

Watershed Management Commission

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Technical Advisory Committee and Regular Meeting Minutes October 12, 2016

I. A meeting of the **Technical Advisory Committee (TAC)** for the Elm Creek Watershed Management Commission was convened at 10:01 a.m., Wednesday, October 12, 2016, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN by Commission Chair Doug Baines.

In attendance were Rick Lestina and Mark Lahtinen, Maple Grove; Kaci Fisher, Hakanson-Anderson, Medina; Ben Scharenbroich, Plymouth; Ali Durgunoğlu, James Kujawa and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Rich Brasch, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; Steve Christopher, Board of Water and Soil Resources (BWSR); Jason Spiegel, Minnesota Department of Natural Resources (DNR); and Judie Anderson, JASS.

Not represented: Champlin, Corcoran, Dayton, and Rogers.

Also present: Doug Baines, Dayton; Elizabeth Weir, Medina; and Fred Moore, Plymouth.

A. The **agenda** was approved by consensus.

B. Cost Share Policy.

At the July Commission meeting the Commissioners discussed the Rush Creek Headwaters Subwatershed Assessment (SWA) grant application. Much of the discussion centered on cooperative funding of the grant. It was noted that since the Commission does not have a policy for cost-sharing SWAs or other special projects, this should be a topic for discussion by the TAC.

As a starting point, Staff was directed to investigate how other watershed organizations fund "special projects." Nine organizations were contacted – the Bassett Creek, Mississippi, Pioneer-Sarah Creek, Shingle Creek, and West Mississippi WMOs and the Minnehaha Creek, Nine Mile Creek, Ramsey-Washington, and Rice Creek WDs. In many cases, projects such as subwatershed assessments are funded using the ad valorem process. In all cases, where projects are not funded through the ad valorem process, they are funded out of the general fund with no city match.

It was noted that Appendix G* of the Commission's Third Generation Plan includes the following language (emphasis added):

Both by itself and also in partnership with member cities the Commission will undertake special studies to target BMP implementation and to perform feasibility analyses to develop grant applications. These special studies will be solicited and identified each year through the budget/CIP review process. Some examples of these are:

TMDL Implementation. The Elm Creek Watershed TMDL implementation actions include a number of strategies that would require additional, more detailed study to identify specific BMPs and their costs and benefits. The Commission will share 50% of the cost of feasibility studies and subwatershed assessments.

Discussion:

Cities use the Commission as a buffer between themselves and citizens. The Commission has an obligation not to blind-side the members.

In the Pioneer-Sarah Creek watershed two SWAs have been done by the County. The Rush Creek Headwaters SWA was done by Wenck Associates. The capacity of the County to do this work depends on time and availability and would be performed under separate contract.

*in meeting packet

Need to differentiate between types of studies – SWAs and feasibility studies.

Most SWAs are done in rural areas suspected to be high loading; SWAs are specific enough to identify potential projects.

Don't cities request projects? More sophisticated requests come from larger cities with larger staffs. In rural areas it is more difficult to identify valid projects. Initiative may not be there. A lot of rural areas are not in the MS4 areas.

Do we require one a year?

Does the Commission want to be the entity that leads the effort? There was a perception in Corcoran that the Commission was coming in and telling landowners what to do. The Commission should be working with the City itself.

Should there be an amount to be paid by the city? Should the Commission have a cap- \$10,000-\$15,000?

Try to target areas that will remain agricultural.

How to meet wasteload allocations – leverage in developing areas.

Have production ag areas and hobby farms?

Needs to be in areas outside of MS4 area; have to promote something to happen.

Concerned that we spend money in areas where things are actually going to happen, will be developed in the near future. Most communities have to follow the pipe.

In the City of Independence a study identified the wetlands and the City worked with developers to protect those wetlands.

Motion by Kujawa, second by Scharenbroich that subwatershed assessments shall be identified in areas outside of the MUSA, be supported by the City in which the SWA is located, be undertaken at the discretion of the Commission, should have a \$15,000 maximum cap (grant or Commission funding), and the cost should be shared by the City at a 20% match. *Motion carried unanimously. Staff will draft a minor plan amendment if necessary.*

Staff's memo of October 12, 2016* enumerated a number of criteria identified by the WMOs and WD that were contacted for prioritizing **special projects** other than subwatershed assessments. This list will be reviewed at a future TAC meeting. An additional criterion, potential load reductions, was added to the list.

C. The Technical Staff is seeking clarification in reviewing projects for **stormwater management**. (Rule D of Appendix C*) Their experience has been that most developers incorporate the easiest rate and volume control measures to meet Commission requirements.

After discussion, Staff will work to draft a comprehensive list of sequencing guidelines. Staff will contact the technical staffs from other watershed organizations for assistance in drafting this list. *Staff will also draft minor plan amendment language if necessary.*

D. Adjournment.

The meeting of the Technical Advisory Committee of the Elm Creek Watershed Management Commission was adjourned at 11:25 a.m. The next meeting of the TAC will be convened on January 11, 2017.

II. A regular meeting of the Elm Creek Watershed Management Commission was called to order at 11:35 a.m., Wednesday, October 12, 2016, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN by Chairman Doug Baines.

Present were: Gerry Butcher, Champlin; Jon Bottema, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Fred Moore, Plymouth; Kevin Jullie, Rogers; Ali Durgunoğlu, James Kujawa and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Rich Brasch, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

*in meeting packet

Also present: Todd Tuominen, Champlin; Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Jason Spiegel, DNR; Steve Christopher, BWSR; and Richard Kopyy, EVS Engineering, for project 2016-038.

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

B. Motion by Butcher, second by Julie to approve the **minutes*** of the September 14, 2016 regular meeting and public hearing. *Motion carried unanimously.*

C. Motion by Moore, second by Jullie to approve the **October Treasurer's Report and Claims*** totaling \$31,803.64. *Motion carried unanimously.*

[Bottema arrived 11:39 a.m.]

D. Open Forum.

1. Christopher provided an update of **Minnesota's Buffer Law**.* The law focuses on rural and agricultural land and includes the following requirements for buffer widths: an average of 50 feet/minimum of 30 feet along public waters and a minimum of 16.5 feet on public drainage systems. The new law specifies that buffers must be in place on all public waters by November 1, 2017, and on all public drainage systems by November 1, 2018. BWSR will be responsible for enforcement of the law, the County for assistance to landowners. The DNR buffer map* was also included in the meeting packet.

2. Kujawa introduced **Kirsten Barta**. Barta will be the County contact for the new buffer law.

E. Action Items.

1. Project Reviews.

a. 2016-004 Park Place Storage Site Plans, Corcoran.* The applicant is proposing to develop a 22-acre site in the southwest portion of the city into a multi-unit storage facility with associated access roads, utilities, and stormwater features. This will be an addition to the existing storage facility located west of the proposed project. New wetland permit revisions were received on May 25, 2016 and approved by the Commission at their July 2016 meeting contingent upon final escrow and easement establishment for the wetlands during the site plan review process. New site plan information has been received that still does not meet the Commission standards. The applicant extended the 15.99 deadline to December 7, 2016. Revised plans were received September 29. Staff requested additional information on the filtration basins/benches. In their findings dated October 11, 2016, Staff recommended approval of this project with four conditions. Motion by Weir, second by Jullie to approve Staff's recommendation. *Motion carried unanimously.*

b. 2016-038 AutoMotorPlex, Medina.* This 22.17-acre site owned by Loram is located on the northeast corner of County Roads 115 and 118. The site will be re-platted into two lots, 19.17 acres and 3 acres in size. At this phase only the northern 19.17 acres will be developed into commercial automobile condominiums and retail area. Staff requested revisions on September 1, 2106. Revisions were received on September 6, September 23 and October 3. Staff's October 10, 2016 memo outlined 13 items of concern. Kopyy was present to request that the Commission grant Staff administrative approval authority if the issues between the parties are resolved. Motion by Trainor, second by Bottema to grant this authority. *Motion carried, Weir voting nay.*

c. 2016-039 Sands Parcel (The Fields at Meadow Ridge), Plymouth.* This is a 20.5-acre site located on the northeast side of the intersection of County Road 47 and Troy Lane North. The site is proposed for a 46 single-family residential home development. The plans were submitted together with those of the adjacent project, 2016-041 Bartus Subdivision. In their findings dated October 4, 2016, Staff recommends approval of the final revised plan conditioned on receipt of the O&M plan within 90 days of the final plat approval, if required by the City.

d. 2016-041 Bartus Subdivision, Plymouth.* This site is approximately 10 acres in size and adjacent to the Sands parcel (2016-039). It is located on the northwest side of the intersection of CR 47 and Troy Lane, west of the Sands parcel. The stormwater management plan was reviewed with the Sands parcel. Staff's October 5, 2016 memo outlined their initial findings.

Motion by Moore, second by Butcher to approve projects 2015-039 and 2016-041 per Staff's recommendations. *Motion carried unanimously.*

*in meeting packet

[Trainor departed 12:37 p.m.]

2. Model Snow and Ice Policy.* In August the Commissioners received correspondence from Steve Woods, Executive Director of the Freshwater Society, asking if the Commission would be willing to join a consortium of other WMOs to provide a state-of-the-art model snow and ice removal policy for municipal use. A Technical Advisory Committee comprised of representatives from seven cities, three watershed districts, the Minnesota Nursery and Landscape Association, the Minnesota Pollution Control Agency, Fortin Consulting, and the Freshwater Society has crafted a proposed policy. The Freshwater Society is asking the Commission to consider a financial contribution of \$1500 to help fund this work. Motion by Moore, second by Weir to decline to fund this project. *Motion carried unanimously.*

F. Watershed Management Plan.

1. Motion by Moore, second by Weir to approve the first half payment to the City of Plymouth for **CIP2015-01**. *Motion carried unanimously.* Total amount of the levy is \$250,000; the first half payment is \$125,000 less Commission expenses of \$2,887.16. Monies to fund the second half payment are expected in November. This item is included in the October Treasurer's Report.

2. Cost Share Policy.* See Item I.A., above.

G. Elm Creek Watershedwide TMDL. MPCA Project Manager Brooke Asleson and Brasch are coordinating letters to comment respondents. MnDOT will request municipal MS4s to take responsibility for MnDOT's reductions within the various municipal boundaries. A deadline of October 31 was set to complete this process. After comment letters are mailed to the respondents, the TMDL will be finalized and transmitted to the EPA.

H. New Business.

I. Communications.

1. "Iron Enhanced Sand Filtration for Agricultural Tile Drainage," *Stormwater News*.*

2. "Hennepin County field day highlights soil health and water quality," *Water Links* fall issue.* Staff will send to local farmers.

3. Included in the meeting packet were print-outs from Durgunoğlu's **rain gauge in Maple Grove** for the months of April through September. Rain measured during those months were 2.49, 2.31, 2.64, 5.70, 6.95 and 11.10 inches, with 7.07" experienced on September 21.

J. Education.

The **next WMWA meeting** is scheduled for 1:00 p.m., Tuesday, November 29, 2016, at Plymouth City Hall. Commissioners are encouraged to attend.

K. Grant Opportunities.

L. Other Business.

M. The following **projects** are discussed in the August 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.** 2015-025 OP3 Outdoor Storage, Rogers.
- 8.** 2015-030 Kiddiegarten Child Care Center, Maple Grove.
- 9.** 2015-032 Rogers High School Auditorium Addition, Rogers.
- 10.** 2016-001 CSAH 115/CR 116 Reconstruction, Medina.
- 11.** 2016-002 The Markets at Rush Creek, Maple Grove.

*in meeting packet

12. 2016-004 Park Place Storage Site Plans, Corcoran.
13. 2016-005W Ravinia Wetland Bank, Corcoran.
14. 2016-014 Balsam Apartments, Dayton.
15. 2016-018 Cambridge Park, Maple Grove.
16. 2016-019 Just for Kix, Medina.
17. 2016-020 Ryan Meadows, Rogers.
18. 2016-021 Diamond View Estates, Dayton.
19. 2016-022 AutoZone, Maple Grove.
20. 2016-023 Tri-Care, Maple Grove.
21. 2016-026 Faithbrook Church, Dayton.*
22. 2016-027 Rogers Drive/Brockton Lane Intersection Improvements, Rogers.*
23. 2016-030 Elm Creek Meadows, Plymouth.
24. 2016-032 CSAH 19 Cross Culvert, Corcoran.
25. 2016-033 Dayton Public Works Garage, Dayton.
26. 2016-034 French Lake Golf Course AUAR, Dayton.
27. 2016-035W 20070 Larkin Road, Corcoran.*
28. 2016-036 K-Manufacturing 3rd Addition, Dayton.
29. 2016-037 Lanewood Estates, Plymouth.
30. 2016-038 AutoMotorPlex, Medina.
31. 2016-039 Fields at Meadow Ridge, Plymouth.
32. 2016-040 Kinghorn 4th Addition, Rogers.
33. 2016-041 Bartus Subdivision, Plymouth,
34. 2016-042 Cherrywood of Plymouth.
35. 2016-043 Lawndale Lane Reconstruction, Maple Grove.

N. Adjournment. There being no further business, motion by Weir, second by Bottema to adjourn. *Motion carried unanimously.* The meeting was adjourned at 12:59 p.m.

Respectfully submitted,



Recording Secretary

JAA:tim

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*in meeting packet