



Elm Creek  
Watershed Management  
Commission  
2019 Annual Activity Report

**DRAFT**



**Elm Creek Watershed Management Commission  
2019 Annual Activity Report**

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This report was prepared  
for the Elm Creek Watershed Management Commission  
by JASS, Inc.  
For more information about this report, contact [Judie@jass.biz](mailto:Judie@jass.biz)

We gratefully acknowledge the assistance of:  
James Kujawa, Mary Karius and Kirsten Barta, Hennepin County Environment and Energy (HCEE)  
Brian Vlach and Amy Timm, Three Rivers Park District

Cover photograph:  
Northwest Greenway Wetland, Plymouth  
*Mary Karius, HCEE*





*This annual activity report, prepared by the Elm Creek Watershed Management Commission in accordance with the annual reporting requirements of Minnesota Rules Chapter 8410.0150 Subp. 2-3, summarizes the activities undertaken by the Commission during calendar year 2019.*

**≡ THE COMMISSION**

The Elm Creek Watershed Management Commission was established to protect and manage the natural resources of the Elm Creek watershed. A Board of Commissioners comprised of representatives appointed by the member communities was established as the governing body of the Commission. Its members are the cities of Champlin, Corcoran, Dayton, Maple Grove, Medina, Plymouth, and Rogers.

**MEETINGS** The Commission meets monthly on the second Wednesday at 11:30 a.m. at Maple Grove City Hall, 12800 Arbor Lakes Parkway. The meetings are open to the public and visitors are welcome. Meeting notices, agendas and approved minutes are posted on the Commission’s website. [www.elmcreekwatershed.org](http://www.elmcreekwatershed.org).

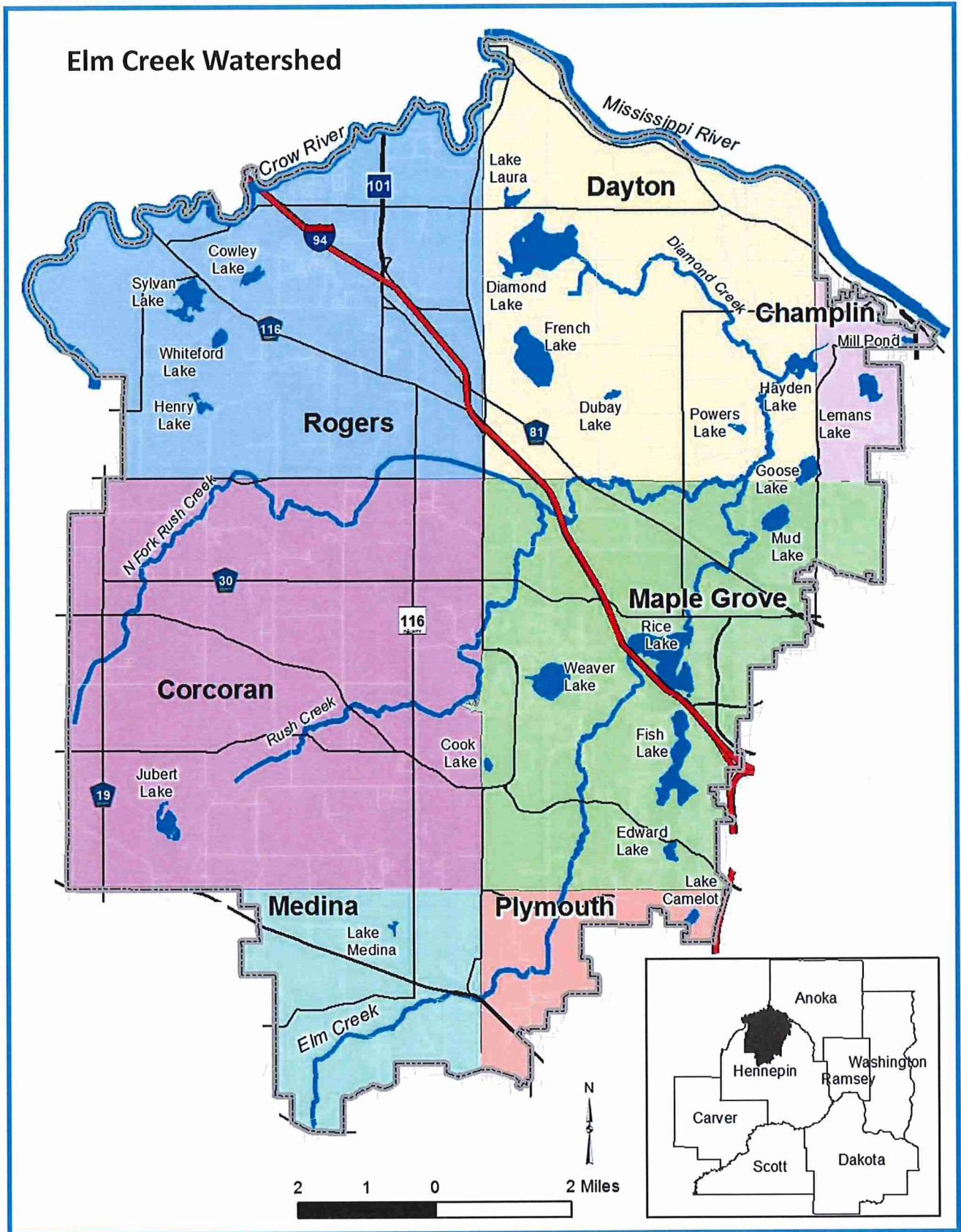
**COMMISSIONERS | TECHNICAL ADVISORY COMMITTEE | STAFF** Appendix A includes the names of the Commissioners and their Alternates appointed to serve in 2019. Also listed there are the members of the Commission’s Technical Advisory Committee (TAC) along with the individuals/firms serving as the Commission’s administrative, legal and technical support staff. The Commission has no employees.

**≡ THE WATERSHED**

The Elm Creek watershed covers approximately 130.61 square miles and lies wholly within the north central part of Hennepin County, Minnesota. The Crow and Mississippi Rivers demarcate the northern boundary. Although some areas in the north drain to the Crow and Mississippi Rivers, they are within the legal boundaries of the Elm Creek watershed. Table 1 shows the area share of the member communities in the watershed. A map of the watershed may be viewed on the following page.

**Table 1 - Area of Members within the Elm Creek Watershed**

Local Government Unit	Area (Square Miles)	%age of Watershed
Champlin	3.08	2.36%
Corcoran	36.06	27.61%
Dayton	25.17	19.27%
Maple Grove	26.32	20.15%
Medina	9.34	7.15%
Plymouth	4.44	3.40%
Rogers	26.20	20.06%
Total	130.61	100.0%





## ≡ THE WATERSHED PLAN

The Elm Creek Watershed Management Commission adopted its Third Generation Watershed Management Plan on October 14, 2015. The Third Generation Plan describes how the Commission will manage activities in the Elm Creek watershed in the ten-year period 2015-2024.

The Plan includes information required by Minnesota Administrative Rules Chapter 8410, Local Water Management: 1) an updated land and water resource inventory; 2) goals and policies; 3) an assessment of problems and identification of corrective actions; 4) an implementation program; and 5) a process for amending the Plan. This Plan also incorporates information and actions identified in the Elm Creek Watershed-wide Total Maximum Daily Load study (TMDL) and Watershed Restoration and Protection Strategy study (WRAPS), completed between 2009 and 2016.

A summary of the Plan's issues, priorities, goals, implementation strategies, and Rules and Standards are outlined in *Appendix B*.

**LOCAL PLANS** Local water management plans adopted by member cities pursuant to Minnesota Statutes, Section 103B.235 shall be consistent with the Commission's Third Generation Watershed Management Plan. Local plans must comply with MN Statutes, Section 103B.235 and MN Rules 8410 regarding local plan content. (*Appendix B*). At July 8, 2019, the local surface water plans of all seven member cities had been reviewed and approved by the Commission and Metropolitan Council.

## ≡ 2019 WORK PLAN IN REVIEW

The Elm Creek Commission identified a number of activities to be undertaken in 2019. Those activities are categorized as Technical, Monitoring, Education, Projects and Capital Improvements, and Administrative and are described in more detail in *Appendix C*. Progress toward completing those activities is *italicized* and the starred (\*\*\*) item denotes an activity undertaken by the Commission in 2019 that was not included in the Projected 2019 Work Plan.

## ≡ CONSULTANT SERVICES SELECTION

A solicitation of interest proposals for technical, legal and administrative services was published in the January 14, 2019 issue of the *State Register*. (*Appendix D*) Seven responses were received - two technical, three wetland, one legal and one administrative. At their February 13, 2019 meeting the Commission voted to retain the current technical, wetland, legal and administrative consultants. (*Appendix A*) This process will be repeated in 2021.

## ≡ FINANCIAL REPORTING

*Appendix E* includes the Commission's approved budget for 2019. The Commission's Joint Powers Agreement provides that each member community contributes toward the annual operating budget based on its share of the total market value of all property within the watershed. The 2019 assessments to the members are also shown in *Appendix E*.

Of the \$480,796 operating budget for 2019 approved by the Elm Creek Watershed Management Commission on June 13, 2018, revenue of \$85,000 was projected as proceeds from application fees, \$5,000 from partnership revenue, and \$2,500 from interest income, resulting in assessments to members totaling \$230,400. \$107,010 was projected as coming from reserves.

\$194,486 was projected as project review-related expense; \$65,410 for water monitoring; \$21,500 for education; and \$85,000 for special projects, studies and subwatershed assessments. \$114,400 was budgeted for administration, planning, and general operating expenses. The Commission also designated \$462,500 as its share of six CIP Projects. (Two projects were later withdrawn.) A Hennepin County ad valorem levy was used to fund the Commission’s share of four projects having a cumulative cost of \$2,663,830.

The Commission maintains a checking account at US Bank for current expenses and rolls uncommitted monies to its account in the 4M Fund, the Minnesota Municipal Money Market Fund.

An amendment of Minnesota Rules, Chapter 8410 became effective on July 13, 2015. One of the revisions to the Rules extends the annual audit due date to 180 days after the end of the fiscal year, in the case of the Elm Creek Commission, to June 30, 2020. The 2018 Audit Report, which was prepared by Johnson & Company, Ltd., Certified Public Accountants, is found in *Appendix E*.

The Commission follows Rule 54 of the Government Accounting Standard Board (GASB) to report Fund Balances. The fund balance classifications include:

*Nonspendable* – amounts that are not in a spendable form. The Commission does not have any items that fit this category.

*Restricted* – amounts constrained to specific purposes by their providers. One example would be ad valorem levy funds received from the County for capital improvement projects. The unused portion of these funds must be set aside in a restricted account for similar projects. Another example would be BWSR Legacy Grant proceeds where the funds are received prior to the onset of a project and where any unused portion must be returned to the grantor.

*Committed* – amounts constrained to specific purposes by the Commission itself. An example would be residual funds carried over from one year to the next for Studies, Project Identification and Subwatershed Assessments.

*Assigned* – amounts the Commission intends to use for specific purposes. Most line items in the Commission’s Operating Budget fall under this category.

*Unassigned* – amounts that are available for any purpose. These amounts are reported only in the general fund.

Amounts paid by the Commission per the 2018 Audit are as follows:

General engineering	145,916
General administration	113,246
Education	13,443
Programs	39,418
Projects	27,631
Capital projects	<u>327,079</u>
Total	\$666,733

General engineering work includes review of local plans, review of development/redevelopment projects, attendance at meetings and other technical services. General administration includes support to technical staff, attendance at meetings, insurance premiums, annual audit, legal counsel, tracking grant opportunities, watershed planning, and other non-engineering services.

**≡ PROJECTED 2020 WORK PLAN**

As discussed in *Appendix C*, Minnesota Rule 8410.0150 requires the Commission to submit to the Board of Water and Soil Resources a financial report, activity report and audit report for the preceding fiscal year. 8410.0150 Subp. 3 outlines the required content of the annual activity report. It includes an assessment of the previous year’s annual work plan and development of a projected work plan for the following year. The Commission’s Third Generation Watershed Management Plan identifies issues, priorities and goals for the ten-year period 2015-2024. *Appendix F* outlines the projected work plan for the year 2020.

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# APPENDIX





### Commissioners

Commissioners and Alternate Commissioners are appointed by the communities they represent and serve at will. Officers are elected annually at the first regular meeting during the month of March and assume office on April 1.

REPRESENTING	NAME/POSITION	ADDRESS	TELEPHONE/EMAIL
Champlin	Bill Walraven Secretary	216 Lowell Road Champlin, MN 55316	763.421.3206 traderstec@aol.com
	Gerry Butcher Alternate	11467 Preserve Lane N Champlin, MN 55316	763.557.1451 gerrybutcher671@yahoo.com
Corcoran	Ken Guenther Treasurer	6315 Butterworth Lane Corcoran, MN 55430	612.710.0734 kenguentner@gmail.com
	Tom Anderson Alternate	22385 Rush Creek Drive Rogers, MN 55374	651.216.8125 tompand@yahoo.com
Dayton	Doug Baines Chair	13000 Overlook Road Dayton, MN 55327	763.323.9506 doughbaines@aol.com
	Tim McNeil Alternate	12260 S Diamond Lake Road Dayton, MN 55327	612.730.9312 tim@timmcneil.com
Maple Grove	Joe Trainor Commissioner	16075 Territorial Road Maple Grove, MN 55369	763.420.4645 joe.trainor@meritain.com
	Dan Riggs* Alternate	12822 86th Place North Maple Grove, MN 55369	612.916.4406 driggs@carlsonmccain.com
Medina	Elizabeth Weir Vice Chair	1262 Hunter Drive Wayzata, MN 55391	763.473.3226 lizvweir@gmail.com
	Terry Sharp Alternate	4274 Fairway Drive Medina, MN 55340	612.849.6230 tsharp2972@aol.com
Plymouth	Catherine Cesnik* Commissioner		cesnik@gmail.com
	Jake Gateman* Alternate	14205 56th Ave N Plymouth, MN 55446	651.726.4759 jake.gateman@gmail.com
Rogers	Kevin Jullie Commissioner	13315 Oakwood Drive Rogers, MN 55374	763.428.9160 kjullie@srfconsulting.com
	Vacant Alternate		

\*Indicate 2020 appointments.

## Technical Advisory Committee

Members of the Technical Advisory Committee (TAC) are appointed by the member communities they represent. The purpose of the TAC is to review guidelines, standards and policies used to evaluate plans, plans and proposals of the members and make recommendations to the full Commission. The TAC meets at the direction of the Commission.

REPRESENTING	NAME	ADDRESS	TELEPHONE/EMAIL
Champlin	Todd Tuominen	City of Champlin 11955 Champlin Drive Champlin, MN 55316	763.923.7120 ttuominen@ci.champlin.mn.us
Corcoran	Kevin Mattson	City of Corcoran 8200 County Road 116 Corcoran, MN 55340	763.400-7028 kmattson@ci.corcoran.mn.us
Dayton	Jason Quisberg	Wenck Associates 7500 Highway 55 Ste 300 Golden Valley, MN 55427	763.252.6873 jqquisberg@wenck.com
Maple Grove	Derek Asche	City of Maple Grove 12800 Arbor Lakes Parkway Maple Grove, MN 55313	763.494.6354 dasche@maplegrovern.gov
Medina	Kaci Fisher	Hakanson-Anderson 3601 Thurston Avenue Anoka, MN 55303	763.852.0496 KaciF@HAA-inc.com
Plymouth	Ben Scharenbroich	City of Plymouth 3400 Plymouth Boulevard Plymouth, MN 55447	763.509.5527 bscharenbroich@plymouthmn.gov
Rogers	Andrew Simmons	City of Rogers 22350 S Diamond Lake Road Dayton, MN 55374	763.428.0907 asimmons@ci.rogers.mn.us
Barr Engineering*	Jim Herbert	4300 MarketPointe Drive #200 Minneapolis, MN 55435	952.832.2784 jherbert@barr.com
	Joe Waln		952.832.2984 jwaln@barr.com
Surface Water* Solutions, LLC	James Kujawa	6533 Nedderson Circle Brooklyn Park, MN 55445-3206	952.456.3206 surfacewatersolutions@outlook.com
Hennepin County Dept. of Energy and Environment	Kris Guentzel	701 Fourth Avenue S. Suite 700 Minneapolis, MN 55415-1600	612.596.1171 kristopher.guentzel@hennepin.us
	Kirsten Barta		612.543.3373 Kirsten.barta@hennepin.us
	Paul Stewart		612.543.9409 Paul.Stewart@hennepin.us
Three Rivers Park District	Brian Vlach	12615 County Road 9 Plymouth, MN 55441	763.694.7846 BVlach@threeriversparkdistrict.org

\*Indicate 2020 appointments.

## Staff and Consultants

The required biennial solicitation for interest proposals for administrative, legal, and technical consulting services is published in the January 14, 2019 edition of the *State Register*. The next solicitation will occur in January 2021. The Commission has no employees.

NAME/POSITION	ADDRESS	TELEPHONE/EMAIL
<b>Technical Services</b>		
Barr Engineering*	Jim Herbert	4300 MarketPointe Drive #200 Minneapolis, MN 55435
	Joe Waln	952.832.2984 jwaln@barr.com
Surface Water* Solutions, LLC	James Kujawa	6533 Nedderson Circle Brooklyn Park, MN 55445-3206
Hennepin County Dept. of Energy and Environment	Kris Guentzel	701 Fourth Avenue S. Suite 700 Minneapolis, MN 55415-1600
	Kirsten Barta	612.596.1171 kristopher.guentzel@hennepin.us
	Paul Stewart	612.543.3373 Kirsten.barta@hennepin.us 612.543.9409 Paul.Stewart@hennepin.us
<b>Legal Services</b>	Joel Jamnik	Campbell Knutson Grand Oak Office Center I 860 Blue Gentian Road #290 Eagan, MN 55121
<b>Administrative Services</b>	Judie Anderson	763.553.1144 jjamnik@ck-law.com
	Amy Juntunen	JASS 3235 Fernbrook Lane Plymouth, MN 55447
	Beverly Love	763.553.1144 judie@jass.biz amy@jass.biz beverly@jass.biz

\*indicates 2020 appointments

## Third Generation Watershed Management Plan

The Elm Creek Watershed Management Commission's Third Generation Watershed Management Plan ("the Plan") was approved by the Board of Water and Soil Resources (BWSR) on September 23, 2015, and adopted by the Commission on October 14, 2015.

The Plan includes information required in the Minnesota Administrative Rules Chapter 8410, Local Water Management: 1) an updated land and water resource inventory; 2) goals and policies; 3) an assessment of problems and identification of corrective actions; 4) an implementation program; and 5) a process for amending the Plan. This Plan also incorporates information and actions identified in the Elm Creek Watershed-wide Total Maximum Daily Load study (TMDL) and Watershed Restoration and Protection Strategy study (WRAPS), completed between 2009 and 2016.

### Issues

The Commission, along with the Citizen and Technical Advisory Committees (CAC and TAC), identified the following issues during the planning process:

- **Water quality**—numerous lake and stream impairments, impact of land use changes, stream stability
- **Agricultural impacts on water quality**—increase agricultural BMPs, develop effective mechanisms to encourage voluntary adoption, more effective outreach
- **Funding**—maintaining a sustainable funding level; funding capital projects
- **Other issues**—lack of information and knowledge of water quality issues and actions by multiple stakeholders; need to be realistic and prioritize actions; increase member city involvement; foster collaboration with other agencies

### Priorities

Through the identification of these issues, the Commission developed the following priorities to guide water resources planning and management functions:

- **Implement priority projects**, providing cost-share to member cities to undertake projects to help achieve WRAPS lake and stream goals
- **Use results of WRAPS study to establish priority areas**, complete subwatershed assessments to identify specific BMPs that feasibly and cost-effectively reduce nutrient and sediment loading to impaired water resources
- **Develop model manure management ordinance** to regulate placement of new small non-food animal operations; require member cities to adopt that or other ordinances and practices to accomplish its objectives
- **Partner with other organizations to complete pilot project** for targeted fertilizer application, increase and focus outreach to agricultural operators
- **Continue participating in joint education and outreach activities** with WMWA and other partners



## Goals

### Water Quantity

- Maintain post-development 2-year, 10-year, and 100-year peak rate of runoff at pre-development level for the critical duration precipitation event.
- Maintain post-development annual run-off volume at pre-development volume.
- Prevent loss of floodplain storage below the established 100-year elevation.
- Reduce peak flow rates in Elm, Diamond, and Rush Creeks and tributary streams to the Crow and Mississippi and preserve conveyance capacity.

### Water Quality

- Improve Total Phosphorus concentration in the impaired lakes by 10% over the 2004-2013 average by 2024.
- Maintain or improve water quality in the lakes and streams with no identified impairments.
- Conduct a TMDL/WRAPS progress review every five years following approval of the TMDLs and WRAPS studies.
- Use information in the WRAPS to identify high priority areas where the Commission will partner with cities and other agencies to provide technical and financial assistance.

### Groundwater

#### Promote groundwater recharge

- By requiring abstraction/infiltration of runoff from new development/redevelopment.
- Protect groundwater quality by incorporating wellhead protection study results into development and redevelopment Rules and Standards.

### Wetlands

- Preserve the existing functions and values of wetlands within the watershed.
- Promote the enhancement or restoration of wetlands in the watershed.

### Drainage Systems

- Continue current Hennepin County jurisdiction over county ditches in the watershed.

### Operations and Programming

- Identify and operate within a sustainable funding level that is reasonable to member cities.
- Foster implementation of priority TMDL and other implementation projects by sharing in their cost and proactively seeking grant funds.



- **Operate a public education and outreach program** to supplement NPDES Phase II education requirements for member cities.
- **Operate a monitoring program** sufficient to characterize water quantity, water quality, and biotic integrity in the watersheds and to evaluate progress toward meeting goals.
- **Maintain rules and standards** for development and redevelopment consistent with local and regional TMDLs, federal guidelines, source water and wellhead protection requirements, nondegradation, and ecosystem management goals.
- **Serve as a technical resource** for member cities.

### *Implementation*

The Third Generation Watershed Management Plan continues a number of activities that have been successful in the past and introduces some new activities, including modified development rules and standards and an enhanced monitoring program.

### **Rules and Standards**

The Commission updated policies from their Second Generation Plan and developed new standards based on the 2013 Minnesota NPDES General Permit for Municipal Separate Storm Sewer Systems (MS4s), the 2013 Minnesota NPDES Construction Stormwater General Permit, and the MPCA's Minimal Impact Design Standards and State Stormwater Manual. These were compiled and codified into a Rules and Standards document and were adopted in advance of the Third Generation Plan, effective January 1, 2015.

In general, the new Rules and Standards apply to all development and redevelopment that are

- one acre or more in size;
- require at a minimum no increase in pollutant loading or stormwater volume;
- require no increase in the peak rate of runoff from the property;
- require the abstraction/ infiltration of 1.1 inches of runoff from impervious surfaces; and
- clarify the wetland buffer requirements.

The Plan also provides a method by which member cities can take on review responsibilities for smaller projects, reducing the regulatory burden for small developers.

### **Monitoring Program**

The monitoring program continues the partnership with the USGS for routine flow and water quality monitoring on Elm Creek, with periodic monitoring on additional Elm Creek sites, and on Rush, North Fork Rush, and Diamond Creeks on a rotating or as-needed basis. Four lakes – Weaver, Fish, Rice, and

Diamond Lakes – have been classified as “Sentinel Lakes,” and will be monitored every year. Other lakes will be monitored on a rotating basis.

**Education and Outreach**

The Citizens Advisory Committee (CAC) developed a recommended Education and Outreach program that identifies stakeholder groups and key education messages. This Plan expands education and outreach activities to key stakeholders and continues collaborative partnerships such as the West Metro Water Alliance (WMWA), NEMO (Nonpoint Education for Municipal Officials), and WaterShed Partners.

**Other Activities**

The Implementation Plan includes funding for BMP assessments and special studies such as feasibility studies and special monitoring that will identify the most cost-effective practices and projects.

**WRAPS Implementation**

The Plan includes key findings and actions identified in the Elm Creek Watershed Restoration and Protection Strategies (WRAPS) study, which includes Total Maximum Daily Loads (TMDLs) for the impaired waters and improvement and protection strategies and activities for all waters.

### **Local Water Management Plan Requirements**

Local water management plans adopted by member cities pursuant to Minnesota Statutes, Section 103B.235 shall be consistent with the Commission's Third Generation Watershed Management Plan. Local plans must comply with MN Statutes, Section 103B.235 and MN Rules 8410 regarding local plan content.

- Update the existing and proposed physical environment and land use. Information from previous plans that has not changed may be referenced and summarized but does not have to be repeated. Local plans may adopt sections of the Commission's Plan's Inventory and Condition Assessment by reference unless the city has more recent information, such as revised figures and data.
- Explain how the goals and policies, and rules and standards in the Commission's Plan will be implemented at the local level, including any necessary modifications of local ordinances, policies, and practices and specifically addressing adoption and enforcement of a manure management ordinance.
- Show how the member city will take action to achieve the load reductions and other actions identified in and agreed to in TMDL Implementation Plans and the WRAPS study, including identifying known upcoming projects including street or highway reconstruction projects that will provide opportunities to include load and volume reduction BMPs.
- Show how the member city will, through an executed and recorded maintenance and inspection agreement, inspect or cause to be inspected and documented at least every five years privately owned permanent BMPs installed to meet the goals and policies and rules and standards of the Commission's Plan, and the actions the member city will take to assure that the BMPs are maintained and operated as designed.
- Update existing or potential water resource related problems and identify nonstructural, programmatic, and structural solutions, including those program elements detailed in MN Rules 8410.0100, Subp. 1-6.
- Summarize the estimated cost of implementation and analyze the member city's ability to finance the recommended actions.
- Set forth an implementation program including a description of adoption or amendment of official controls and local policies necessary to implement the Rules and Standards; programs; policies; and a capital improvement plan.

### Status of Local Water Management Plans

Local water management plans adopted by member cities pursuant to Minnesota Statutes, Section 103B.235 shall be consistent with the Commission’s Third Generation Watershed Management Plan. Local plans must comply with MN Statutes, Section 103B.235 and MN Rules 8410 regarding local plan content. The following table shows the dates when the member cities’ local plans were approved.

Member City	Local Plan Approved
Champlin	January 9, 2019
Corcoran	November 14, 2018
Dayton	October 10, 2018
Maple Grove	November 14, 2018
Medina	December 8, 2017
Plymouth	November 14, 2018
Rogers	July 10, 2019



## 2019 Work Plan in Review

Minnesota Rule 8410.0150 requires the Commission to submit to the Board of Water and Soil Resources a financial report, activity report and audit report for the preceding fiscal year. 8410.0150 Subp. 3 outlines the required content of the annual activity report. It includes an assessment of the previous year's annual work plan and development of a projected work plan for the following year.

The Commission's Third Generation Watershed Management Plan identifies issues, priorities and goals for the ten-year period 2015-2024.

### TECHNICAL

- Continue to review local development/redevelopment plans for conformance with the standards outlined in the Commission's Third Generation Plan. Review the current project review fee schedule for fiscal conformity. *Thirty-two projects, along with two carry-over projects, were reviewed by the Commission in 2019. (Appendix G.) At year-end the Technical Advisory Committee (TAC) was beginning its review of the current project review fee schedule in light of the fact that the Commission, in 2020, would no longer have available to it the services of the staff of the Hennepin County Department of Environment and Energy to review local development/redevelopment plans. The Commission does not have a permit program*  
  
*In August 2019 the Commission solicited proposals from organizations to serve as its technical advisor beginning January 1, 2020. The primary function of this position is to ensure that development plans comply with the Commission's Watershed Management Plan by reviewing submitted site development plans and designs to evaluate drainage, hydrologic and water quality requirements, erosion and sediment controls, shoreland and natural resource preservation issues, and compliance with the Wetland Conservation Act. Four proposals were received and reviewed by the Technical Advisory Committee and the Commission. Barr Engineering was chosen as the Commission's Technical Advisor for the year 2020.*
- Continue to serve as the local government unit (LGU) for administering the Wetland Conservation Act (WCA) for the City of Corcoran on three projects that were carried over as the City transitioned to becoming its own LGU for WCA. Costs associated with these projects will be billed back to the City. *Effective March 1, 2019, the Commission no longer serves as the LGU for WCA per Resolution 2019-01 adopted February 13, 2019. (Appendix Q)*
- Complete the review of member communities' local water management plans. Under Rule 8410.0160, subp. 6, local plans were to be approved by the Commission by December 31, 2018. At 2018 year-end the plans for Champlin and Rogers were still under review. *The Commission approved Champlin's Surface Water Management Plan on January 9, 2019. In their letter dated July 8, 2019, Metropolitan Council advised the Commission that Rogers' plan fulfills the requirements for a local water management plan.*
- Continue to update the Special Flood Hazard Areas on the FEMA Floodplain maps located within the watershed into current modeling packages. The Federal Emergency Management Agency (FEMA) awarded the Minnesota Department of Natural Resources (MnDNR) a grant to update the Special Flood Hazard Areas in the Twin Cities HUC8 watershed. Pass-through grants were



provided so that WMOs can complete this work. The total budget for this project in Elm Creek is \$92,772.45 and does not require a local match. The term of the contract extends into the year 2020. *In 2018, the Commission chose to undertake this work through their technical consultant, Hennepin County Department of Environment and Energy. Because of County personnel changes, the contract for this study was mutually terminated by the DNR and the Commission. In 2019, the Commission chose Barr Engineering to provide these same services at the same contract cost.*

## MONITORING

- Continue to partner with the Three Rivers Park District (TRPD) to share in the costs of conducting lake and stream monitoring in the watershed. Under a five-year cooperative agreement approved in 2018 TRPD will be responsible for monitoring three of twelve sampling stations every year for continuous flow and monitor water quality nutrient data upon request from the Commission. TRPD will also be responsible for monitoring four of fifteen lakes in the Elm Creek watershed annually plus other specific lakes that have been approved for monitoring by the Commission. In addition, under the cooperative agreement, the Commission and the Park District will provide financial support to assist the monitoring efforts of the USGS stream gauging station on Elm Creek within the Elm Creek Park Reserve. *In 2019 Three Rivers Park District monitored four stream sites including EC77 (Elm Creek at 77th Avenue); EC81 (Elm Creek at County Road 81); DC (Diamond Creek within the Elm Creek Park Reserve); and RT (Rush Creek at Territorial Road). Continuous flow was collected in open channel morphology that requires the development of a stage-discharge rating curve at each sampling site. TRPD took manual flow measurements at various stream depths to create the rating curves and estimate the flow. No nutrient data was collected in 2019.*

*The Park District also monitored water quality at Diamond, Fish, Rice and Weaver lakes. The water quality samples were collected at the surface for all four lakes and were analyzed for total phosphorus, soluble reactive phosphorus, total nitrogen, and chlorophyll-a. Since Fish and Weaver Lake stratify during the summer, water samples were also collected at the middle (top of hypolimnion) and bottom (1-m from bottom) and were analyzed for total phosphorus and soluble reactive phosphorus.*

*Point intercept aquatic vegetation surveys were conducted on Diamond and Fish Lakes to assess the plant community in 2019.*

*Results of the 2019 TRPD monitoring are detailed in Appendix H.*

- Fund the monitoring of one lake through Metropolitan Council's Citizen Assisted Monitoring Program (CAMP). *The Commission was unable to identify a citizen volunteer; thus, no lakes were monitored under the auspices of CAMP in 2019.*
- Continue to operate the monitoring station in Champlin in cooperation with the United States Geological Survey (USGS). *During Water/Fiscal Year 2019, USGS continued to operate the stream gage and water-quality monitoring station 05287890, Elm Creek near Champlin. During this period, the county bridge immediately upstream of the gage was removed and replaced so, in addition to routine monitoring, additional work was performed. This included coordinating with*



construction and utility crews to ensure continuity of gage operation and relocation of water sensor and water-quality intake lines. The bridge replacement also caused physical changes to the stream channel's cross-section that nullified the relationship between stream level (stage) and discharge that is required to compute daily streamflow rates at the station. Consequently, real-time stage data were available, but discharge data were not displayed for most of the year.

Field visits were increased for direct measurements of stage and discharge (11 total, normally 6-9 are made per year) so observations over the range of stage that occurred could be collected to more quickly develop a revised stage-discharge relation (or rating) needed to compute the discharge record since bridge replacement. That record is currently being analyzed. Although the Water Year 2019 discharge record for Elm Creek currently is less certain than other stations in Minnesota due to rating re-development, records from nearby gages in the metro and southern Minnesota suggest that WY2019 could be among the highest annual streamflow on record.

Water-quality samples were collected monthly and during runoff events. A total of 12 monthly samples and 8 flow-weighted composite samples of the increasing flows of runoff were collected. Samples are analyzed for Total Phosphorus, Dissolved Phosphorus, Total Ammonia plus Organic Nitrogen, Dissolved Ammonia Nitrogen, Dissolved Nitrite plus Nitrate Nitrogen, Total Suspended Solids, Volatile Suspended Solids, Oxygen Demand, Dissolved Chloride, Water Temperature, Specific Conductance, pH, and Dissolved Oxygen. Provisional results of these analyses are available online at: [https://nwis.waterdata.usgs.gov/mn/nwis/qwdata/?site\\_no=05287890&agency\\_cd=USGS&inventory\\_output=0&rdb\\_inventory\\_output=file&begin\\_date=2018-10-01&end\\_date=2019-09-30&qw\\_attributes=0&format=rdb&qw\\_sample\\_wide=wide&date\\_format=YYYY-MM-DD](https://nwis.waterdata.usgs.gov/mn/nwis/qwdata/?site_no=05287890&agency_cd=USGS&inventory_output=0&rdb_inventory_output=file&begin_date=2018-10-01&end_date=2019-09-30&qw_attributes=0&format=rdb&qw_sample_wide=wide&date_format=YYYY-MM-DD). Appendix I provides more detailed information about the 2019 USGS monitoring.

- Participate in the MN Wetland Health Evaluation Program (WHEP) with four wetlands in 2019. Adult volunteers monitored five sites as part of the WHEP program in 2019 – (EC-1) Blundell Restoration, (EC-2) Bulduc Restoration, and (EC-3) Bulduc wetland, all in the City of Rogers; (EC-4) Cedar Hollow, Plymouth; and (EC-5) Northwest Greenway, also in Plymouth. See Appendix J for results of the WHEP monitoring.

#### EDUCATION AND PUBLIC OUTREACH

- Promote river stewardship through Hennepin County's RiverWatch program with three sites in 2019. The three sites monitored by student volunteers were Rush Creek on the west side of 101st Lane (RC-1b) and Rush Creek on the east side of 101st Lane (RC-1a) in Maple Grove; and Elm Creek at Peony Lane behind Wayzata High School in Plymouth (EC-2). RiverWatch monitoring is more fully described in Appendix K.
- Continue as a member of the West Metro Water Alliance (WMWA). Continued to support the WMWA Educator Program and promoted the Watershed PREP program to reach every 4th grade science class in the watershed. Appendix L shows the number of schools and students who participated in the program. Chairman Doug Baines and Plymouth Alternate Commissioner Catherine Cesnik attended the monthly WMWA meetings to represent the Commission.
- Co-sponsor Rain Garden Workshops in conjunction with WMWA as part of the Commission's Education and Public Outreach Program. WMWA sponsored Resilient Yards and Healthy Soils



*workshops in Champlin on April 4 and Plymouth on May 2, 2019. The workshops were presented by Metro Blooms. (Appendix M.)*

- Continue as a member of Blue Thumb and WaterShed Partners and a partner in the NEMO (Nonpoint Education for Municipal Officials) program. *These memberships were renewed in 2019 with Staff regularly attending Blue Thumb and WaterShed Partner meetings.*
- Continue to work in partnership with the University of Minnesota's agriculture specialist to help build relationships with the agricultural community in the watershed in order to achieve TMDL load reductions. *This is an ongoing activity. BMPs are undertaken as opportunities are identified and grant-funding assistance is available.*
- Work with the Hennepin County Rural Conservation Specialist. Assist landowners in identifying BMPs for implementation throughout the watershed. *The Rural Conservation Specialist assisted cities as they worked to incorporate the Commission's Recommended Livestock Management Policy into their own ordinances/policies. She assisted landowners to identify BMPs for implementation as part of the Rush Creek Subwatershed Assessment and in other areas of the watershed. She also developed a subwatershed assessment cost share application form and criteria by which applications will be evaluated.*
- Continue to populate and maintain the Commission's website [www.elmcreekwatershed.org](http://www.elmcreekwatershed.org) to provide news to residents, students, developers and other individuals interested in the water resources of the watershed. *Using the tool Weebly, continued to update and enhance the website, adding links to other websites as well as to other useful information. In 2019, there were 2,800 visitors that resulted in 4,100 individual sessions. The number of sessions per user was 1.22; the average session duration was 1:28. Fifty-nine percent of visitors entered the website directly, 39% of visitors came through "referrals" from other websites like Hennepin County, member cities, WMWA, and other local watersheds, and two percent came to the site through Facebook. Visitors came to the site through search engines like Google, Yahoo, and Bing.*

#### **PROJECTS AND CAPITAL IMPROVEMENTS**

- Seek grant funding to assist with the costs associated with projects identified on the Commission's Capital Improvement Program (CIP). Adopt Minor Plan Amendment to support proposed CIPs and CIP updates. *The annual call for CIPs went out to the cities, requesting them to provide updates to the projects already included on the Commission's CIP as well to inform the Commission of new projects that they would like to have considered for inclusion on the CIP. Proposed CIPs and CIP updates were reviewed for inclusion on the Commission's CIP by the Technical Advisory Committee (TAC) and their recommendation forwarded to the Commission. This activity necessitated a Minor Plan Amendment to the Commission's Third Generation Watershed Management Plan to add three new projects, remove one project, and shift the timing or the funding of six existing projects. A public meeting was held on May 8, 2019, to hear the proposed amendment, which was adopted by the Commission on that date. (Resolution 2019-02, Appendix Q). Additional funding toward CIP projects was received from watershed-based funds provided by the Board of Water and Soil Resources from Clean Water Legacy grant money.*



- Continue to support City-sponsored projects using the ad valorem funding mechanism. Conduct public hearing for identified projects. *On September 11, 2019 the Commission conducted a public hearing on five improvement projects. (One project was subsequently withdrawn.) The Commission adopted Resolution 2019-03 (Appendix Q) certifying for payment by Hennepin County of the Commission's share of the cost of four projects totaling \$295,138. On October 22, 2019, the Hennepin County Board approved the Commission's request to fund the following projects:*
  - (1) Phase 3 of the Rush Creek Main Stem Stream Stabilization project in Maple Grove;*
  - (2) Hickory Drive Stormwater Improvement project in Medina;*
  - (3) the Downtown Regional Stormwater Pond project in Corcoran; and*
  - (4) Phase IV of the Elm Creek Stream Restoration project in Champlin.*
- Undertake high priority projects identified in the Rush Creek Headwaters Subwatershed Assessment. *In 2017 an Open House was held for property owners living in the Corcoran portion of the Study Area. The folks who attended the Open House shared information about known problems, issues, and observations about conditions in their area. Wenck Associates and the Core Team reviewed this information as they moved forward with the assessment. A final report was published in July 2018, identifying high priority projects, along with their cost-benefit, across the Study Area.*

*As a follow-up, 200 letters were sent to residents identified in the Rush Creek SWA as having livestock, erosion issues, and those residents who came to the open house and indicated interest in the project. From that mailing, 22 site visits were completed. Of those, two residents opted to utilize resources provided by Commission staff to complete projects on their own.*

*By mid-2019 four projects were awaiting staff review/cost estimate approvals for contracting; three other projects were not put under contract because residents were happy to pay for them on their own with staff technical assistance and further guidance; three projects were pending cooperation from neighbors (necessary for the project to effectively be completed); and five site visits were pending. Staff will also work with Environmental Health (Hennepin) on a septic project to target failing systems in the area. (MPCA approached Staff about this project.)*
- Complete Phase IV of the Elm Creek Stream Restoration Project in Champlin. In 2018, under the auspices of the Board of Water and Soil Resources (BWSR) Watershed-Based funding pilot program, the Commission was a recipient of \$134,486 to fund this project. Phase IV will also be funded through the ad valorem taxing process.) *In 2019, the City of Champlin hired WSB Consulting Services to survey and design the Elm Creek Stream Restoration Project. At year-end, the Phase IV reaches have been surveyed and mapped. The design and the development plans are expected through the spring of 2020, with the intent of bidding the project in October 2020. Upon approval of plans and bids the project is expected to be constructed during winter of 2020-2021.*

*The City of Champlin has secured funding via the City of Champlin and Elm Creek WMC CIP's in the amount of \$55,000 and \$150,000 respectively, totaling \$205,000 of local funding. Additional funds secured include \$134,486 from the BWSR Watershed-Based funding program. The LCCMR has approved \$500,000 Grant for this project, which is expected to be approved in May 2020, as part of the 2020 Legislative Budget.*



*The Watershed-Based pilot program extends through December 31, 2020. In December 2019*

*BWSR met with a group comprised of representatives of each of the groups of stakeholders to try to come to a consensus recommendation on how to fund future projects under this program. For the new biennium, it was decided to allocate the funds based on major watershed divides.*

*Background: The purpose of Watershed-based Implementation Funding is to supplement existing funding to accelerate clean water activities (practices, projects, and programs) toward advancing Minnesota's water resources goals through prioritized and targeted cost-effective actions with measurable water quality results.*

*2018-2019 Biennium: A pilot program to reallocate a portion of the Clean Water Legacy funds from a competitive funding model towards a more systematic Clean Water Funding model was adopted for 2019 in Hennepin County. This was based on a working group of representatives of the 11 watersheds in the county and subsequent meetings that identified funding options for the \$1,018,000 allocated to Hennepin County watersheds for state fiscal years 2018 and 2019. For this pilot program it was a consensus of the partnership to proceed with; 1) setting aside \$101,800 (ten percent) for chloride management and 2) allocating the remaining balance (\$916,200) to WMO's based on 50% land area and 50% tax base. The Elm Creek allocation was \$134,486 which was budgeted to Champlin's Phase IV Elm Creek Restoration Project.*

*2020-2021 Biennium: For the new biennium, BWSR decided to allocate the funds based on major watershed divides. Elm Creek is in the Mississippi West Major Watershed (MWW) which will be allocated \$874,153. A partnership must be developed consisting of at least one representative from each watershed district, watershed management organization, soil and water conservation district, county and at least two municipalities within the WMW. The partnership will coordinate development of a watershed-based budget for submittal to BWSR for approval. Funds become available July 1, 2020. Grants from these funds will expire December 31, 2023*

- *Conduct a second alum treatment as part of the Internal Phosphorus Loading Control Project on Fish Lake. The second alum application for Fish Lake was completed in early August of 2019. There was approximately 95,000 gallons of alum applied to 120 acres of the lake (792 gallons/acre) from August 5 through August 8, 2019. This was similar to the dosage that was applied for the first application (40 g/m<sup>2</sup>) in 2017. The two alum applications completed the dosage rate of 80 g/m<sup>2</sup> that was recommended to achieve the water quality standards for Fish Lake. The in-lake water quality monitoring for 2018 and 2019 indicated the alum treatment was effective at improving water quality conditions for Fish Lake. The in-lake water quality achieved the state water quality standards for phosphorus throughout the entire growing season (May through September) in which the average phosphorus concentrations were 27 µg/L in 2018 and 24 µg/L in 2019. The hypolimnetic phosphorus concentrations were also the lowest recorded since monitoring has occurred, which suggests that the alum was effective at reducing the sediment release of phosphorus during anoxic conditions. A final report has been submitted to the Board of Water and Soil Resources and can be viewed on the Commission's website.*
- *Support the City of Maple Grove and its partners as they undertake a subwatershed assessment for that portion of Fish Lake within the Elm Creek watershed.*

- Prioritize subwatershed assessment applications received in the first round of SWA Cost Share Applications.
- **\*\*\***Minnesota's New Buffer Initiative requires public waters in the state - lakes, rivers and streams - to be surrounded by vegetated buffers 50-feet wide (on average) and public ditches to have 16.5-foot wide buffers as well. Buffers were required to be installed on public waters by November 2017 and on public drainage systems by November 2018. *Buffer review was completed for Corcoran, Rogers, and Medina in 2019. Those parcels found to be non-compliant were sent to the state for enforcement, and the landowners notified by US Mail of that action. Hennepin County staff will work with those residents who are subject to enforcement actions at the request of BWSR, but will otherwise await findings.*

#### ADMINISTRATIVE

- Adopt a 2020 operating budget. *At its June 12, 2019 regular meeting, the Elm Creek Watershed Management Commission approved a 2020 operating budget totaling \$1,012,505. The budget is based in part on the projected costs found in the Implementation section of the Commission's Third Generation Watershed Management Plan and includes Capital Improvement Projects totaling \$448,935. To fund the 2020 operating budget the Commission approved an increase in member assessments to \$237,300, a 2.99% increase over the 2019 assessments. (Appendix E)*
- Conduct the biennial solicitation of interest proposals for administrative, legal, technical and wetland consultants. *Pursuant to Minnesota Statute 103B.227.subd. 5., a solicitation of interest proposals was published in the January 14, 2019 issue of the State Register. (Appendix D) Two responses to provide technical support, three responses to provide wetland consultant support, and one response each for legal and administrative support were received. The Commission voted to retain the current consultants for 2019-2020, although, with Hennepin County choosing not to continue as the Technical Advisor, the Commission chose Barr Engineering to continue with these duties in 2020.*
- Publish an annual activity report summarizing the Commission's yearly activities and financial reporting. *The 2018 Annual Activity Report was accepted by the Commission on April 10, 2019 and uploaded to the Commission's website by the April 30, 2019 statutory deadline.*



## elm creek Watershed Management Commission

**ADMINISTRATIVE OFFICE**  
3235 Fernbrook Lane  
Plymouth, MN 55447  
PH: 763.553.1144  
FAX: 763.553.9326  
e-mail: judie@jass.biz

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

January 2, 2019

Sean Plemmons  
State Register Editor  
Communications Media Division  
Department of Administration  
660 Olive Street  
St. Paul, MN 55165

via email: sean.plemmons@state.mn.us

Request for Interest Proposals  
Professional Services for Technical, Wetland, Legal and Administrative Consulting

Dear Editor:

Please publish the enclosed Request for Interest Proposals in your next edition of the *State Register*. Your invoice, along with an Affidavit of Publication, should be mailed to the address above to my attention. Thank you.

Sincerely,



Judie A. Anderson  
Administrator

JAA:tim  
Encls.

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## elm creek Watershed Management Commission

**ADMINISTRATIVE OFFICE**

3235 Fernbrook Lane  
Plymouth, MN 55447  
PH: 763.553.1144  
FAX: 763.553.9326  
e-mail: judie@jass.biz

**TECHNICAL OFFICE**

Hennepin County DES  
701 Fourth Ave S Suite 700  
Minneapolis, MN 55415-1600  
PH: 612.348-7338 • FAX: 612.348.8532  
Email: James.Kujawa@hennepin.us

January 2, 2019

Sean Plemmons  
*State Register* Editor  
Communications Media Division  
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660 Olive Street  
St. Paul, MN 55165

via email: sean.plemmons@state.mn.us

Request for Interest Proposals  
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Sincerely,



Judie A. Anderson  
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Encls.

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**Request for Interest Proposals - Professional Services for Administrative, Legal, Technical and Wetland Consulting**

Pursuant to Minnesota Statutes Annotated 103B.227.subd. 5., the Elm Creek Watershed Management Commission hereby solicits Letters of Interest for administrative, legal, technical and wetland consulting services for the fiscal years of 2019 and 2020. The annual budget for all services for the Commission for the year 2019 is \$ 943,296.

All wetland consulting services will be performed under the direction of the Commission's Technical Advisor and may include conducting annual monitoring, preparing annual monitoring reports, preparing as-built plans, performing duties as a member of Technical Evaluation Panels, or other duties as assigned by the technical advisor on behalf of the Commission. The Consultant must identify the dollar amount of fixed and/or hourly fees and costs to be charged for providing the services to the Commission and separately identify the rate for any overhead cost items to be billed.

Letters should include a brief description of the company and the experience of the individual(s) proposing to perform services for the Commission. The Commission will review said letters and reserves to itself the right to take such action as it deems in its best interests. All Letters of Interest should be submitted on or before February 1, 2019, to:

Doug Baines, chair  
Elm Creek Watershed Management Commission  
3235 Fernbrook Lane  
Plymouth, MN 55447  
(NO CALLS)

###

**Elm Creek Watershed Management Commission - 2019-2020 Operating Budget**

	A	B	C	D	AW	AX	AY	AZ
3					2019 Budget		2020 Budget	
4	<b>GENERAL OPERATING BUDGET</b>							
5	<b>Operating Expenses</b>							
6		Administrative			90,000		90,000	
7		Watershed-wide TMDL Admin			1,500		300	
8		Grant Writing			4,000		1,000	
9		Website			5,000		3,000	
10		Legal Services			2,000		2,000	
11		Audit			5,000		5,000	
12		Insurance (dividend 2017 = \$487)			3,900		3,900	
13		Technical support - HCEE					15,000	
14		Contingency			1,000		1,000	
15		<b>Subtotal</b>			<b>112,400</b>		<b>121,200</b>	
16		Project Reviews						
17		Technical - HCEE			97,400		0	
18		Technical - HCEE - Floodplain modeling			46,386		39,360	
19		Technical Support - Consultant			15,000		185,000	
20		Admin Support			15,000		15,000	
21		<b>Subtotal</b>			<b>173,786</b>		<b>239,360</b>	
22		Wetland Conservation Act						
23		WCA Expense - HCEE			18,200		3,000	
24		WCA Expense - Legal			500		500	
25		WCA Expense - Admin			2,000		1,000	
26		<b>Subtotal</b>			<b>20,700</b>		<b>4,500</b>	
27		Water Monitoring						
28		Stream Monitoring						
29		Stream Monitoring - USGS			41,000		24,000	
30		Stream Monitoring - TRPD			6,225			
31		Extensive Stream Monitoring			650		7,200	
32		DO Longitudinal Survey					1,000	
33		Gauging Station - Elec Bill			250		250	
34		Rain Gauge Network			100		100	
35		Lake Monitoring						
36		Lake Monitoring - CAMP			760		760	



**Elm Creek Watershed Management Commission - 2019-2020 Operating Budget**

	A	B	C	D	AW	AX	AY	AZ
3					2019 Budget		2020 Budget	
37				Lake Monitoring - TRPD				
38				Sentinel Lakes	8,100		8,100	
39				Additional lake	1,500		2,500	
40				Aquatic Vegetation Surveys	325		1,100	
41	v			Source Assessment				
42	v			Watershed-wide TMDL - Followup - TRPD	2,500		1,000	
43				Wetland Monitoring - WHEP	4,000		4,000	
45				<b>Subtotal</b>	<b>65,410</b>		<b>50,010</b>	
46		Education						
47				Education - City/Citizen Programs	4,000		3,000	
49				WMWA General Admin	5,000		5,000	
50				WMWA Implementa Activities incl Watershed	6,500		6,500	
52				R Garden Workshop/Intensive BMPs	2,000		3,000	
53				Education Grants	1,000		1,000	
54				Macroinvertebrate Monitoring-River Watch	3,000		3,000	
55				Ag Specialist				
56				<b>Subtotal</b>	<b>21,500</b>		<b>21,500</b>	
61		Management Plan						
62				Plan Amendments	2,000		2,000	
63				Local Plan Review				
64				Contribution to 4th Generation Plan				
65				<b>Subtotal</b>	<b>2,000</b>		<b>2,000</b>	
66		CIPs, Grants, Special Projects, Studies						
67				Capital Outlay - CIPs - Ad Valorem	462,500		448,935	\$423,323 adjusted for admin exp, levy shortfall
68		Grants					125,000	
69				Projects ineligible for ad valorem			0	\$50,000 (2019) reassigned to Genl Fund 5/8/2019
73				Studies, Subwatershed Assessments	35,000		0	
74				Cash Sureties				
76				<b>Subtotal</b>	<b>497,500</b>		<b>573,935</b>	
79		Contingency			0		0	
80				<b>Subtotal</b>	<b>0</b>		<b>0</b>	
81				<b>Total Op Exp (lines 15,21,26,45,56,65,76,80)</b>	<b>893,296</b>	<b>0</b>	<b>1,012,505</b>	

**Elm Creek Watershed Management Commission - 2019-2020 Operating Budget**

	A	B	C	D	AW	AX	AY	AZ
3					2019 Budget		2020 Budget	
82								
83	Revenue							
84	CIPs - Ad Valorem				462,500		448,935	\$423,323 adjusted for admin exp, levy shortfall
85	Grant Revenue						100,000	
86	Floodplain Modeling				46,386		39,360	
87	Project Review Fees				80,000		80,000	
88	Water Monitoring - TRPD Co-op Agmt				5,000		5,500	
89	BMP Implementation							
90	WCA Fees				5,000		0	
91	Forfeited/Reimbursed Sureties, Reimbursement from LGUs				4,000			
92	Membership Dues				230,400	3% increase	237,300	
93	Watershed-wide TMDL							
94	Interest Income				2,500		8,000	
95	Dividend Income				500		250	
96	Miscellaneous Income							
97								
98	<b>Total Operating Revenue (lines 84-97)</b>				<b>836,286</b>	<b>0</b>	<b>919,345</b>	
99	<b>Surplus (Deficit) (lines 81, 98)</b>				<b>57,010</b>	<b>0</b>	<b>93,160</b>	

**Elm Creek Watershed Management Commission  
2019 - 2020 Member Assessments**

2019	2018 Taxable Market Value	2019 Budget Share		Increase over Prev Year	
		%age	Dollars	%age	Dollars
Champlin	482,451,066	3.96%	9,131.64	6.26%	538
Corcoran	805,284,845	6.62%	15,242.10	3.94%	578
Dayton	657,235,681	5.40%	12,439.89	11.81%	1,314
Maple Grove	6,195,629,078	50.90%	117,268.32	0.50%	579
Medina	1,017,473,342	8.36%	19,258.32	2.56%	481
Plymouth	1,218,746,394	10.01%	23,067.93	5.34%	1,170
Rogers	1,795,887,426	14.75%	33,991.82	2.23%	741
<b>Totals</b>	<b>12,172,707,832</b>	<b>100.00%</b>	<b>230,400.00</b>	<b>2.40%</b>	<b>5,400</b>
2020	2019 Taxable Market Value	2019 Budget Share		Increase over Prev Year	
		%age	Dollars	%age	Dollars
Champlin	540,590,344	4.12%	9,768.39	6.97%	284
Corcoran	865,123,487	6.59%	15,632.66	2.56%	455
Dayton	749,481,401	5.71%	13,543.02	8.87%	394
Maple Grove	6,614,821,616	50.37%	119,528.89	1.93%	3,476
Medina	1,050,664,076	8.00%	18,985.35	-1.42%	552
Plymouth	1,418,363,351	10.80%	25,629.62	11.11%	745
Rogers	1,893,322,435	14.42%	34,212.07	0.65%	995
<b>Totals</b>	<b>13,132,366,710</b>	<b>100.00%</b>	<b>237,300.00</b>	<b>2.99%</b>	<b>6,900</b>



ELM CREEK WATERSHED  
MANAGEMENT COMMISSION

Financial Statements and  
Supplemental Information  
For the Year Ended  
December 31, 2018

ELM CREEK WATERSHED MANAGEMENT COMMISSION

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**JOHNSON & COMPANY, Ltd.**

Certified Public Accountants

Thomas J. Opliz, CPA, CVA  
 Bridget K. McKelvey, CPA, MBT, CVA  
 Thomas D. Johnson, CPA  
 Thomas A. Barber, CPA

MEMBER  
 American Institute of Certified Public Accountants  
 Minnesota Society of Certified Public Accountants  
 Private Companies Practice Section of  
 American Institute of Certified Public Accountants

Dwaine C. Johnson (Retired)  
 Lisa M. Roden, CPA, MST  
 Brad R. Cohrs, CPA

**INDEPENDENT AUDITORS' REPORT**

Commissioners  
 Elm Creek Watershed Management Commission  
 Plymouth, Minnesota

**Report on the Financial Statements**

We have audited the accompanying financial statements of the governmental activities and major fund of the Elm Creek Watershed Management Commission (the Commission), as of and for the year ended December 31, 2018, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements as listed in the table of contents.

***Management's Responsibility for the Financial Statements***

The Commission's management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

***Auditor's Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Commission's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a reasonable basis for our audit opinion.

***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and major fund of the Commission as of December 31, 2018, the respective changes in the financial position thereof, and the budgetary comparison for the General Fund for the year then ended in accordance with accounting principles generally accepted in the United States of America.



3255 FERNBROOK LANE N., MINNEAPOLIS, MN 55447 (952) 525-9500 FAX (952) 525-0301



**OTHER MATTERS****Required Supplementary Information**

Accounting principles generally accepted in the United States of America require that Management's Discussion and Analysis (MD&A) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. The Commission has not presented the MD&A that accounting principles generally accepted in the United States of America have determined necessary to supplement, although not required to be part of, the basic financial statements.

**Prior Year Comparative Information**

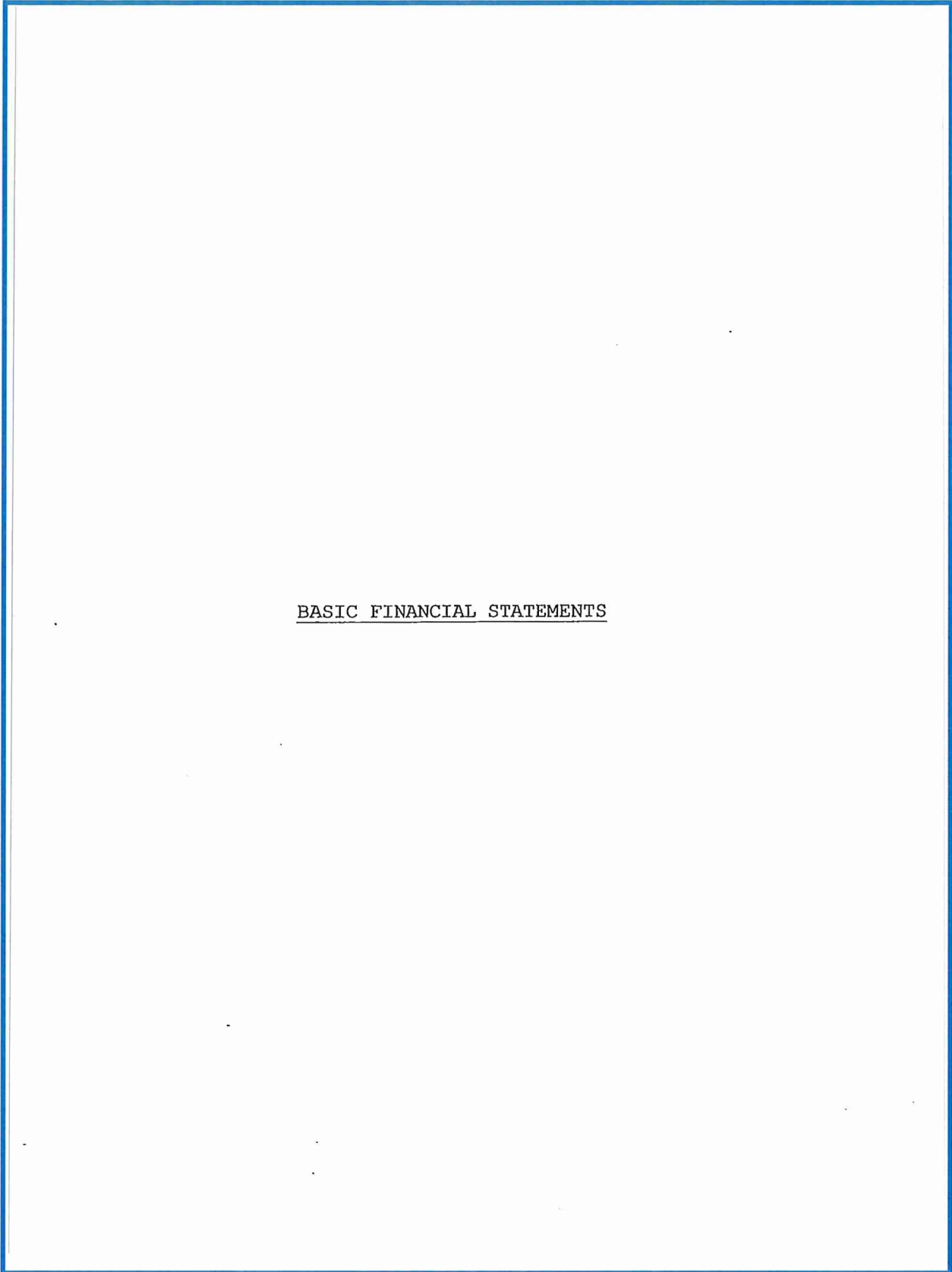
We have previously audited the Commission's financial statements for the year ended December 31, 2017 and, in our report dated April 11, 2018, we expressed an unqualified opinion on the financial statements of the governmental activities and major fund. The financial statements include prior year partial comparative information, which does not include all of the information required in a presentation in conformity with accounting principles generally accepted in the United States of America. Accordingly, such information should be read in conjunction with the Commission's financial statements for the year ended December 31, 2017, from which such information was derived.

**Other Reporting**

We have also issued our report dated May 9, 2019, on our consideration of the Commission's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance.

Johnson & Company, Ltd.

May 9, 2019



BASIC FINANCIAL STATEMENTS

Elm Creek Watershed Management Commission

Statement of Net Position and  
Governmental Fund Balance Sheet

As of December 31, 2018

(with Partial Comparative Actual Amounts as of December 31, 2017)

	<u>Governmental Activities</u>	
	<u>2018</u>	<u>2017</u>
Assets		
Cash and investments	\$ 1,204,595	\$ 959,050
Restricted cash	98,444	150,571
Due from local governments	15,167	10,262
	<u>15,167</u>	<u>10,262</u>
Total assets	<u>\$ 1,318,206</u>	<u>\$ 1,119,883</u>
Liabilities and Fund Balances/Net Position		
Liabilities		
Accounts payable	\$ 107,830	\$ 54,320
Financial and administrative guarantee fee deposits	30,000	150,571
Unearned revenue	68,444	-
Total liabilities	<u>206,274</u>	<u>204,891</u>
Fund balances/net position		
Restricted fund balances/net position		
Restricted for capital improvement projects	732,763	621,135
Restricted closed project funds	1,221	-
Total restricted fund balance/net position	<u>733,984</u>	<u>621,135</u>
Assigned fund balances/net position		
Assigned for capital projects, studies	175,297	143,832
Assigned for projects ineligible for ad valorem	50,000	-
Unrestricted/unassigned fund balances/net position	152,651	150,025
Total assigned or unrestricted fund balances/net position	<u>377,948</u>	<u>293,857</u>
Total fund balances/net position	<u>1,111,932</u>	<u>914,992</u>
Total liabilities and fund balances/net position	<u>\$ 1,318,206</u>	<u>\$ 1,119,883</u>

See notes to basic financial statements -3-



Elm Creek Watershed Management Commission  
 Statement of Activities and  
 Governmental Fund Revenues, Expenditures, and  
 Changes in Fund Balances/Net Position  
 Budget and Actual  
 Year Ended December 31, 2018  
 (with Partial Comparative Actual Amounts for the Year Ended December 31, 2017)

	Governmental Activities			
	2018		2017	
	Original and Final Budget	(Audited)	Over (Under)	(Audited)
<b>Revenue</b>				
<b>General</b>				
Member assessments	\$ 225,000	\$ 225,000	\$ -	\$ 219,700
Property taxes (ad valorem)	490,000	436,393	(53,607)	494,330
Charges for services - project and wetland review fees	90,000	79,488	(10,512)	85,114
Reimbursements	6,500	5,000	(1,500)	5,036
Grants	-	99,411	99,411	125,140
Interest income	1,000	18,381	17,381	5,921
<b>Total revenue</b>	<b>812,500</b>	<b>863,673</b>	<b>51,173</b>	<b>935,241</b>
<b>Expenditures</b>				
<b>Current</b>				
Administration	113,500	104,317	(9,183)	103,637
Education	21,500	13,443	(8,057)	21,336
Grant programs	-	27,631	27,631	212,076
Insurance	3,900	2,770	(1,130)	2,355
Professional fees	7,000	4,771	(2,229)	4,500
Technical support	107,000	145,916	38,916	111,571
Water monitoring	48,795	39,418	(9,377)	40,286
Watershed programs	108,750	-	(108,750)	668
Watershed plan	10,000	1,388	(8,612)	1,370
<b>Capital outlay</b>				
Improvement projects	490,000	327,079	(162,921)	6,244
<b>Total expenditures</b>	<b>910,445</b>	<b>666,733</b>	<b>(243,712)</b>	<b>504,043</b>
<b>Net change in fund balances/net position</b>	<b>\$ (97,945)</b>	<b>196,940</b>	<b>\$ 294,885</b>	<b>431,198</b>
<b>Net fund balances/net position</b>				
Beginning of year		914,992		483,794
End of year		<u>\$ 1,111,932</u>		<u>\$ 914,992</u>

See notes to basic financial statements

## Elm Creek Watershed Management Commission

Notes to Financial Statements  
December 31, 2018

## NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

**Organization**

The Elm Creek Watershed Management Commission is formed under a Joint Powers Agreement, as amended according to Minnesota Statutes Sections 103B.201 through 103B.255 and Minnesota Rules Chapter 8410 relating to Metropolitan Area Local Water Management and its reporting requirements. Elm Creek Watershed Management Commission was established in February, 1973 to protect and manage the natural resources of the Elm Creek Watershed.

The Commission is considered a governmental unit, but is not a component unit of any of its members. As a governmental unit, the Commission is exempt from federal and state income taxes.

**Reporting Entity**

A joint venture is a legal entity resulting from a contractual agreement that is owned, operated, or governed by two or more participants as a separate and specific activity subject to joint control, in which the participants retain either an ongoing financial interest or an ongoing financial responsibility. The Commission is considered a joint venture.

As required by accounting principles generally accepted in the United States of America, these financial statements include the Commission (the primary government) and its component units. Component units are legally separate entities for which the primary government is financially accountable, or for which the exclusion of the component unit would render the financial statements of the primary government misleading. The criteria used to determine if the primary government is financially accountable for a component unit include whether or not the primary government appoints the voting majority of the potential component's unit board, is able to impose its will on the potential component unit, is in a relationship of financial benefit or burden with the potential component unit, or is fiscally depended upon by the potential component unit. Based on these criteria, there are no component units required to be included in the Commission's financial statements.

**Government-Wide and Fund Financial Statement Presentation**

The government-wide financial statements (the Statement of Net Position and the Statement of Activities) report information about the reporting government as a whole. These statements include all the financial activities of the Commission. The Statement of Activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, and grants or contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Other internally directed revenues are reported instead as general revenues.

Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

**NOTE 1 - SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Measurement Focus, Basis of Accounting and Financial Statement Presentation**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Commission considers revenue to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

**Fund Financial Statement Presentation**

The accounts of the Commission are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenue, and expenditures. Resources are allocated to, and accounted for in individual funds based on the purposes for which they are to be spent and the means by which spending activities are controlled. The resources of the Commission are accounted for in one major fund:

- **General Fund (Governmental Fund Type)** - This fund is used to receive dues and miscellaneous items which may be disbursed for any and all purposes authorized by the bylaws of the Commission.

Typically, separate fund financial statements are provided for Governmental Funds. However, due to the simplicity of the Commission's operation, the Governmental Fund financial statements have been combined with the government-wide statements.

**Budgets**

The amounts shown in the financial statements as "budget" represent the budget amounts based on the modified accrual basis of accounting. A budget for the General Fund is adopted annually by the Commission. Appropriations lapse at year-end. Budgetary control is at the fund level.

**Use of Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.



Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

**NOTE 1 - SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Members' Contributions**

Members' contributions are calculated based on the member's share of the taxable market value of all real property within the watershed to the total market value of all real property in the watershed.

**Capital assets**

The Commission follows the policy of expensing any supplies or small equipment at the time of purchase. The Commission currently has no capitalized assets.

**Risk Management**

The Commission is exposed to various risks of loss related to torts: theft of, damage to, and destruction of assets; error and omissions; and natural disasters. The Commission participates in the League of Minnesota Cities Insurance Trust (LMCIT), a public entity risk pool for its general property, casualty, and other miscellaneous insurance coverages. LMCIT operates as a common risk management and insurance program for a large number of cities in Minnesota. The Commission pays an annual premium to LMCIT for insurance coverage. The LMCIT agreement provides that the trust will be self-sustaining through member premiums and will reinsure through commercial companies for claims in excess of certain limits. Settled claims have not exceeded this commercial coverage in any of the past three years. There were no significant reductions in insurance coverage during the year ended December 31, 2018.

**Receivables**

The Commission utilizes an allowance for uncollectible accounts to value its receivables; however, it considers all of its receivables to be collectible as of December 31, 2018 and 2017.

**Net Position**

In the government-wide financial statements, net position represents the difference between assets, deferred outflows of resources, liabilities, and deferred inflows of resources. Net position is displayed in three components:

**Net Investment in Capital Assets** - Consists of capital assets, net of accumulated depreciation, reduced by any outstanding debt attributable to acquire capital assets.

**Restricted Net Position** - Consists of net position restricted when there are limitations imposed on their use through external restrictions imposed by creditors, grantors, or laws or regulations of other governments.

**Unrestricted Net Position** - All other net position that do not meet the definition of "restricted" or "net investment in capital assets."

The Commission applies restricted resources first when an expense is incurred for which both restricted and unrestricted resources are available.

Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

**NOTE 1 - SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**Prior Period Comparative Financial Information/Reclassification**

The basic financial statements include certain prior year partial comparative information in total but not at the level of detail required for a presentation in conformity with accounting principles generally accepted in the United States of America. Accordingly, such information should be read in conjunction with the Commission's financial statements for the year ended December 31, 2017, from which the summarized information was derived. Also, certain amounts presented in the prior year data may have been reclassified in order to be consistent with the current year's presentation.

**Unearned Revenue**

The Commission recognizes grant revenue as it becomes eligible to receive the grant. If the grant has restrictions that have not been satisfied, the revenue is deferred until the Commission has satisfied them.

In 2017, the Commission was awarded a grant of \$200,000 from the Board of Water and Soil Resources to fund the Fish Lake Internal Phosphorus Loading Control project. As of December 31, 2018, the Commission held \$1,201 of unearned grant revenue.

In 2018, the Commission was awarded a grant of \$134,486 from the Board of Water and Soil Resources to fund the Elm Creek Restoration Phase IV project. As of December 31, 2018, the Commission held \$67,243 of unearned grant revenue.

Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

**NOTE 2 - ASSETS, LIABILITIES AND NET POSITION**

**Deposits**

In accordance with applicable Minnesota Statutes, the Commission maintains a checking account authorized by the Commission.

The following is considered the most significant risk associated with deposits:

**Custodial Credit Risk** - In the case of deposits, this is the risk that in the event of a bank failure, the Commission's deposits may be lost.

Minnesota Statutes require that all deposits be protected by federal deposit insurance, corporate surety bond, or collateral. The market value of collateral pledged must equal 110 percent of the deposits not covered by federal deposit insurance or corporate surety bonds. Authorized collateral includes treasury bills, notes, and bonds; issues of U.S. government agencies; general obligations rated "A" or better; revenue obligations rated "AA" or better; irrevocable standard letters of credit issued by the Federal Home Loan Bank; and certificates of deposit. Minnesota Statutes require that securities pledged as collateral be held in safekeeping in a restricted account at the Federal Reserve Bank or in an account at a trust department of a commercial bank or other financial institution that is not owned or controlled by the financial institution furnishing the collateral. The Commission has no additional deposit policies addressing custodial credit risk.

At year-end, the Commission had no funds held in its bank account. All funds were transferred to their MBIA investment account. (see below)

**Investments**

At December 31, 2018 and 2017, the Commission held \$1,303,039 and \$1,109,621 (approximate cost and fair market value), respectively, in investments with MBIA in Minnesota 4M Holdings.

The 4M fund is an external investment pool not registered with the Securities Exchange Commission (SEC) that follows the same regulatory rules of the SEC under rule 2a7. The 4M Fund is a customized cash management and investment program for Minnesota public funds that is allowable under Minnesota Statutes. The fair value of the position in the pool is the same as the value of the pool shares.



Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

NOTE 2 - ASSETS, LIABILITIES AND NET POSITION (CONTINUED)

Investments are subject to various risks, the following of which are considered the most significant:

**Custodial Credit Risk** - For investments, this is the risk that in the event of a failure of the counterparty to an investment transaction (typically a broker-dealer) the Commission would not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. The Commission does not have a formal investment policy addressing this risk, but typically limits its exposure by purchasing insured or registered investments, or by the control of who holds the securities.

**Credit Risk** - This is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. Minnesota Statutes limit the Commission's investments to direct obligations or obligations guaranteed by the United States or its agencies; shares of investment companies registered under the Federal Investment Company Act of 1940 that receive the highest credit rating, are rated in one of the two highest rating categories by a statistical rating agency, and all of the investments have a final maturity of 13 months or less; general obligations rated "A" or better; revenue obligations rated "AA" or better; general obligations of the Minnesota Housing Finance Agency rated "A" or better; bankers' acceptances of United States banks eligible for purchase by the Federal Reserve System; commercial paper issued by United States corporations or their Canadian subsidiaries, rated of the highest quality category by at least two nationally recognized rating agencies, and maturing in 270 days or less; Guaranteed Investment Contracts guaranteed by a United States commercial bank, domestic branch of a foreign bank, or a United States insurance company, and with a credit quality in one of the top two highest categories; repurchase or reverse purchase agreements and securities lending agreements with financial institutions qualified as a "depository" by the government entity, with banks that are members of the Federal Reserve System with capitalization exceeding \$10,000,000; that are a primary reporting dealer in U.S. government securities to the Federal Reserve Bank of New York; or certain Minnesota securities broker-dealers. The Commission's investment policies do not further address credit risk.

**Concentration Risk** - This is the risk associated with investing a significant portion of the Commission's investment (considered 5 percent or more) in the securities of a single issuer, excluding U.S. guaranteed investments (such as treasuries), investment pools, and mutual funds. The Commission does not have an investment policy limiting the concentration of investments.

**Interest Rate Risk** - This is the risk of potential variability in the fair value of fixed rate investments resulting from changes in interest rates (the longer the period for which an interest rate is fixed, the greater the risk). The Commission does not have an investment policy limiting the duration of investments.

Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

**NOTE 2 - ASSETS, LIABILITIES AND NET POSITION (CONTINUED)**

**Guarantee Fee Deposits**

The financial and administrative guarantee fee deposits payable are received as guarantee that the mitigation will perform as required. Upon completion, and if the project meets the qualified plan requirements, these financial guarantees are refunded.

**NOTE 3 - FUND BALANCE CLASSIFICATION**

The following fund balance classifications describe the relative strength of the spending constraints placed on the purposes for which resources can be used:

- **Nonspendable** - amounts that are not in a spendable form (such as inventory) or are required to be maintained intact;
- **Restricted** - amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation;
- **Committed** - amounts constrained to specific purposes by a government itself, using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest level action to remove or change the constraint;
- **Assigned** - amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority;
- **Unassigned** - amounts that are available for any purpose; these amounts are reported only in the general fund.

The Commission establishes (and modifies or rescinds) fund balance commitments by passage of an ordinance or resolution. This is typically done through adoption and amendment of the budget. A fund balance commitment is further indicated in the budget document as a designation or commitment of the fund. Assigned fund balance is established by the Commission through adoption or amendment of the budget as intended for specific purpose.

**NOTE 4 - COMMITMENTS AND CONTRACTS**

**Minnesota Pollution Control Agency (MPCA) - Watershed-wide TMDL Project**

During 2009, the MPCA contracted the Commission to conduct a water monitoring program of the Elm Creek watershed for a cost not to exceed \$35,000. This contract was amended four times to add additional funds of \$148,000 for phase II, \$100,000 for phase III, \$109,995 for phase IV, \$16,500 for phase V and \$58,495 for phase VI. Total cost to the MPCA not to exceed \$467,990. The Commission has contracted Three Rivers Park District to perform the services in conjunction with this project. The Commission incurred expenses of \$668 during the year ended December 31, 2017. This project was finalized and approved during 2017.

Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

NOTE 4 - COMMITMENTS AND CONTRACTS (CONTINUED)

Restricted fund balance - capital improvement projects

For the year 2015, the Commission received \$68,870 from tax levies that is to be used for the Tower Drive improvement project. As of December 31, 2018, the city of Medina has yet to complete the project. The Commission will hold the remaining funds of \$66,881 (less administrative costs) until completion.

For the year 2015, the Commission received \$62,652 from tax levies that is to be used for the Elm Creek Dam rehabilitation project. As of December 31, 2018, the Commission had expended all of the tax levies and the project was substantially complete.

For the year 2017, the Commission received \$80,255 from tax levies that is to be used for the Fox Creek Stream Bank Stabilization Phase Two Project. As of December 31, 2018, the City of Rogers has yet to complete the project. The Commission will hold the remaining funds of \$80,149 (less administrative costs) until completion.

For the year 2017, the Commission received \$74,929 from tax levies that is to be used for the Mississippi River Shoreline Repair and Stabilization Project. As of December 31, 2018, the Commission had expended all of the tax levies and the project was substantially complete.

For the year 2017, the Commission received \$187,500 from tax levies that is to be used for the Elm Creek Dam Rehabilitation Project. As of December 31, 2018, the Commission had expended all of the tax levies and the project was substantially complete.

For the year 2017, the Commission received \$74,951 from tax levies that is to be used for the Rush Creek Main Restoration Project. As of December 31, 2018, the City of Maple Grove has yet to complete the project. The Commission will hold the remaining funds of \$74,845 (less administrative costs) until completion.

For the year 2017, the Commission received \$74,951 from tax levies that is to be used for the Fish Lake Aluminum Treatment Project. As of December 31, 2018, the City of Maple Grove has yet to complete the project. The Commission will hold the remaining funds of \$74,845 (less administrative costs) until completion.

For the year 2018, the Commission received \$112,347 from tax levies that is to be used for the Fox Creek Phase Three Stabilization Project. As of December 31, 2018, the City of Rogers has yet to complete the project. The Commission will hold the remaining funds of \$112,211 (less administrative costs) until completion.

For the year 2018, the Commission received \$249,664 from tax levies that is to be used for the Mill Pond Fishery Restoration Project. As of December 31, 2018, the City of Champlin has yet to complete the project. The Commission will hold the remaining funds of \$249,528 (less administrative costs) until completion.



Elm Creek Watershed Management Commission  
Notes to Financial Statements (continued)  
December 31, 2018

**NOTE 4 - COMMITMENTS AND CONTRACTS (CONTINUED)**

**Restricted fund balance - capital improvement projects (continued)**

For the year 2018, the Commission received \$74,900 from tax levies that is to be used for the Rain Garden at Independence Avenue Project. As of December 31, 2018, the City of Champlin has yet to complete the project. The Commission will hold the remaining funds of \$74,764 (less administrative costs) until completion.

**Grants**

**Fish Lake Internal Phosphorus Loading Control Project**

During 2017, the State of Minnesota Board of Water and Soil Resources (BWSR) awarded \$200,000 to the Commission for the Fish Lake Internal Phosphorus Loading Control Project. The project is expected to cost \$300,000. The Commission is to provide \$75,000, the Three Rivers Park District is to provide \$8,000 and the Maple Grove Fish Lake Area Residents Association is to provide \$17,000 of the remaining costs associated with the project.

During 2018 and 2017, the Commission received \$80,000 and \$100,000, respectively, from BWSR and incurred costs of \$344 and \$178,455, respectively.

**Rush Creek Headwaters Subwatersheds Assessment Project**

During 2017, BWSR awarded \$50,280 to the Commission for the Rush Creek Headwaters Subwatersheds Assessment Project. The project is expected to cost \$62,850. The Commission is to provide \$12,070 and the City of Corcoran is to provide \$500 of the remaining costs associated with the project.

During 2018 and 2017, the Commission received \$20,612 and \$25,140, respectively, from BWSR and incurred costs of \$27,286 and \$33,320, respectively.

**Floodplain Modeling Project**

During 2018, the Commissioner of Natural Resources awarded the Commission a cost reimbursement grant of up to \$92,773. The grant is for updates to the Special Flood Hazard Areas shown on the FEMA Floodplain maps that are located within the watershed. The total project costs are budgeted for \$92,773 with no match required by the Commission.

During 2018, the Commission incurred \$7,027 of direct project costs.

**Watershed Based Funding Grant**

During 2018, BWSR awarded \$134,486 to the Commission for streambank and shoreline restoration and protection on Elm Creek. Total project costs are expected to be \$584,486. The Commission is to provide \$150,000 via the 2020 levy and the City of Champlin is to provide \$300,000.

During 2018, the Commission received \$67,243 of the grant and incurred zero costs.

Elm Creek Watershed Management Commission  
 Notes to Financial Statements (continued)  
 December 31, 2018

NOTE 5 - MEMBERS' ASSESSMENTS

Dues received from members were as follows:

	For Year Ended December 31			
	2018		2017	
	Amount	Percentage	Amount	Percentage
Champlin	\$ 8,594	3.82 %	\$ 8,458	3.85 %
Corcoran	14,664	6.52	14,624	6.66
Dayton	11,126	4.94	10,333	4.70
Maple Grove	116,690	51.86	116,455	53.01
Medina	18,777	8.35	18,362	8.36
Plymouth	21,898	9.73	18,664	8.50
Rogers	33,251	14.77	32,804	14.92
Total	<u>\$ 225,000</u>	<u>100.00 %</u>	<u>\$ 219,700</u>	<u>100.00 %</u>

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OTHER REQUIRED REPORTS



**JOHNSON & COMPANY, Ltd.**

Certified Public Accountants

Thomas J. Opliz, CPA, CVA  
 Bridget K. McKelvey, CPA, MBT, CVA  
 Thomas D. Johnson, CPA  
 Thomas A. Barber, CPA

MEMBER  
 American Institute of Certified Public Accountants  
 Minnesota Society of Certified Public Accountants  
 Private Companies Practice Section of  
 American Institute of Certified Public Accountants

Dwaine C. Johnson (Retired)  
 Lisa M. Roden, CPA, MST  
 Brad R. Cohrs, CPA

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER  
 FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS**

Board of Directors  
 Elm Creek Watershed Management Commission  
 Plymouth, MN

We have audited, in accordance with the auditing standards generally accepted in the United States of America, the financial statements of the governmental activities and the major fund of the Elm Creek Watershed Management Commission (the Commission) as of and for the year ended December 31, 2018, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements, and have issued our report thereon dated May 9, 2019.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Commission's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Commission's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that material misstatement of the financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined above. However, material weaknesses may exist that have not been identified. We did identify the following deficiencies in internal control that we consider to be significant deficiencies:

Because of the limited size of your office staff, your organization has limited segregation of duties. A good system of internal accounting control contemplates an adequate segregation of duties so that no one individual handles a transaction from inception to completion. While we recognize that your organization is not large enough to permit an adequate segregation of duties in all respects, it is important that you be aware of the condition.

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3255 FERNBROOK LANE N., MINNEAPOLIS, MN 55447 (952) 525-9500 FAX (952) 525-0301

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Commission's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. Accordingly, this communication is not suitable for any other purpose.

Johnson & Company, Ltd

May 9, 2019

**JOHNSON & COMPANY, Ltd.**

Certified Public Accountants

Thomas J. Opltz, CPA, CVA  
 Bridget K. McKelvey, CPA, MBT, CVA  
 Thomas D. Johnson, CPA  
 Thomas A. Barber, CPA

MEMBER  
 American Institute of Certified Public Accountants  
 Minnesota Society of Certified Public Accountants  
 Private Companies Practice Section of  
 American Institute of Certified Public Accountants

Dwaine C. Johnson (Retired)  
 Lisa M. Roden, CPA, MST  
 Brad R. Cohrs, CPA

INDEPENDENT AUDITORS' REPORT ON  
 MINNESOTA LEGAL COMPLIANCE

Board of Directors  
 Elm Creek Watershed Management Commission  
 Plymouth, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America, the financial statements of the governmental activities and major fund of the Elm Creek Watershed Management Commission (the Commission) as of and for the year ended December 31, 2018, and the related notes to the financial statements, which collectively comprise the Commission's basic financial statements, and have issued our report thereon dated May 9, 2019.

MINNESOTA LEGAL COMPLIANCE

The *Minnesota Legal Compliance Audit Guide for Other Political Subdivisions*, promulgated by the State Auditor pursuant to Minn. Stat. 6.65, contains six categories of compliance to be tested: contracting and bidding, deposits and investments, conflicts of interest, claims and disbursements, miscellaneous provisions, and tax increment financing. Our audit considered all of the applicable listed categories, except that we did not test for compliance in tax increment financing, because the Commission does not utilize tax increment financing.

In connection with our audit, nothing came to our attention that caused us to believe that the Commission failed to comply with the provisions of the *Minnesota Legal Compliance Audit Guide for Other Political Subdivisions*. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the Commission's noncompliance with the above referenced provisions.

PURPOSE OF THIS REPORT

This report is intended solely for the information and use of those charged with governance and management of the Elm Creek Watershed Management Commission and the State Auditor and is not intended to be and should not be used by anyone other than these specified parties.

*Johnson & Company, Ltd.*

May 9, 2019

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3255 FERNBROOK LANE N., MINNEAPOLIS, MN 55447 (952) 525-9500 FAX (952) 525-0301



## PROJECTED 2020 WORK PLAN

### TECHNICAL

- Continue to review local development/redevelopment plans for conformance with the standards outlined in the Commission's Third Generation Watershed Management Plan. Review the current project review fee schedule for fiscal conformity
- Continue to update the Special Flood Hazard Areas on the FEMA Floodplain maps located within the watershed into current modeling packages. The term of the contract extends through the end of year 2020.

### MONITORING

- Continue to partner with the Three Rivers Park District (TRPD) to share in the costs of conducting lake and stream monitoring in the watershed. Under a five-year cooperative agreement approved in 2018 TRPD will be responsible for monitoring three of twelve sampling stations every year for continuous flow and monitor water quality nutrient data upon request from the Commission. TRPD will also be responsible for monitoring four of fifteen lakes in the Elm Creek watershed annually plus other specific lakes that have been approved for monitoring by the Commission. In addition, under the cooperative agreement, the Commission and the Park District will provide financial support to assist the monitoring efforts of the USGS stream gauging station on Elm Creek within the Elm Creek Park Reserve.
- Fund the monitoring of one lake through Metropolitan Council's Citizen Assisted Monitoring Program (CAMP). Teal Lake in Maple Grove has been chosen as the lake to be monitored through CAMP. Teal Lake Conservation Association members will perform the monitoring.
- Continue to operate the monitoring station in Champlin in cooperation with the United States Geological Survey (USGS).
- Participate in the Minnesota Wetland Health Evaluation Program (WHEP) with four wetlands in 2020.

### EDUCATION AND PUBLIC OUTREACH

- Promote river stewardship through Hennepin County's RiverWatch program with three sites in 2020.
- Continue as a member of the West Metro Water Alliance (WMWA).
- Sponsor Rain Garden Workshops as part of the Commission's Education and Public Outreach Program. The workshops are presented by Metro Blooms. Champlin will host a Resilient Yard Workshop including the Lawns to Legumes program in 2020.
- Continue as a member of Blue Thumb and WaterShed Partners and a partner in the NEMO (Nonpoint Education for Municipal Officials) program.

- Promote “Lawns to Legumes,” a program for residents to seed their lawns with a bee lawn mix, targeting habitat for the Rusty-patched bumblebee, an endangered species. The Board of Water and Soil Resources (BWSR) will run the program with funding coming to Hennepin County serving as a Conservation District.
- Continue to work in partnership with the University of Minnesota’s agriculture specialist to help build relationships with the agricultural community in the watershed in order to achieve TMDL load reductions.
- Continue to populate and maintain the Commission’s website [www.elmcreekwatershed.org](http://www.elmcreekwatershed.org) to provide news to residents, students, developers and other individuals interested in the water resources of the watershed.

### PROJECTS AND CAPITAL IMPROVEMENTS

- Send call out to member cities, requesting them to provide updates to the projects already included on the Commission’s Capital Improvement Program (CIP) as well as inform the Commission of new projects that they would like to have considered for inclusion on the CIP. Hold public meeting, adopt amendment to the Third Generation Watershed Management Plan.
- Continue to support City-sponsored projects using the ad valorem funding mechanism. Conduct public hearing for identified projects and certify levy to Hennepin County.
- For the 2020-2021 biennium of the Watershed-Based funding program BWSR decided to allocate the funds based on major watershed divides. Elm Creek is in the Mississippi West Major Watershed (MWW) which will be allocated \$874,153. A partnership must be developed consisting of at least one representative from each watershed district, watershed management organization, soil and water conservation district, county and at least two municipalities within the MWW. The partnership will coordinate development of a watershed-based budget for submittal to BWSR for approval. Funds will become available July 1, 2020. Grants from these funds expire December 31, 2023.
- Work with the Hennepin County Rural Conservation Specialist. Assist landowners in identifying BMPs for implementation as part of approved subwatershed assessments.
  - Undertake high priority projects identified in the Rush Creek Headwaters Subwatershed Assessment. Proposed activities could include grassed waterways, alternate/closed tile intakes, manure management projects, grazing plans and exclusion fencing.
  - Support the City of Maple Grove and its partners as they undertake a subwatershed assessment for Weaver Lake.
  - Support the City of Corcoran and its partners as they undertake a subwatershed assessment for the South Fork of Rush Creek. A small portion of the South Fork also flows through the cities of Maple Grove and Medina.
  - Support the City of Dayton and its partners to continue efforts for completion of the Diamond Lake subwatershed assessment.

- Minnesota's New Buffer Initiative requires public waters in the state - lakes, rivers and streams - to be surrounded by vegetated buffers 50-feet wide (on average) and public ditches to have 16.5-foot wide buffers. In 2020 buffer reviews will be completed for Champlin, Dayton, Maple Grove, and Plymouth.

### **Administrative**

- Conduct the biennial solicitation of interest proposals for administrative, legal, technical and wetland consultants. This process will be repeated in January 2021.
- Adopt a 2021 operating budget.
- Publish an annual activity report summarizing the Commission's yearly activities and financial reporting.



### 2019 Project Reviews

Reviewed for Rules\*

Project Number	Project Name	City	D	E	F	G	H	I
2017-050W	Ernie Mayers access drive (Wetland Violation)	Corcoran						
2018-053	Elm Creek Stream Restoration Project (	Champlin						
2019-001	Fernbrook View Apartments	Maple Grove						
2019-002	Parkside Villas	Champlin						
2017-050W	Ernie Mayers access drive (Wetland Violation)	Corcoran						
2019-003	Rogers High School Tennis Court	Rogers						
2019-004	Rogers Middle School Chiller Units	Rogers						
2019-005	I-94 UBOL (Internal Review)	Rogers						
2019-006	Hickory Drive Street & Utility Improvement	Medina						
2018-053	Elm Creek Stream Restoration Project	Champlin						
2019-007	Westin Ridge	Plymouth						
2019-008	Residences on Elm Creek	Medina						
2019-009	Beacon Ridge	Plymouth						
2019-010	Hindu Temple Solar Array Installation	Maple Grove						
2019-011	Ravinia 11th Addition	Corcoran						
2019-012	Brockton Lane Reconstruction Project	Plymouth						
2019-013	Boston Scientific Parking Expansion	Maple Grove						
2019-014	Bellwether 2 <sup>nd</sup> Addition (Encore 2018-032)	Corcoran						
2019-015	Timbers Edge	Plymouth						
2019-016	Rogers Retail Development	Rogers						
2019-017	French Lake Industrial Center - Liberty Trust	Dayton						
2019-018	Peony Lane N Trailhead	Plymouth						
2019-019	Primrose School of Rogers	Rogers						
2019-020	CSAH 50 and CSAH 10 Culvert Replacement	Corcoran						
2019-021	Brenly Meadows	Rogers						
2019-022	Comlink Midwest (CML Holdings LLC)	Corcoran						
2019-023	99th Avenue Apartments	Maple Grove						
2019-024	Boston Scientific Weaver Lake Rd Bldg 2 East Addn	Maple Grove						
2019-025	Dayton Parkway Interchange	Dayton						
2019-026	Interstate Power Systems	Rogers						
2019-027	Havenwood of Maple Grove	Maple Grove						
2019-028	Howell Meadows	Maple Grove						
2019-029	South Prominence	Maple Grove						
2019-030	Rolling Hills Acres	Corcoran						
2019-031	Hassan Sand & Gravel, Inc. - Zachman Property	Rogers						
2019-032	OSI, Inc. Corporate Headquarters Addition	Medina						

- \*Rule D – Stormwater
- Rule E – Erosion Control
- Rule F – Floodplain
- Rule G - Wetlands
- Rule H – Bridge, Culvert Crossing
- Rule I - Buffers

### 2019 Project Reviews

Project Number	Rate Control (cfs) (pre- and post-development)			Net Change Nutrient Control (lbs./yr) (pre- and post- development)		Net Change			
	2-yr pre   post	10-yr pre   post	100-yr pre   post	TP load #/yr reduction	TSS load #/yr reduction	Runoff volume (AF/yr)	Abstraction (CF)	Filtration/ biofiltration (CF)	Comments/ notes
2017-050W									
2018-053									
2019-001									
2019-002									
2017-050W									
2019-003									
2019-004									
2019-005									
2019-006									
2018-053									
2019-007									
2019-008									
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2019-026									
2019-027									
2019-028									
2019-029									
2019-030									
2019-031									
2019-032									

**2019 Stream Monitoring**  
**Three Rivers Park District**



**2019 Stream Monitoring**  
**United States Geological Survey**

## 2019 Lakes Monitoring

## 2019 Wetland Monitoring



## 2019 RiverWatch

## 2019 Education and Public Outreach

**RESOLUTION NO. 2019-01**

**REGARDING THE ROLE  
OF THE ELM CREEK WATERSHED MANAGEMENT COMMISSION  
AS THE LOCAL GOVERNMENT UNIT  
TO ADMINISTER THE WETLAND CONSERVATION ACT OF 1991**

**WHEREAS**, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local government units (LGUs) to implement the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

**WHEREAS**, the WCA and Minnesota Rule Chapter 8420 authorizes a city to contract with and delegate to a watershed management organization local government unit responsibilities; and

**WHEREAS**, by Resolution 1993-124, the City of Corcoran (City) designated the Elm Creek Watershed Management Commission (Commission) to serve as its Local Government Unit; and

**WHEREAS**, on December 13, 2017, the Commission voted to invoice back to the member cities all future costs for WCA LGU activities performed by the Commission where the Commission is designated as the LGU for said communities; and


**WHEREAS**, it is the intention of the Commission and the City that effective March 1, 2019, the City will re-assume primary LGU responsibilities under the WCA and no longer delegate that primary role to the Commission, with the exception identified in paragraph 2 below, and the Commission will continue to provide the City with technical and support services as customarily provided to member communities

**NOW, THEREFORE BE IT RESOLVED**, by the Elm Creek Watershed Management Commission, as follows:


1. Effective March 1, 2019, the Commission will continue to provide watershed and transitional wetland services to the City at no cost to the City.
2. Effective March 1, 2019, the Commission will continue to provide services to the City for wetland replacement monitoring for the Ravinia Development as approved by the Commission under project 2016-005W.
3. Effective March 1, 2019, the City will assume LGU responsibilities for the Ernie Mayers wetland violation and wetland replacement plan as reviewed by the Commission under project 2017-050W with transitional technical support provided by Commission staff.
4. The City will reimburse the Commission for LGU expenses incurred by the Commission on the City's behalf between January 1 and March 1, 2019.



Adopted by the Commissioners of the Elm Creek Watershed Management Commission the thirteenth day of February, 2019.

  
\_\_\_\_\_  
DOUG BRINAS, Chairman

Attest:

  
\_\_\_\_\_  
JUDIE A. ANDERSON, Administrator

**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

I, Judie A. Anderson, do hereby certify that I am the custodian of the minutes of all proceedings had and held by the Board of the Elm Creek Watershed Management Commission, that I have compared the above resolution with the original passed and adopted by the Board of said Commission at a regular meeting thereof held on the thirteenth day of February, 2019, at 11:30 a.m., that the above constitutes a true and correct copy thereof, that the same has not been amended or rescinded and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this thirteenth day of February, 2019.

  
\_\_\_\_\_  
Judie A. Anderson

(NO SEAL)

ELM CREEK WATERSHED MANAGEMENT COMMISSION  
STATE OF MINNESOTA

**RESOLUTION NO. 2019-02**

**ADOPTING A MINOR AMENDMENT TO THE THIRD GENERATION PLAN**

**WHEREAS**, on October 14, 2015, the Elm Creek Watershed Management Commission (Commission) adopted the *Elm Creek Watershed Management Commission Third Generation Watershed Management Plan*, (hereinafter, "Plan"); and

**WHEREAS**, the Plan includes a Capital Improvement Program (CIP); and

**WHEREAS**, the Commission has proposed a Minor Plan Amendment that would add three projects to the CIP; and

**WHEREAS**, the Commission has also proposed that the Minor Plan Amendment would remove one project from the CIP; and

**WHEREAS**, the Commission has also proposed that the Minor Plan Amendment would shift the timing or funding of six projects currently listed on the CIP; and

**WHEREAS**, Table 4.5 of the Capital Improvement Program will be revised to reflect these changes; and

**WHEREAS**, the proposed Minor Plan Amendment has been reviewed in accordance with the requirements of Minnesota Statutes, Section 103B.231; and

**WHEREAS**, on May 1, 2019, the Minnesota Board of Water and Soil Resources did approve proceeding to adoption by a Minor Plan Amendment; and

**WHEREAS**, on May 8, 2019, after legal and written notice duly given, the Commission held a public informational meeting to explain the proposed revisions; and

**WHEREAS**, the Commission has determined that it would be reasonable and appropriate and in the public interest to adopt the Minor Plan Amendment;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Elm Creek Watershed Management Commission that:

1. The Minor Plan Amendment is approved and adopted contingent upon approval by the Hennepin County Board of Commissioners, said approval anticipated forthwith.

2. Commission staff is directed to notify appropriate parties of the Amendment to the Plan.

Adopted by the Board of Commissioners of the Elm Creek Watershed Management Commission this eighth day of May, 2019.

  
\_\_\_\_\_  
Doug Baines, Chair


ATTEST:

  
\_\_\_\_\_  
Judie Anderson, Recording Secretary

**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

I, Judie A. Anderson, do hereby certify that I am the custodian of the minutes of all proceedings had and held by the Board of the Elm Creek Watershed Management Commission, that I have compared the above resolution with the original passed and adopted by the Board of said Commission at a regular meeting thereof held on the eighth day of May, 2019, at 11:30 a.m., that the above constitutes a true and correct copy thereof, that the same has not been amended or rescinded and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this eighth day of May, 2019.

  
\_\_\_\_\_  
Judie A. Anderson  
Recording Secretary

(NO SEAL)

ELM CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION NO. 2019-03

ORDERING 2019 IMPROVEMENT PROJECTS, DESIGNATING  
MEMBERS RESPONSIBLE FOR CONSTRUCTION, AND MAKING  
FINDINGS AND DESIGNATING COMMISSION COST-SHARE FUNDING

**WHEREAS**, on October 14, 2015, the Elm Creek Watershed Management Commission (Commission) adopted the *Elm Creek Watershed Management Commission Third Generation Watershed Management Plan*, (hereinafter, "Plan"); and

**WHEREAS**, the Plan includes a Capital Improvement Program (CIP); and

**WHEREAS**, on May 10, 2017, the Commission adopted a Minor Plan amendment that added two projects to the CIP, removed one project from the CIP, and shifted the timing of funding of four projects currently listed on the CIP; and

**WHEREAS**, on May 9, 2018, the Commission adopted a Minor Plan amendment that added eight projects to the CIP and shifted the timing of funding of one project currently listed on the CIP; and

**WHEREAS**, on May 8, 2019, the Commission adopted a Minor Plan amendment that added three projects to the CIP, removed one project from the CIP, and shifted the timing or funding of six projects currently listed on the CIP; and

**WHEREAS**, the Commission's Cost Share Policy, adopted April 11, 2012, specifies a county tax levy under Minn. Stat. § 103B.251 as a source of the Commission's share of funding for projects proposed in the Commission's CIP; and

**WHEREAS**, on April 10, 2019, the Commission received Feasibility Studies on Project 2019-01: Rush Creek Main Stem Stream Stabilization Phase 3, Maple Grove; Project 2019-02: Ranchview Wetland Restoration, Maple Grove (*withdrawn*); Project 2019-03: Agricultural BMPs Cost Share, watershedwide (*withdrawn*); 2019-04: Hickory Drive Stormwater Improvement, Medina; 2019-05: Downtown Regional Stormwater Pond, Corcoran, and Project 2019-06: Elm Creek Stream Restoration Phase IV, Champlin, (the "Projects"); and

**WHEREAS**, on September 11, 2019, following published and mailed notice in accordance with the Commission's Joint Powers Agreement and Minnesota Statutes Section 103B.251, the Commission conducted a public hearing on the Projects.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Elm Creek Watershed Management Commission as follows:

1. The Projects will be conducive to the public health and promote the general welfare and is in compliance with Minnesota Statutes Sections 103B.205 to 103B.255 (the "Act") and with the Commission's surface water management plan as adopted and amended in accordance with the Act.
2. The cost of the Projects is estimated to be \$2,663,830.



3. The Commission receives, accepts and approves the feasibility reports for the Projects, which Projects are hereby ordered.

4. Twenty-five percent of the final cost of the Projects, but not more than ~~\$427,701~~ <sup>\$295,138</sup>, will be paid by the Commission from proceeds received from Hennepin County pursuant to Minnesota Statutes, Section 103B.251, Subd. 6, and the Commission's Joint Powers Agreement. Additional costs will be paid by the respective cities wherein the projects reside, but no costs will be charged to other members of the Commission. The Commission understands that the County may pay such costs with taxes levied in 2019 and paid in 2020. The Administrator is directed to transmit a certified copy of this resolution to Hennepin County prior to October 1, 2019. +


*DB 9/11/19  
1a*

5. The cities wherein the projects reside are designated as the members responsible for contracting for the construction of Projects. Contracts for construction shall be let in accordance with the requirements of law applicable to said cities. The Cooperative Agreements for the Projects between the Commission and the cities of Champlin, Corcoran, Maple Grove, and Medina are approved and the Chair and Administrator are authorized and directed to execute the agreements.

Adopted by the Commissioners of the Elm Creek Watershed Management Commission the eleventh day of September, 2019.

  
\_\_\_\_\_  
Doug Baines, Chair

ATTEST:

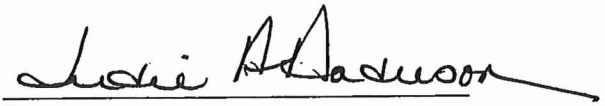
  
\_\_\_\_\_  
Judie A. Anderson, Administrator

(NO SEAL)

**STATE OF MINNESOTA  
COUNTY OF HENNEPIN**

I, Judie A. Anderson, do hereby certify that I am the custodian of the minutes of all proceedings had and held by the Board of the Elm Creek Watershed Management Commission, that I have compared the above resolution with the original passed and adopted by the Board of said Commission at a regular meeting thereof held on the eleventh day of September, 2019, at 11:30 a.m., that the above constitutes a true and correct copy thereof, that the same has not been amended or rescinded and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto placed my hand and signature this eleventh day of September, 2019.

  
\_\_\_\_\_  
Judie A. Anderson  
Recording Secretary

(NO SEAL)