recommended for certification to the County is \$437,500.

C. Included in the meeting packet was a memo from Hennepin County advising the Commission that the **plan amendment** submitted by the Commission, including a revised capital improvement program, was approved by the County and that the **2018 maximum levy** for the Commission is set at \$490,000.

IV. Other Business.

A. The next TAC meeting will not be scheduled at this time.

B. The meeting of the Technical Advisory Committee was adjourned at 11:40 a.m.

V. A **regular meeting** of the Elm Creek Watershed Management Commission was called to order at 11:43 a.m., Wednesday, July 12, 2017, 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; Lisa Vertelney, Plymouth; Kevin Jullie, Rogers; James Kujawa and Jason Swenson, Hennepin County Dept. of Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

Not represented: Corcoran.

Also present: Todd Tuominen, Champlin; Brad Martens, Corcoran; Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Jason Spiegel, DNR; Dave Haas, FLARA; and Bill Alms, WSB, for Project 2017-022.

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

B. Motion by Walraven, second by Jullie to approve the **minutes*** of the June 14, 2017 regular meeting. *Motion carried unanimously.*

C. Motion by Walraven, second by Jullie to approve the July **Treasurer’s Report and Claims*** totaling \$15,584.22. *Motion carried unanimously.*

VI. Open Forum.

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

VII. Action Items.

A. Project Review.

2017-022 CSAH 81/101/13 Intersection Reconstruction, Rogers. This project proposes to reconstruct the CSAH 81 and CSAH 101&13 intersection by adding driving and turning lanes to improve traffic flow and safety. The project will increase the impervious area at the intersection from 7.1 acres to 9.5 acres. The site is at the top of a hill and drains in seven different directions. The majority of the project drains to the east towards French Lake while some portion drains to the I-94 corridor and eventually to Rush Creek. The project will include two new detention ponds to provide rate control and water quality improvements. One pond will be constructed with the project and the second will be constructed within approximately 12 months in conjunction with an adjacent project for the extension of Justen Circle. The ponds will be maintained by Hennepin County.

Motion by Trainor, second by Weir to approve this project conditioned on the following: 1) review and administrative approval of model revisions more accurately depicting the project immediately after construction; 2) review and approval of the model results and design of the planned pond to be constructed to the south in association with the Justen Circle extension project; and 3) receipt of a full set of signed plan sheets. *Motion carried unanimously.*

B. Haas presented an application for a Commission **Water Quality Education Grant** entitled “Adopt-A-Drain Communications and Data Management” (AAD). The request is being made by the Fish Lake Residents Association (FLARA) and is in the amount \$1,000. The AAD project is an integral part of the association’s effort to reduce further nutrient loading into Fish Lake and is intended to contribute to the success and long-term effectiveness of the alum treatment for which the Commission and its partners received a Clean Water Fund Grant from the Board of Water and Soil Resources (BWSR). The project is intended to improve the watershed awareness of the Fish Lake watershed residents as well as help FLARA measure actual debris removal from the adopted drains. FLARA will work in partnership with Hamline University on the communications and data management portions of the project. They have also received a commitment of cooperative funding from the City of Maple Grove, the Maple Grove Lions Club, and others. The proposed cost from Hamline is \$18,000.

Motion by Vertelney, second by Walraven to approve this grant request in the amount of \$1,000. Motion carried unanimously.

VIII. Watershed Management Plan.

A. Report from the Technical Advisory Committee. (See Minutes, above.) The TAC will convene on a future date to continue discussion of revisions to Rule D. Stormwater Management.

B. The Commission has been notified that Hennepin County has approved the **Minor Plan Amendment** approved by the Commission at its May 10, 2017 meeting. .

C. At its meeting held prior to this meeting, the TAC recommended approval of the following projects for funding in 2018 of the Commission’s share of the project costs through the Hennepin County ad valorem levy process:

1.	Project 2017-01	Fox Creek Streambank Stabilization Project Phase 3, Rogers*	\$112,500
2.	Project 2017-03	Mill Pond Fishery and Habitat Restoration, Champlin*	\$250,000
3.	Project 2017-04	Rain Garden at Independence Avenue, Champlin*	<u>\$ 75,000</u>
			\$437,500

4. Project 2017-02 Main Stem Rush Creek Stream Restoration Phase 2* was moved to 2018 and will not be certified this year.

Motion by Weir, second by Walraven to approve Projects 2017-01, 2017-03, and 2017-04 for consideration for ad valorem funding. *Motion carried unanimously.*

Motion by Jullie, second by Weir to call for a public hearing during the Commission’s regular meeting, September 13, 2017. *Motion carried unanimously.* At the public hearing the Commission intends to proceed under the authority granted by MN Statutes, Sec. 103B.251 to certify its share of the project costs to Hennepin County for payment by a tax levy on all taxable property located within the Elm Creek watershed.

IX. Elm Creek Watershedwide TMDL. Approval of the TMDL by the Environmental Protection Agency occurred on June 26, 2017. A copy of EPA’s Decision Document* was included in the meeting packet.

X. Grant Opportunities and Updates.

A. Internal Phosphorus Loading Control in Fish Lake project.

1. **Project Assurance.** The project assurance agreement was approved at the last Elm Creek Commission meeting and has been signed by the Commission and BWSR.

2. **Alum Treatment.** The request for bids was advertised on July 6 and bids will close on July 27. The sealed bids will be opened on that same day. The Three Rivers Park District Board of Commissioners will meet on August 24 to consider and accept a bid.

3. The treatment will occur sometime between late September and late October and will be about a week in duration. FLARA will be notified when the date has been scheduled for the treatment. Current plans are to temporarily close the access for that week time period, but to allow access for emergency situations.

4. When the time period of the treatment gets closer, a meeting with home owners on the lake and/or a separate meeting of the Board may be scheduled.

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

XI. Education.

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

XII. New Business.

Jason Spiegel introduced himself to the Commissioners. He has assumed the position of DNR Area Hydrologist for Anoka and Hennepin Counties formerly held by Kate Drewry. He will be the contact for permits and other regulatory matters relating to work in Public Waters, as well as shoreland and floodplain ordinance administration and other miscellaneous water-related issues.

XIII. Communications.

XIV. 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. 2015-006 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. 2016-047 Hy-Vee Maple Grove #1, Maple Grove.
21. 2016-052 The Woods at Rush Creek, Maple Grove.*
22. 2017-002 RDO Site Plan, Dayton.*
23. 2017-004W Cartway Trail, Champlin.
24. 2017-008 TH169 Reconstruction, Champlin.
25. 2017-009 Maple Grove Senior HS Tennis Court Rehabilitation, Maple Grove.
26. 2017-010W Nichols Property, Wetland Delineation, Corcoran.
27. 2017-012 Minnesota Solar CSG19 (Highway 55), Corcoran.*
28. 2017-013W 20417 Larkin Road, Corcoran.
29. 2017-014 Laurel Creek, Rogers.*
30. 2017-016 Territorial Woods, Maple Grove*
31. 2017-017 Mary Queen of Peace Catholic Church, Rogers
32. 2017-018W CR50 Solar Gardens, Corcoran.*
33. 2017-019 Medina Senior Living Community, Medina.*
34. 2017-020 Northwest Greenway Trail Phase III, Plymouth.
35. 2017-021 Hindu Society of MN Staff Housing, Maple Grove.
36. 2018-022 CSAH81 and CSAH101 and 13 Intersection Improvements, Rogers.
37. 2017-023 Midwest Steel Supply, Rogers.
38. 2017-024 Lil Explorers Daycare, Rogers.*
39. 2017-025 Grading by Ground Storage, Rogers.*
40. 2017-026W Gmach Wetland Delineation, Corcoran.
41. 2017-027W Mill Pond Restoration, Champlin.
42. 2017-028W Fehn Meadows Wetland Bank, Corcoran.

B. Adjournment. There being no further business, motion by Walraven, second by Baines to adjourn. *Motion carried unanimously.* The meeting was adjourned at 12:53 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim