

# elm creek

## Watershed Management Commission

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### MINUTES Regular Meeting July 13, 2022

I. A meeting of the Elm Creek Watershed Management Commission was called to order at 11:32 a.m., Wednesday, July 13, 2022, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN, by Chair Doug Baines.

Present were: Bill Walraven, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Terry Sharp, Medina; Catherine Cesnik, Plymouth; and David Katzner, Rogers.

Also present: Kevin Mattson, Corcoran; Derek Asche, Maple Grove; Ben Scharenbroich and Hailey Olson, Plymouth; Diane Spector and Erik Megow, Stantec; James Kujawa, Surface Water Solutions; Kevin Ellis, Hennepin County Environmental Services (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Judie Anderson, JASS; Conner Deur, Sambatek, for Project 2022-012, and E.I. Tinklenberg, JPL Development, for Project 2022-027.

A. Motion by Walraven, second by Sharp to approve the **agenda\*** with removal of item 10.az. Project 2022-030 Garages Too, from the action items. *Motion carried unanimously.*

B. Motion by Cesnik, second by Walraven to approve the **minutes\*** of the June 8, 2022, regular meeting. *Motion carried unanimously.*

C. Motion by Guenther, second by Sharp to approve the July **Treasurer's Report** and **Claims\*** totaling \$88,022.70. *Motion carried unanimously.*

[Trainor arrived 11:34 a.m., Katzner arrived 11:36 a.m.]

II. **Open Forum.**

III. **Action Items.**

IV. **Project Reviews.**

A. **2021-049 Dayton Interchange Business, Dayton.** This is a 14-acre site, proposed to be developed into a 124,000 SF office/warehouse building along with truck staging area, parking areas and related utilities. Two filtration basins are proposed for stormwater management and construction of 6.93 acres of new impervious areas. In their findings dated June 26, 2022, Staff recommends approval contingent upon. 1) An operation and maintenance plan for the stormwater facilities on this site being approved by the City of Dayton; 2) Filter media mix C in the detail for Basin 1 on sheet 9.01 be changed to Mix C; and 3) Final application escrow fee balance determination. Motion by Trainor, second by Cesnik to approve staff's recommendations. *Motion carried unanimously.*

B. **2022-010 Unity Tool Building Addition, Dayton.\*** This site is located at the northeast intersection of County Road 81 and Troy Lane, across CR 81 from the Auto Auction site. The plan proposes to disturb 1.4 acres to expand the existing building by 16,075 square feet, reconfiguring the surface pavement and landscape areas, construct a stormwater basin and install site utilities. Staff's findings and recommendations for revisions received on June 30 are included in this month's packet for the Commission's

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RULE D - STORMWATER MANAGEMENT  
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RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION  
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consideration. Staff recommends approval contingent upon (1) A Stormwater Maintenance Agreement acceptable to the City and the Commission being recorded for all stormwater BMPs on the site that will not be operated and maintained by the City, and (2) Escrow balance determination by the Commission Administrator. Motion by Walraven, second by Guenther to approve Staff's recommendations as stated in their July 2, 2022, findings. *Motion carried unanimously.*

**C. 2022-012 Graco Building 2, Dayton.\*** Graco purchased this property that was the Liberty Industrial Center, approved by the Commission under project 2015-011. Graco is proposing to replat this site and construct a 515,400 square feet distribution center. Additionally, mass grading on the remaining portion of Outlot H, and Outlots A and B will occur to accommodate two future buildings, regional ponding, and construction of French Lake Road West. In total, 74 acres will be graded. The Commission's review covers Rules D and E on the 74 acres. A complete plan was received March 25. This site plan proposes to encroach into an existing conservation and preservation easement approved by the Commission for project 2015-011. Staff reviewed the plans and revisions received June 22 for compliance with Commission rules. Water quality controls are still concerning to Staff. An updated review and recommendation is included in the meeting packet. The applicant is requesting administrative approval for their grading and erosion control plans. If those plans are consistent with the Commission's standards and guidance and Staff is comfortable with the revision, conditional approval (based on Dayton grading approval and the applicant assuming all risks to meet final Commission approvals) for Rule E will be granted by Staff. Motion by Guenther, second by Trainor to approve the three recommendations outlined by Staff in their July 6, 2022, findings: (1) final plan set must provide monumentation locations for the buffer strips; (2) an operations and maintenance agreement approved by the city that implement conditions that bind current and future owners of the project shall be recorded on this property; and (3) final escrow balance must be reconciled. *Motion carried unanimously.*

**D. 2022-023 Asguard, Rogers.\*** The proposed redevelopment will consist of a new residential and commercial building containing 71 residential units, retail area with underground parking, a restaurant, and a fuel facility. The project will be located at the intersection of Rogers Drive and 144th Avenue North on a 16.2-acre parcel and will result in 5.52 acres of impervious surface. The Commission review covers Rules D and E. In their findings dated June 27, 2022, Staff recommends approval with three conditions: (1) fee escrow reconciliation, (2) receipt of an Operations and Maintenance Plan acceptable to the City and the Commission within 90 days of the plat being recorded for all stormwater BMPs on the site that will not be operated and maintained by the City; and (3) provision of a detail for the bioinfiltration media and for the southeast bioinfiltration basin to confirm 2-foot separation from groundwater table for SE bioinfiltration basin or a detail showing an impermeable liner. Motion by Walraven, second by Trainor to approve these recommendations. *Motion carried unanimously.*

**E. 2022-027 Edison at Maple Grove Apartments.\*** This project is located on Garland Avenue near the intersection of I-94 and Maple Grove Parkway. It consists of development of a couple of multi-story apartment buildings along with amenities and associated streets and utility infrastructure. In their findings dated June 27, 2022 and revised July 6, 2022, Staff recommended approval with three conditions: (1) reconciliation of escrow fee balance; (2) provision of a Stormwater Maintenance Agreement acceptable to the City and the Commission within 90 days after the plat is recorded for all stormwater BMPs on the site that will not be operated and maintained by the City; and (3) the addition of a phosphorous sorbing amendment to the biofiltration media to meet water quality standards and results as listed in Table 2 of the findings. Motion by Trainor, second by Walraven to approve Staff's recommendation. *Motion carried unanimously.*

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**F. 2022-028 Elsie Stephens Park, Dayton.\*** This is existing park property (~20 acres) located about a mile north of the junction of County Roads 144 (N. Diamond Lake Road) and 12 (Dayton River Road). The project proposes to construct two entrance roads off CR 12, 1,300 feet of park roadways with a parking area and loop road, and a trail system to connect existing and future trails. Site revisions received July 5, 2022, were reviewed by Staff. In their findings dated July 6, 2022, Staff recommends the Commission approve this project contingent upon: (1) pre- and post-construction soil analysis on each infiltration basin to determine that infiltration rates meet or exceed design assumptions; (2) erosion and sediment control meets the Commission’s requirements and is approved by Staff; and (3) escrow fee balance reconciliation. Motion by Guenther, second by Trainor to approve Staff’s recommendations. *Motion carried unanimously.*

**G. 2022-031 Corcoran II Substation, Corcoran.\*** The project site is located on 2.87 acres at the northeast intersection of Larkin Road and CR 116. Hennepin County PID 2511923230001. It is a 38.91-acre parcel proposed to be subdivided into one lot and two outlots. Block 1, Lot 1 will be the parcel where Wright Hennepin Cooperative Electric Association will place their substation. The remaining areas will be utilized for future development and for ROW along CR 116. In their findings dated July 5, 2022, Staff recommends approval with three conditions: (1) a stormwater operation and maintenance agreement acceptable to Corcoran and the Commission must be recorded by the landowner on this property; (2) the 48-hour drawdown (4,704 cubic feet) on the stormwater basin must be verified post-construction; and (3) escrow fee balance must be reconciled. Motion by Walraven, second by Guenther to approve Staff’s recommendations. *Motion carried unanimously.*

**H. 2022-032 Elm Creek Restoration Phase 5, Champlin.\*** This project is located within the Elm Creek Park Reserve, just downstream of Hayden Lake, and just upstream of Elm Creek Crossing. The proposed project scope will include grading of the project area for residential lots, construction of various residential streets and sidewalks and supporting underground utilities, driveways, and stormwater management. NOTE: The purpose stated in the findings dated July 5, 2022, has been revised to read: *The proposed project includes stream bank stabilization, placement of in-stream habitat structures and rock riffles, and restoration of the creek’s riparian areas.* Motion by Walraven, second by Cesnik to approve this project pending reconciliation of the escrow balance as stated in Staff’s findings. *Motion carried unanimously.*

**V. Old Business.**

The **PRAP subcommittee** did not meet in June.

**VI. New Business.**

Guenther informed the Commissioners of the Budget Committee’s intent to develop a **Financial Reserves and Fund Balance Policy**.\* To begin this process he, Anderson, and Spector will meet with an independent auditor to discuss what an appropriate unreserved/unassigned fund balance should be. Motion by Guenther, second by Trainor to authorize an expenditure not to exceed \$1,000 to have this exploratory discussion. *Motion carried unanimously.* Also included in the meeting packet was a **spreadsheet**\* showing the Commission’s various fund balances for the years 2015-2021.

**VII. Communications.**

**A. Staff Report.\*** Staff reports provide updates on the development projects currently under review by Staff or awaiting final recordings. The projects listed in the table beginning on page 7 of these minutes are discussed in the July 1 report.

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**B. Hennepin County Staff Report.\***

**1. Project Updates.**

**a. Jubert Lake Agricultural BMPs.** Hennepin County staff met with Landowner to discuss implementation efforts as well as waterway repairs. Landowner wants to start gravel drain 100-200 feet up the hill. After talking with Wright County SWCD engineer, this may be cost prohibitive. A proposed solution is to install a perpendicular line across the waterway that would outlet to the gravel drain. This practice would require significantly less components and would be more cost effective to repair the seep issue on the installed waterway.

WASCOB (Water And Sediment Control Basin) from the Arens property is now being included into this property as a part of Phase 1B. The practice is being moved over the property line with little complications in terms of design. Hennepin County discussed pool depth and potential wetland impacts of restoration in 1B. Landowner proposed changing the type of wetland to be deeper and more compact. Currently working with EOR to understand if this is feasible.

Targeted installation for 1A projects is August 1, while 1B projects are scheduled for late August.

**b. 13861 129th Avenue N., Dayton.** Landowner has completed concrete pad, and footings. Houston Engineering is currently finalizing a sub-contract agreement with Sandman Engineering to provide the final roof structure. Landowner provided some feedback on the design to change supports to block columns. Engineers are evaluating this design change and will provide feedback.

**c. 22835 County Road 10, Corcoran.** Construction has concluded on the livestock fencing. Post construction inspection found no issues with the fence and has started the reimbursement process for the landowner as a part of the cost-share agreement.

**2. Buffer inspections** will occur in July and August. Random inspections will take place north of County Road 6, and south of County Road 10 this year.

**3.** Hennepin County Staff met with Ken Guenther and Corcoran City Planners to discuss potential updates to the **Corcoran Livestock Ordinances**. Discussed potential options for ordinances that would rely on farmable acreage and promote conservation. The meeting also served as an initial introduction between city staff and the range of environmental services that the Hennepin County Department of Environment and Energy provides.

**4.** In 2021, county staff and three lakes in Maple Grove piloted an exciting and innovative AIS prevention website for lakeshore homeowners! The communication within the website is personalized, is celebrity endorsed, and uses a trusted messenger: the neighbors of lakeshore homeowners. The site ultimately helps to create a lake-wide commitment, fun statistics celebrating lake activities, and best of all, it's mobile friendly! (Note: a full media kit that includes newsletter articles and social media posts is also available.) For more information about Lake Pledge, contact Tony Brough at [tony.brough@hennepin.us](mailto:tony.brough@hennepin.us) or 612-348-4378.

**5. Help Us Preserve Farmland In Hennepin County.** Are you currently farming or looking for land to farm? If so, then Hennepin County wants to hear from you! Hennepin County Environment and Energy is currently exploring programs that could help farmers and rural landowners preserve their land for future generations to sustainably farm. Input from the farming community is critical to understanding the right role for Hennepin County and what could make the most difference.

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This 10-15 minute survey is focused on the challenges you face and the support you need to navigate farmland access in Hennepin County. Information gathered in this survey will help craft potential policies that could help meet the needs of farmers around the county.

If you have any questions or would like more information about this initiative, contact Kevin Ellis, Conservation Specialist, at kevin.ellis@hennepin.us. Take the survey at:

[https://forms.office.com/pages/responsepage.aspx?id=n9\\_vioCHv0aPt0ySRIOovr9pmX9LCvxEjUV0\\_AvzOCRURVIWUDizVk5USTU1Wk9UN1gwMjREOTdGUS4u&web=1&wdLOR=c9DE168C5-0556-474D-9F98-D459186AC334](https://forms.office.com/pages/responsepage.aspx?id=n9_vioCHv0aPt0ySRIOovr9pmX9LCvxEjUV0_AvzOCRURVIWUDizVk5USTU1Wk9UN1gwMjREOTdGUS4u&web=1&wdLOR=c9DE168C5-0556-474D-9F98-D459186AC334)

**VIII. Education and Public Outreach.**

The West Metro Water Alliance (WMWA) will meet via Zoom at 8:30 a.m., August 9, 2022.

At their July meeting, members of WMWA focused on creating a position description for the education and outreach coordinator. This will be a two-year limited duration Hennepin County position dedicated half time to WMWA/funding partners activities and half time to more general County environmental education and outreach activities.

**IX. Grant Opportunities and Project Updates.\***

With the addition of the two cost share programs and the Maple Grove South Fork Rush Creek Project in 2022, the table below shows the Commission’s **current CIP**. There are additional projects on the CIP that are not programmed for a particular year: the Cowley-Sylvan Connections BMPs project in Rogers, the SE Corcoran Wetland Restoration, as well as some generic placeholder projects. The current Third Generation Plan expires on October 23, 2025, and the Commission must submit a new draft plan and CIP to BWSR by mid-2025 to allow time for agency review and approval.

The Minnesota Board of Water and Soil Resources (BWSR) has released its annual RFP for **Clean Water Fund grant applications**. About \$9.7 million is available statewide for Projects and Practices Grants, which require a 25% local match, and which must be expended by December 31, 2025. Applications are due by August 22.

Motion by Guenther, second by Trainor to direct Stantec to put together applications for Clean Water Fund grants for the CSAH 12/Dayton Road and the South Fork Rush Creek projects for approval at the Commission’s August meeting. *Motion carried unanimously.*

Project	Project Cost	Commission Share				
		2022	2023	2024	2025	2026
City Cost Share	\$100,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Partnership Cost Share	50,000	50,000	50,000	50,000	50,000	50,000
S Fork Rush Creek, Maple Grove	3,250,000	406,250	406,250			
Fox Cr S Point, Rogers*	90,000		22,500			
Downtown Pond Exp & Reuse, Rogers	406,000		101,500			
City Hall Parking Lot, Corcoran*	40,000		10,000			

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Project	Project Cost	Commission Share				
		2022	2023	2024	2025	2026
CSAH 12/Dayton Rd Ravine, Dayton	382,000		95,500			
Lowell Pond Raingarden, Champlin	400,000			100,000		
Brockton Ln WQ Impr, Plymouth*	150,000			37,500		
Meadows Playfield, Plymouth	5,300,000			250,000		
Tower Dr W Stormwater, Medina	271,250			67,813		
Bridge, Cartway & Elm Cr, Champlin	950,000			237,500		
Rush Cr Eastman NC Trail Stab, MG*	100,000			25,000		
Lemans Lk WQ Impr, Champlin*	100,000					25,000
Goose Lk Rd Infiltr, Champlin*	200,000					50,000
Mill Pond Area BMPs, Champlin*	200,000					50,000
	\$11,989,250	\$506,250	\$735,750	\$717,813	\$100,000	\$125,000

\*Potential candidate for funding through the new Cost Share Program rather than the CIP.

**X. Other Business.**

**XI. Adjournment.** There being no further business, motion by Walraven, second by Trainor to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:40 p.m.

Respectfully submitted,



Judie A. Anderson  
Recording Secretary  
JAA:tim

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Item No.	E	A	I RPF	AR	Project No.	Project Name
			RP DD			
					W=wetland project	
ca.				AR	2014-015	Rogers Drive Extension, Rogers.
cb.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
cc.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
cd.				AR	2017-014	Laurel Creek, Rogers.
ce.				AR	2017-029	Brayburn Trails, Dayton.
a.					2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
cf.				AR	2018-046	Graco, Rogers.
cg.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
ch..				AR	2019-021	Brenly Meadows, Rogers.
ci.				AR	2019-026	Interstate Power Systems, Rogers.
cj.				AR	2019-027	Havenwood at Maple Grove.
ck.				AR	2020-008	Ione Gardens, Dayton.
cl.				AR	2020-009	Stetler Barn, Medina.
cm.				AR	2020-017	Meadow View Townhomes, Medina.
cn.				AR	2020-023	Ziegler Dayton Site Upgrades, Dayton.
co.				AR	2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
cp.				AR	2020-033	Weston Woods, Medina.
cq.				AR	2020-036	Balsam Pointe, Dayton.
cr.				AR	2021-007	Birchwood 2nd Addition, Rogers
cs.				AR	2021-016	Territorial Lofts, Rogers.
ct.				AR	2021-020	Crew Carwash, Maple Grove.
cu.				AR	2021-021	Territorial Triangle, Dayton.
cv.				AR	2021-023	Maple Grove Medial Office Building (MOB).
cw.				AR	2021-024	Riverwalk, Dayton
b.					2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
c.					2021-026	Prairie Creek Subdivision, Medina.
cx.					2021-027	Xcel Energy Elm Creek Substation, Maple Grove
d.					2021-028	The Cubes at French Lake, Dayton
e.					2021-029	Tri-Care Grocery / Retail, Maple Grove
f.					2021-031	Cook Lake Edgewater, Maple Grove
g.					2021-034	BAPS Hindu Temple, Medina.
cy.					2021-035	Mister Car Wash - Rogers
cz.					2021-036	D & D Service, Corcoran.
h.					2021-037	Marsh Pointe, Medina.
i.					2021-038	Bellwether 6th/Amberly, Corcoran.
j.					2021-039	1-94 Logistics Center, Rogers.
da.					2021-040	Napa Auto, Corcoran.
db.					2021-041	Carlson Ridge, Plymouth.
k.					2021-043	Northwood Community Church Maple Grove.
l.					2021-044	Balsam II Apartments, Dayton.
m.					2021-046	Len Busch Roses, Plymouth

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n.				2021-047	CR 10 Box Culvert Replacement, Corcoran
o.				2021-048	Bellwether - Newman West, Corcoran
p.				2021-049	Dayton Interchange Business Center, Dayton.
q.				2021-050	Evanswood, Maple Grove.
r.				2021-051	Fields of Nanterre Drainage Improvements, Plymouth.
s.				2021-052	Norbella Senior Living, Rogers.
t.				2021-053	Towns at Fox Creek, Rogers.
u.				2021-054	Stotts Family Farm Grassed Waterways, Corcoran.
v.				2021-055	Morningside Estates 6 <sup>th</sup> Addition, Champlin.
w.				2022-001	Dayton Field 2nd Addition, Dayton.
x.				2022-002	Summerwell, Maple Grove.
y.				2022-003	Fox Briar Ridge East, Maple Grove.
z.				2022-004	Loram-Scannell Medina Industrial EAW, Medina.
aa.				2202-005	Bellwether 7th, Corcoran.
ab				2022-006	Hamel Townhomes, Medina.
ac				2022-007	Weston Commons 2nd, Maple Grove.
ad.				2022-008	Bechtold Farm, Corcoran.
ae.				2022-009	Dunkirk Lane Development, Plymouth.
af.				2022-010	Unity Tool Building Addition, Dayton.
ag				2022-011	Arrowhead Drive turn Lane expansion,
ah				2022-012	Graco Building 2, Dayton.
ai.				2022-013	Dayton 94 Industrial Site, Dayton.
aj.				2022-014	Aster Mill, Rogers.
ak				2022-015	County Road 47 Phase I Reconstruction, Plymouth.
al.				2022-016	Rogers Activity Center, Rogers.
am.				2022-017	City Center Drive, Corcoran.
an.				2022-018	Big Woods, Rogers.
ao.				2022-019	Grass Lake Preserve, Dayton.
ap,				2022-020	Skye Meadows Extension, Rogers.
aq.				2022-021	Dayton 94 EAW
ar.				2022-022	Cook Lake Highlands, Corcoran.
as.				2022-023	Asguard, Rogers.
at.	A	E		2022-024	Bridge No. 27J70, Maple Grove.
au.				2022-025	Harvest View, Rogers.
av				2022-026	Archway Building, Rogers
aw.				2022-027	Edison at Maple Grove Apartments.
ax.				2022-028	Elsie Stephens Park, Dayton. Still being reviewed
ay				2022-029	Hayden Hills Park, Dayton.
az.				2022-030	Garages Too, Corcoran.

= Action item E = Enclosure provided I = Informational update will be provided at meeting RPI - 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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