

elm creek Watershed Management Commission

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Regular Meeting Minutes November 13, 2019

I. A regular meeting of the Elm Creek Watershed Management Commission was called to order at 11:32 a.m., Wednesday, November 13, 2019, 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; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Terry Sharp, Medina; Fred Moore, Plymouth; James Kujawa and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Amy Timm, Three Rivers Park District (TRPD); Jeff Weiss and Heather Hlavaty, Barr Engineering; and Judie Anderson, JASS.

Also present: Todd Tuominen, Champlin; Kevin Mattson, Corcoran; Derek Asche and Mark Lahtinen, Maple Grove; Catherine Cesnik, Ben Scharenbroich and Amy Riegel, Plymouth; and Andrew Simmons, Rogers.

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

B. Motion by Guenther, second by Sharp to approve the **minutes*** of the October 9, 2019 meeting. *Motion carried unanimously.*

C. Motion by Moore, second by Guenther to approve the November **Treasurer's Report and Claims*** totaling \$22,196.26. *Motion carried unanimously.*

II. Open Forum.

III. Action Items. *(project reviews have been re-ordered so as to be sequential)*

Guenther iterated his concern that project reviews are not available for Commissioner viewing until the time of the meeting.

A. **Project Review 2019-026 Interstate Power Systems, Rogers**.* This project consists of constructing a 1.06-acre building to house a semi-truck mechanical shop and 6.06 acres of parking and driveways. The total new impervious area will be approximately 7.11 acres. Stormwater management is being proposed by multiple detention ponds. The project is being reviewed for conformance with Rules D, E, G, and I. In their findings dated November 12, 2019, Staff recommended approval of the project with two conditions: (1) final submittal of existing conditions pollutant loading and (2) recording of an O&M plan for onsite BMPs. Motion by Guenther, second by Trainor to approve Staff's recommendation. *Motion carried unanimously.*

B. **Project Review 2019-027 Havenwood at Maple Grove**.* This is a 5.6-acre site located at the northwestern intersection of Bass Lake Road (CR10) and Troy Lane (CR101). The site is proposed to be subdivided into two lots. The southerly lot will be 4.5-acres with a 150-unit senior living facility. The remaining outlot (~1.3 acres) is anticipated to be a daycare facility. The project will create 3.53 acres of new impervious area. It triggers review of the site plans for conformance to Rules D and E. In their findings dated October 17, 2019, Staff recommends approval

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

contingent upon the irrigation pond and system having an operation and maintenance plan approved by the City and the Commission and recorded on the title for this property. A copy of the recorded document must be provided to the Commission. Motion by Moore, second by Guenther to approve Staff's recommendation. *Motion carried unanimously.*

C. Project Review 2019-028 Howell Meadows, Maple Grove.* This is a 5.3-acre site located east of Brockton Lane (CR 101) at 64th Avenue. It is a remnant piece of property surrounded by the Fieldstone development on the north, south and east with the City of Corcoran and the Ravinia Development across Brockton Lane to the west. The site is proposed to be subdivided into ten residential lots. The project will create a total of 1.505 acres of new impervious areas. This site plan triggers the Commission's review for conformance with Rules D, E and I. In their findings dated November 6, 2019, Staff recommends approval contingent upon LGU (the City) approval of WCA wetland impacts/replacement plans. Motion by Moore, second by Guenther to approve Staff's recommendation. *Motion carried unanimously.*

D. 2019-029 South Prominence, Maple Grove. This is a 12-acre site located on the north side of Fieldstone Boulevard near 63rd Avenue. It consists of two large-lot residential parcels proposed to be developed into 21 residential lots. This a remnant piece of property surrounded by the Fieldstone development on the north, south and west sides and the Prominence Woods project (2005-024) on the east side of this parcel. The South Prominence site includes a four (4) lot area that is already platted (the Prominence Woods development), two areas that will be ghost-platted into eight (8) lots in the future and this site plan, which is 13 lots. The project will create a total of 2.5 acres of new impervious areas on the ghost-platted (8 lots) and South Prominence (13 lots) parcels. This site plan triggers the Commission's review for conformance to Rules D, E and I. In their findings dated November 13, 2019, Staff recommended approval with three conditions: (1) LGU approval of WCA wetland impacts/replacement plans; (2) Iron-enhanced filter basin details must be provided with the plan and approved by the City and the Commission; and (3) City approval of the discharge increase to the North. Motion by Moore, second by Butcher to approve Staff's recommendation. *Motion carried unanimously.*

E. Watershed-Based Funding Grant. This grant, in the amount of \$134,486, was awarded by the Board of Water and Soil Resources (BSWR) for Phase IV of the Elm Creek Stream Restoration Project in Champlin. Included in the meeting packet are a Professional Services Agreement* between the City of Champlin and the Commission along with Attachment One* describing the CIP project and Attachment Two,* the signed BWSR grant agreement. Motion by Moore, second by Butcher to authorize the Chair to execute the agreement. *Motion carried unanimously.*

F. Professional Services Agreement with Barr Engineering.* Motion by Guenther, second by Sharp to approve the agreement retaining Barr Engineering to evaluate development plans for compliance with the Commission's Third Generation Watershed Management Plan pending (1) approval of naming James Kujawa as a subcontractor to Barr and (2) determination that the insurance coverage cited in paragraph 13 of the agreement extends to Kujawa as said subcontractor. *Motion carried unanimously.*

G. League of Minnesota Cities Insurance Trust.* Motion by Moore, second by Butcher to not waive the monetary limits on municipal tort liability insurance. *Motion carried unanimously.*

IV. Old Business.

A. Staff are continuing to put together the **Commissioner Handbooks**. Currently they are reviewing the Commission's **Joint Powers Agreement (JPA)** and **Rules**. A draft of those documents will be available at the December or January meeting. After approval by the Commission the JPA must be ratified by all of the member cities.

B. Barta reminded the cities that **Subwatershed Assessment (SWA) Cost Share Applications** are due January 15, 2020.

[Butcher departed 12:40 p.m.]

V. New Business.

VI. Water Quality.

VII. Education and Public Outreach.

A. Cities were reminded that the Minnesota Pollution Control Agency (MPCA) is in the process of reissuing the municipal separate storm sewer system (**MS4**) **general permit**. The agency has created a proposed new permit and is asking for public comments on the draft by 4:30 p.m., Saturday, January 11, 2020. New activities and progress on TMDLs have been added to the permit. Visit <https://www.pca.state.mn.us/water/reissuing-municipal-stormwater-general-permit> to learn more. Education and public outreach are an integral part of the MS4 permit.

B. Website. Members are reviewing the WMWA website to refresh and update content. Any input is appreciated. westmetrowateralliance.org/

C. WMWA also discussed the **Lawns to Legumes Program** bwsr.state.mn.us/lawns-legumes-program-your-yard-can-bee-change. BWSR received a \$900,000+ grant from the Environment and Natural Resources Trust Fund and plans to offer several subprograms, including grants to watersheds/cities/nonprofits for “demonstration neighborhoods;” how-to workshops across the state; and small grants to individual property owners. Amy Juntunen, JASS, and Diane Spector, Wenck Associates, attended a train-the-trainer workshop on November 8, 2019 to learn more about this developing program.

D. The **next WMWA meeting** will be Tuesday, December 10, 2019 at Plymouth City Hall.

VIII. Communications.

IX. Grant Opportunities and Project Updates.

A. The **second alum treatment for Fish Lake** was completed August 5-8. Brian Vlach, TRPD, will report on the alum treatment data at the December meeting.

B. Barta reported on the projects funded as part of the **North Fork Rush Creek SWA grant program**. The weather has impeded progress by the subcontractors undertaking the work but a couple of projects will be going in next week.

C. Barta also reported that **buffer reviews** have been completed for Corcoran, Rogers, and Medina. Buffers in Champlin, Dayton, Maple Grove and Plymouth will be reviewed in 2020.

D. The deadline for applications for the **Hennepin County Opportunity Grants** is November 22.

X. Other Business.

A. The **projects** listed on the following page are discussed in the November Staff Report.

B. Adjournment. There being no further business, the meeting was adjourned at 12:49 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	
ag				AR	2013-046	Woods of Medina, Medina.
ah.				AR	2014-015	Rogers Drive Extension, Rogers.
a.					2015-004	Kinghorn Outlet A, Rogers.
ai.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
aj.				AR	2016-002	The Markets at Rush Creek, Maple Grove.
ak.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
b.					2016-040	Kinghorn 4 th Addition, Rogers.
c.					2016-047	Hy-Vee North, Maple Grove.
al.				AR	2017-014	Laurel Creek, Rogers.
am.				AR	2017-017	Mary Queen of Peace Catholic Church, Rogers.
an.				AR	2017-029	Brayburn Trails, Dayton.
d.					2017-039	Rush Creek Apartments, Maple Grove.
e.					2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
ao.				AR	2018-018	Summers Edge Phase II, Plymouth.
f.					2018-020	North 101 Storage, Rogers.
ap.				AR	2018-026	Windrose, Maple Grove.
aq,				AR	2018-028	Tricare Third Addition, Maple Grove.
ar.				AR	2018-038	Vincent Woods of Roger.
as.				AR	2018-044	OSI Phase II, Medina.
g.					2018-046	Graco, Rogers
at.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
h.					2019-001	Fernbrook View apartments, Maple Grove.
au.					2019-002	Parkside Villas, Champlin.
i.					2019-016	Rogers Retail Development, Rogers.
av.					2019-021	Brenly Meadows, Rogers.
aw.					2019-022	Comlink Midwest, Corcoran.
ax.					2019-023	99th Avenue Apartments, Maple Grove.
j.					2019-024	Boston Scientific, Maple Grove.
k.					2019-025	Dayton Parkway Interchange, Dayton.
l.	A	E			2019-026	Interstate Power Systems, Rogers.
m.	A	E			2019-027	Havenwood at Maple Grove.
n.	A	E			2019-028	Howell Meadows, Maple Grove.
o.	A	E			2019-029	South Prominence, Maple Grove.

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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