

elm creek Watershed Management Commission

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

July 5, 2023

Representatives **and** Members
Elm Creek Watershed Management
Commission Hennepin County, MN

*The meeting packets for these meetings may
be found on the Commission's website:*
[http://www.elmcreekwatershed.org/minutes--
meeting-packets.html](http://www.elmcreekwatershed.org/minutes--meeting-packets.html)

A regular meeting of the Elm Creek Watershed Management Commission will be held on
Wednesday, July 12, 2023, at 11:30 a.m. in the Plymouth Community Center, 14800 34th Avenue
North, Plymouth MN.

The Technical Advisory Committee (TAC) will meet prior to the meeting, at 10:00 a.m.

Please email me at judie@jass.biz to confirm whether you or your Alternate will be attending the
regular meeting.

Thank you.



Judie A. Anderson
Administrator
JAA:tim

Encls: Meeting Packet

cc:	Alternates	Erik Megow	James Kujawa	Rebecca Carlson	Ed Matthiesen
	TAC Members	Karen Galles	Kris Guentzel	Kevin Ellis	Diane Spector
	City Clerks	Brian Vlach	BWSR	Met Council	MPCA
	Official Newspaper		DNR		

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AGENDA Regular Meeting July 12, 2023

The meeting packet may be found on the Commission's website: <http://elmcreekwatershed.org/minutes--meeting-packets.html>

Plymouth Community Center, 14800 34th Avenue North, Plymouth, MN

1. Call Regular Meeting to Order.
 - a. Approve Agenda.*
2. Consent Agenda.
 - a. Minutes last Meeting.*
 - b. Treasurer's Report and Claims.*
3. Open Forum.
4. Action Items.
 - a. Project Reviews.*
 - b. Project Review 2023-01 Chankahda Trail Phase 2 Reconstruction – TAC response.*
5. Old Business.
 - a. 2023 CIP - Rogers Downtown Pond Project.
6. New Business.
 - a. Project Review Fee Schedule.*
 - b. TMDL – Ten Year Review.*
7. Communications.
 - a. Staff Report.*
 - b. Hennepin County Staff Report.*
8. Education.
 - a. WMWA – next meeting August 8, 2023, at 8:30 a.m., via Zoom.
9. Grant Opportunities and Updates.
 - a. Hennepin County Opportunity Grant - Dayton River Road Ravine Stabilization project.*
 - b. BWSR Clean Water Fund Grant Solicitation.*
 - 1) News release.*
10. Project Reviews.

Item No.	E	A	Status	AR	Project No.	Project Name
					W=wetland project	
ca.				AR	2014-015	Rogers Drive Extension, Rogers.
cb.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
cc.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.

*in meeting packet

**available at meeting or on website

cd.				AR	2017-014	Laurel Creek, Rogers.
a.					2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
ce.				AR	2018-046	Graco, Rogers.
cf.				AR	2020-009	Stetler Barn, Medina.
cg.				AR	2020-017	Meadow View Townhomes, Medina.
ch.				AR	2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
ci.				AR	2020-033	Weston Woods, Medina.
cj.				AR	2021-020	Crew Carwash, Maple Grove.
ck.					2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
b.					2021-029	Tri-Care Grocery / Retail, Maple Grove
c.					2021-034	BAPS Hindu Temple, Medina.
cl.				AR	2021-035	Mister Car Wash - Rogers
cm.				AR	2021-036	D & D Service, Corcoran.
d.					2021-044	Balsam II Apartments, Dayton.
cn.					2021-050	Evanswood, Maple Grove.
e.					2021-052	Norbella Senior Living, Rogers.
f.					2022-002	Summerwell, Maple Grove.
g.					2022-003	Fox Briar Ridge East, Maple Grove.
h.					2022-006	Hamel Townhomes, Medina.
i.					2022-008	Bechtold Farm, Corcoran.
co.					2022-009	Dunkirk Lane Development, Plymouth.
j.					2022-011	Arrowhead Drive Turn Lane Expansion, Medina.
cp.					2022-012	Graco Building 2, Dayton
k.					2022-013	Dayton 94 Industrial Site, Dayton.
l.					2022-016	Rogers Activity Center, Rogers.
m.					2022-017	City Center Drive, Corcoran.
n.					2022-018	Big Woods, Rogers.
o.					2022-019	Grass Lake Preserve, Dayton.
p.					2022-020	Skye Meadows Extension, Rogers.
q.					2022-022	Cook Lake Highlands, Corcoran.
r.					2022-026	Archway Building, Rogers
s.					2022-028	Elsie Stephens Park, Dayton.
t.					2022-029	Hayden Hills Park, Dayton.
cq.					2022-030	Garages Too, Corcoran.
u.					2022-031	Corcoran II Substation.
cr.					2022-033	Pet Suites, Maple Grove.
cs.					2022-035	Rush Hollow, Maple Grove.
v.					2022-038	Tavera North Side, Corcoran.
w.					2022-040	Kariniemi Meadows, Corcoran.
ct.					2022-042	Walcott Glen, Corcoran.
x.					2022-043	Meander Park and Boardwalk, Medina.
cu.					2022-044	Trail Haven Road Bridge Replacement, Corcoran.
y.					2022-045	Corcoran Water Treatment Plant, Corcoran.
cv.					2022-046	CSAH12 Culvert and Guardrail Replacement, Dayton.
cw.					2022-047	Suite Living of Maple Grove.
cx.					2022-048	Hassan Elementary 2023 Pavement Renovation, Rogers.
z.					2022-049	Connexus Energy Subdivision, Dayton.
aa.	A	E			2023-01	Chankahda Trail Reconstruction Phase 2, Plymouth.
cy.					2023-02	Lynde Greenhouse Fire Damage Repair, Maple Grove.
cz.					2023-03	Cemstone Supply Facility, Dayton.
ab.					2023-04	Medina Industrial Site, Medina.

*in meeting packet

**available at meeting or on website

da.				2023-05	MTL Troy Lane Addition, Dayton.
db.				2023-06	Sota Shine, Maple Grove.
dc.				2023-07	Lakeview Knoll's Pickleball Courts, Maple Grove.
ac.				2023-08	Rush Creek Boulevard Interchange, Maple Grove.
ad.				2023-09	Magnifi Financial , Maple Grove.
ae.				2023-10	Rogers New Fire Station.
af.	A	E		2023-11	Sundance Greens 9 th Addition, Dayton.
ag.		E		2023-12	Hope Community Mixed-Use Development EAW, Corcoran.
ah.	A	E		2023-13	River Valley Church, Maple Grove.

A = Action item **AA** = Administrative Approval **AR** = awaiting recordation **D** = Project is denied **E** = Enclosure provided

I = Informational update will be provided at meeting **RPFI** = removed pending further information **R** = Will be removed

RP = Information will be provided in revised meeting packet

11. Other Business.

12. Adjournment.

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MINUTES Regular and Public Meetings | June 14, 2023

I. CALL TO ORDER. A meeting of the Elm Creek Watershed Management Commission was called to order at 11:46 a.m., Wednesday, June 14, 2023, in the Plymouth Community Center, 14800 34th Avenue North, Plymouth, MN, by Chair Doug Baines.

Present: Bill Walraven, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Terry Sharp, Medina; and Catherine Cesnik, Plymouth. Not represented: Rogers.

Also present: Kent Torge, Stantec, Corcoran; Nico Cantarero and Joshua Accola, Stantec, Dayton; Derek Asche, Maple Grove; Rebecca Haug, WSB, Medina; Ben Scharenbroich and Owen Mischio, Plymouth; Diane Spector and Erik Megow, Stantec; Kris Guentzel, Kevin Ellis, and Grace Barcelow, Hennepin County Environment and Energy (HCEE); and Judie Anderson, JASS.

A. Motion by Walraven, second by Sharp to approve the **agenda*** with two additions:

1. Item 7.b.2) 2022 Administrative Budget.*
2. Item 7.c. Accept the 2022 Audit Report.*

Motion carried unanimously.

B. Motion by Guenther, second by Walraven to approve the **Minutes*** of the May 10, 2023, regular meeting. *Motion carried unanimously.*

C. Motion by Guenther, second by Walraven to approve the June **Treasurer's Report** and **Claims*** totaling \$172,438.75

Motion carried unanimously.

[The regular meeting was suspended at 11:54 a.m. in order to convene a public meeting.]

II. PUBLIC MEETING - MINOR PLAN AMENDMENT.*

At their May 10, 2023, meeting the Commission initiated a Minor Plan Amendment (MPA) to its Third Generation Watershed Management Plan. This revision adds one project, **Rush Creek Stabilization-Rush Hollow**, to the 2024 CIP Table 4.5 and Appendix G at an estimated (revised) cost of \$1,000,000, with the Commission's share being \$250,000. This project is a proposed restoration of about 4,000 LF of Rush Creek between Orchid and Fernbrook Lanes, just upstream of the Elm Creek Park Reserve. Exhibit A* describes the project in more detail.

The City of Maple Grove presented an overview of the project to the Technical Advisory Committee (TAC) at its meeting earlier today, whereupon the TAC recommended that the Commission add the project to the CIP.

RULE D - STORMWATER MANAGEMENT
RULE E - EROSION AND SEDIMENT CONTROL
RULE F - FLOODPLAIN ALTERATION

RULE G - WETLAND ALTERATION
RULE H - BRIDGE AND CULVERT CROSSINGS
RULE I - BUFFERS

*indicates enclosure

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Notice has been sent to the member cities, county, and reviewing agencies, and published as required by statute and the Plan. The purpose of this meeting is to discuss the proposed minor plan amendment and any comments received prior to or at this meeting.

The public meeting was opened at 11:56 a.m.

Staff reported that no comments have been received. No one is present at this meeting to provide comment.

The public meeting was closed at 11:57 a.m.

Motion by Guenthner, second by Walraven to adopt **Resolution 2023-02 Adopting a Minor Amendment to the Third Generation Plan.*** *Motion carried unanimously.*

[The regular meeting was reconvened at 11:58 a.m.]

III. OPEN FORUM.

IV. PROJECT REVIEWS.

A. 2023-008 Rush Creek Boulevard Interchange, Maple Grove.* The City is proposing to extend Trunk Highway 610 from east of TH94 to CSAH 30. The project will consist of the construction of a new interchange at TH94, south of the existing TH610 interchange with TH94 and includes improvements and realignment of Lawndale Lane. The project area is roughly 89 acres and will include approximately 20 acres of new impervious surface, triggering Rules D and E. In their findings dated June 2, 2023, Staff recommends approval of this project with four conditions: (1) escrow reconciliation; (2) receipt of a wetland alteration plan approved by the LGU; (3) receipt of an O&M plan approved by MnDOT and the City; and (4) confirmation of the filtration media mix. Motion by Trainor, second by Cesnik to approve Staff recommendations. *Motion carried unanimously.*

B. 2023-009 Magnifi Financials, Maple Grove.* This project consists of the construction of a building with split-use between a coffee shop and bank with associated parking and utilities. The project will disturb 2.15 acres and result in a decrease in hardcover for the lot. The project triggers Rules D and E. In their findings dated June 2, 2023, Staff approved this project with three conditions: (1) escrow reconciliation; (2) receipt of an O&M plan approved by the City; and (3) updating of the OCS 104 details and plans to match the rim elevations. Motion by Guenthner, second by Sharp to approve Staff recommendations. *Motion carried unanimously.*

V. OLD BUSINESS.

Guenthner recapped his efforts to identify a lake for participation in **Metropolitan Council's CAMP program**. He suggested a number of ways to move forward the Commission's efforts in future years. Staff will also discuss with Three Rivers Park District the possibility of adding a "CAMP lake" to the proposed TMDL 10-year review program.

VI. NEW BUSINESS.

A. Maximum Capital Levy.* The Commission must set the maximum amount of capital projects levy it expects to certify to Hennepin County by June 21, 2023. The actual levy will be certi-

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fied in September, after the Commission holds public hearings on the proposed projects. The table below shows the projects that will be considered in September. The Maximum Levy sets the ceiling for the capital levy; the Commissions can certify a lesser levy but cannot increase it. In addition to the project cost, the Commission levies an additional 5% to cover administrative costs, and 1% to cover uncollected levies, based on historical rates. These maximum levies will be forwarded to Hennepin County.

The Technical Advisory Committee reviewed the City of Rogers' Downtown Pond project at its meeting earlier today and the members requested additional information before making a recommendation to the Commission regarding its inclusion in the proposed levy. It is included here since it cannot be added later but can be removed prior to September if necessary.

Elm Creek 2023 CIP Projects (2024 levy).

Project	Total Est Cost	City/Other	Grant	Commission Share	Total Levy
S Fork Rush Creek Stream Restoration*	\$3,250,000	\$2,437,500	0	\$406,250	\$430,830
CSAH 12/Dayton Rd Ravine Stabilization	1,329,410	1,219,410	0	110,000	116,655
Downtown Pond Expansion and Reuse	406,000	304,500	0	101,500	107,640
City Cost Share	100,000	100,000	0	100,000	106,050
Partnership Cost Share	50,000	0	0	50,000	53,025
Subtotal	\$	\$4,061,410	\$0	\$767,750	\$814,200
5% additional for legal/admin				38,390	
Subtotal				806,140	
TOTAL LEVY (101% for				\$814,200	

*2023 share; an additional \$406,250 was levied in 2022.

South Fork Rush Creek Stream Restoration. Restoration of 7,200 feet of South Fork Rush Creek from 101st Avenue North to its confluence with Rush Creek in Maple Grove. This project will stabilize and restore eroding streambanks, improve floodplain access, enhance habitat and improve biotic integrity, and reduce sediment load by an estimated 410 tons/year and TP by 424 pounds/year.

CSAH 12/Dayton River Road Ravine Stabilization. Stabilization of two eroding deep ravines conveying stormwater runoff into the Mississippi River in Dayton, near Dayton River Road and Vicksburg Lane North, part of a package of drainage and stabilization improvements along Hennepin County CSAH 12. The 50+ foot deep ravines have severe active erosion that is not only a significant sediment and nutrient source but is also threatening nearby infrastructure. The project will reduce the excess sediment contributed to the river by about 1,100 tons/year, and nutrients by about 938 lbs/year.

Downtown Pond Expansion and Reuse. This project will address water quantity and quality issues the downtown area of Rogers will be facing as redevelopment continues. Major water quality improvements are anticipated with this project for TP and TSS reductions. The pond expansion will also feature a stormwater reuse for the irrigation of nearby parks. The additional storage area will reduce flooding within the downtown Rogers area.

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City Cost Share. This annual project provides cost sharing to retrofit smaller BMPs on city property on a voluntary basis. The TAC developed policies and procedures to administer these funds and makes recommendations to the Commission on which projects should be funded.

Partnership Cost Share. This program makes funds available to member cities to help fund the cost of Best Management Practices (BMPs) partnership projects with private landowners. Participating projects on private property must be for water quality improvement and must be for improvement above and beyond what would be required to meet Commission rules.

Motion by Guenthner, second by Cesnik to set the maximum capital levy for 2023, payable 2024, at \$814,200. *Motion carried unanimously.*

B. 2024 Operating Budget.* According to the Joint Powers Agreement, the Commission must on or before June 15 of each year adopt a budget for the coming year. The budget must be transmitted along with notice of the apportionment of costs to each city by July 1. Member cities then have until August 15 to comment on or raise objections to the budget. If no objections are submitted, the budget proceeds as adopted. If objections are submitted in writing, the Commission must hold a public hearing to consider modifying the budget or proceeding with no change.

The proposed budget, shown on the following pages, was initially reviewed at the May 10, 2023, meeting, with a decision held over to this meeting. It is reformatted from what has been presented in previous years in that it separates out the operating expenses from the capital and other non-operating expenses and revenues. This allows the reader to more clearly determine if the assessments and project review fees are adequately funding operating expenses, or whether the Commission is operating a deficit or surplus. It is analogous to a General Fund budget rather than an all-funds, balance sheet style presented in previous years.

The 2024 budget as proposed is a continuation of the programs and activities undertaken in 2022, with some slight modifications. The overall proposed budget is about a \$5,500 increase over the 2023 budget, with the following modifications:

1. The budget includes a proposed increase in the contract amount with Hennepin County to provide outreach and technical services, largely to agricultural and large-lot residential property owners but generally, and across the watershed. The requested increase to \$22,000, compared to the approved 2023 contract amount of \$20,000, would allow for an increased commitment toward this work and is offset by the elimination of the Wetland Health Evaluation Program, for which the Commission had been budgeting \$4,000 annually.

2. Staff continue to review the adequacy of the project review fees to recapture the cost of administering the new fee structure. It is likely that the nonrefundable administration fee will need to be increased for 2024. There will always be some project review-related expenses that are not recoverable through review fees. This budget assumes 50 project reviews in 2024, and that the fee structure will be revised later this year to better capture the cost of administering the program. (Also see discussion on page 12.)

Table 1. Proposed 2024 budget.

Line	Category	2022 Budget	2022 Pre-Audit	2023 Budget	Proposed 2024 Budget
EXPENSES					
GENERAL OPERATING EXPENSES					
	Administrative	95,000	117,893	100,000	100,000
	Grant Writing	500	0	0	3,000
	Website	3,000	731	2,000	2,000
	Legal Services	2,000	744	2,000	2,000
	Audit	6,000	6,700	6,500	7,000
	Insurance	3,800	2,978	4,000	4,000
	Meeting Expense	0	1,250	0	4,800
	Contingency	1,000	0	0	0
	Subtotal General Operating Expenses	\$111,300	\$130,296	\$114,500	\$122,800
TECHNICAL SUPPORT					
	Tech support - HCEE	12,000	17,000	20,000	22,000
	Generation Technical Services	77,500	82,590	70,000	75,000
	Subtotal Technical Support	\$89,500	\$99,590	\$90,000	\$97,000
PROJECT REVIEWS					
	Technical Reviews	107,500	188,032	184,000	184,000
	Administrative Support	15,000	22,703	16,000	21,250
	WCA	0	505	0	0
	Subtotal Project Reviews	\$122,500	\$211,240	\$200,000	\$205,250
EDUCATION					
	Education - City/Citizen Programs	2,500	1,262	2,000	2,000
	West Metro Water Alliance	11,500	7,000	11,500	11,500
	Subtotal Education	\$14,000	\$8,262	\$13,500	\$13,500
WATERSHED MANAGEMENT PLAN					
	Plan Amendments	2,000	1,158	2,000	2,000
	Contribution to 4th Generation Plan	12,500	12,500	12,500	12,500
	Subtotal Watershed Management Plan	\$14,500	\$13,658	\$14,500	\$14,500
WATER MONITORING PROGRAMS					
	<i>Stream Monitoring</i>				
	USGS Site Share	24,000	12,500	24,000	12,500
	TRPD-Routine Monitoring	9,345	9,345	10,020	10,020
	Biological Monitoring			4,500	0
	DO Longitudinal Survey	1,200	0	2,400	2,400
	Partnership Biomonitoring			2,000	0
	Gauging Station - Electric Bill	420	368	440	480
	Subtotal Stream Monitoring	\$34,965	\$22,213	\$43,360	\$25,400

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Line	Category	2022 Budget	2022 Pre-Audit	2023 Budget	Proposed 2024 Budget
	<i>Lake Monitoring</i>				
	CAMP	840	0	840	840
	TRPD				
	Sentinel Lakes + Additional Lake	9,812	9,812	10,412	10,412
	Aquatic Vegetation Surveys	1,300	1,300	1,365	1,365
	Subtotal Lake Monitoring	\$11,952	\$11,112	\$12,617	\$12,617
	<i>Other Monitoring</i>				
	Macroinvertebrate Monitoring-River Watch	3,000	0	0	3,000
	Wetland Monitoring - WHEP	4,000	0	0	0
	Subtotal Other Monitoring	\$7,000	0	\$0	\$3,000
	Subtotal Monitoring Expense	\$53,917	\$33,325	\$55,977	\$41,017
	SPECIAL PROJECTS, STUDIES, SWAs				
	Special Projects, Studies, SWAs -	\$ 0	\$0	\$0	\$0
	TOTAL GEN OPERATING EXP	\$405,717	\$496,371	\$488,477	\$494,067
	REVENUE				
	GENERAL OPERATING REVENUE				
	Membership Dues	237,300	237,300	250,000	250,000
	Interest Income	5,000	26,636	500	10,000
	Dividend Income	250		250	0
	TRPD Cooperative Agreement	6,000	4,165	6,500	6,500
	Subtotal General Operating Revenue	\$248,550	\$268,101	\$257,250	\$266,500
	PROJECT REVIEW REVENUE				
	Project Review Fees	107,500	169,720	184,000	184,000
	Contingency	10,750			
	Nonrefundable Admin	15,000	13,800	16,000	21,250
	Nonrefundable Tech	16,125	20,700	17,000	27,600
	Subtotal Project Review Revenue	\$149,375	\$204,220	\$217,000	\$232,850
	SPECIAL PROJECTS, STUDIES, SWAs REVENUE				
	Special Projects, Studies, SWAs	0	0	0	0
	TOTAL GEN OPERATING REVENUE	\$397,925	\$472,321	\$474,250	\$499,350
	OPERATING SURPLUS OR (DEFICIT)	(\$7,792)	(\$24,050)	(\$14,227)	\$5,283

3. In 2023 the Commission budgeted for biological monitoring on streams in the watershed as a follow up to stream restoration projects. That funding is not included in the 2024 budget, pending a review of monitoring needs as part of the proposed TMDL ten-year review.

4. Some adjustments have been made to individual line items based on past experience and the increasing cost of doing business.

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5. One source of revenue that has in the past helped to subsidize the member assessments is investment interest. A combination of higher interest rates and a significant fund balance resulted in several thousand dollars of interest income in past years. As projects are completed and the Commission pays out levy and grant funds for those projects, interest earnings will fall.

Table 2. Member Assessments

2023	2022 Taxable Market Value	2023 Budget Share		Increase over Prev Year	
		%age	Dollars	%age	Dollars
Champlin	807,005,389	3.942	9,854.24	0.05	505
Corcoran	1,544,836,780	7.546	18,863.81	0.05	2,539
Dayton	1,644,909,207	8.034	20,085.78	0.05	4,573
Maple Grove	9,535,464,544	46.575	116,436.39	0.05	2,581
Medina	1,515,134,760	7.400	18,501.12	0.05	96
Plymouth	2,517,439,300	12.296	30,740.14	0.05	1,486
Rogers	2,908,759,834	14.207	35,518.51	0.05	921
Totals	20,473,549,814	100.000	250,000.00	0.00%	12,700.00
2024	2023 Taxable Market Value	2024 Budget Share		Increase over Prev Year	
		%age	Dollars	%age	Dollars
Champlin	898,761,000	3.999	9,997.86	0.01	144
Corcoran	1,808,292,200	8.046	20,115.53	0.07	1,252
Dayton	2,031,786,500	9.041	22,601.70	0.13	2,516
Maple Grove	10,043,624,100	44.690	111,725.78	-0.04	-4,711
Medina	1,680,727,800	7.479	18,696.50	0.01	195
Plymouth	2,671,442,700	11.887	29,717.26	-0.03	-1,023
Rogers	3,339,194,100	14.858	37,145.36	0.05	1,627
Totals	22,473,828,400	100.000	250,000.00	0.00%	0.00

The 2024 budget as proposed includes no increase in city assessments (Table 2, above). Last year, following several years of no or minimal assessment increases, they were increased by 5.4%. As can be seen on the bottom line of Table 1, in previous years the operating budget was running at a deficit, subsidized by contributions from the cash reserves. The proposed 2024 budget assumes a small surplus, assuming the Commission continues to benefit from interest earnings.

Motion by Guenthner, second by Walraven to approve the 2024 Operating Budget and Member Assessments as proposed. *Motion carried unanimously.*

D. 2022 Year-End Fund Balances.* The 2022 Audit Report is being presented next on the agenda. While there may be a few adjustments as the 2022 audit is finalized, the 2022 preliminary year-end balances for non-operating accounts are the following:

1. Restricted for Capital Projects. These are funds levied for specific capital projects. The Commission holds these funds until such time as the member cities have completed

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the work. They then request reimbursement for the costs incurred. Eight capital projects, levied in 2016 – 2021, remain outstanding. The total fund balance is \$624,293, including 2022 administrative costs for the 2023 levy.

2. Cost Share Projects. The Commission operates two cost share projects, one for city projects and one for partnership projects on private property. There are two outstanding city cost share projects for which member cities have not yet requested reimbursement, and no outstanding partnership cost projects.

3. Closed Projects Account. The Commission's Closed Projects Account houses levy funds that exceed final project costs. In addition, on occasion a project is cancelled, and the levy funds are then transferred to this fund. These funds are intended to be used for other capital improvement projects, including the cost of undertaking feasibility studies to preliminarily scope a future project. These funds may also be used to limit future capital levies for new projects. The account balance at YE2022 equals \$174,334.

4. Unassigned Funds Balances. The Commission has also in past years acted to segregate or assign some of its unrestricted reserves to be held for a specific purpose, for example to fund the 4th Generation Plan. These unassigned funds may continue to be set aside to be used for these purposes or the Commission may elect to unassign the funds and transfer them to Unrestricted Reserves.

From time to time the Commission has budgeted funds for projects or special studies and set that money aside in an Assigned for Projects and Studies Account. It has rarely been used, but in 2023 the Commission encumbered just under \$10,000 to provide matching funds for the Watershed-Based Implementation Fund (WBIF) grant supporting the Rush Creek SWA and the North Fork Rush Creek remeandering study. The YE2022 balance is \$181,817. \$9,468 encumbered for the 2023 WBIF reduces that total to \$172,349.

5. Unrestricted Reserve. The last category of funds is the Commission's Unrestricted Reserves, which is cash on hand that has not been designated for a particular use. This helps with monthly cash flow and is a "rainy day reserve" in the event something unusual occurs, or one of the member cities withdraws from the JPA and no longer is contributing its share of expected revenues. The newly adopted policy is to maintain a cash reserve equal to either 50% of annual operating revenues or five months of operating expenses. Using the 2022 year-end figures, that minimum reserve balance would be the greater of the amounts in the table below.

The nearly finalized year-end 2022 Unrestricted Balance of \$141,927 is much less than the 2021 year-end balance of \$279,332. A very significant factor in that drop is the increase in the liability for project review fees from \$11,739 in 2021 to \$78,161 in 2022. Those are expenses the Commission has already incurred but for which additional review fees have not yet been collected. That escrow balance will vary from year to year.

It was a consensus of those present that policies should be drafted/revised to address these various categories of funds. Staff will prepare draft policies for future consideration.

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Unrestricted reserve desirable balance calculation using 2022 year-end amounts.

Component	Operating Expenses	Operating Revenues
2022 Budget	\$496,371	\$472,371
Less project reviews	188,032	190,442
Net Amount	308,339	285,929
5/12ths of yearly expenses	\$128,475	
50% of yearly revenues		\$141,464
YE 2022 Unrestricted Balance	\$141,927	\$141,927

It was also recommended that, where appropriate, the amounts of the fund balances should be reduced. Projects such as the 10-year TMDL review and records retention management (See Item F., below.) were suggested.

E. Motion by Guenther, second by Sharp to accept the **2022 Audit Report.*** *Motion carried unanimously.* It will be forwarded to the State Auditor and to the Board of Water and Soil Resources by the June 30, 2023, deadline.

F. 2022 Administrative Fees.* As the Commission reviewed the proposed 2024 Operating Budget it was noted that administrative expenses in 2022 had exceeded the budgeted amount (\$95,000) by 24.1%. Anderson was asked by Treasurer Guenther to explain this overage.

In 2022, general administrative expenses totaled \$98,005. Added to that number were the expenses associated with supporting the Technical Advisory Committee which, in turn, has become more actively involved in Commission business, totaling \$9,698. Annual reporting, including the annual activity report, work plans, and financial audits totaled \$6,897. Rental expense for the off-site storage unit totaled \$2,017 in 2022. Once JASS began tracking their time, an estimated 15 hours (\$1,050) were also spent in discussions with a concerned citizen.

The duties of the Administrator have increased throughout the years. More reporting is required by the State and Federal governments and more direct liaison with the member cities and reviewing agencies is occurring. In addition, increased costs such as wage and overhead escalations add to JASS' cost of doing business.

While some of the expenses outlined above will not be repeated in 2024, Anderson reported that administrative expenses in general will likely come close to the \$100,000 2023 budget cap. She also noted that the time spent monitoring the project review program, while not captured under General Administration after the first few months of 2022, will continue to be a major focus of the administrative staff.

VII. COMMUNICATIONS. The following communications were received:

A. Staff Report.* Staff reports provide updates on the development projects currently under review by Staff. The projects listed in the table beginning on page 13 of these minutes are discussed in the June 6, 2023, report.

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B. Hennepin County Staff Report.*

1. Hennepin County was contacted by the **owner of a fen in Dayton** to assist with an issue he was having with sediment coming from a neighboring farm field onto his property. Staff conducted a field visit and determined that some sort of settling basin, or corrective action could be taken to help prevent nutrients and sediment from entering this rare ecosystem. The landowner is very motivated to complete a project that will help protect water quality and has signed a letter of intent and has a contractor on standby for the work. The project will either need to be done in the field to ensure that runoff does not leave the field or on the edge of the property. The landowner is contacting the farmer next door as a first step to inquire if in-field work will be a viable option. If this is not an option for a project, the settling basin will need to be constructed on the far western edge of the property. A settling basin can be constructed, but an agreement on how to handle sediment will need to be reached. Staff determined that this project will have an appreciable and cost-effective impact on water quality in Diamond Creek and have moved into the design phase. Updates on designs and edits will be provided at future meetings.

2. The manager of **Welcome Ranch** contacted the County after recommendation from Diamond Hills Stables. The horse boarding facility is located in Dayton and the manager is currently interested in a few potential projects including a manure bunker. Twenty-two horses are currently on site, but they are permitted to have up to 24. Manure is currently collected approximately every four months. However, siting the manure bunker may be an issue due to the available space and the needed size of the bunker based on the frequency of hauling. Ideal situation may be in the back pasture just south of the paddocks on the western side of the barn. The manager also noted some issues of water flowing into the barn from the East. The barn and paddock areas are well maintained but could use some assistance. There are some gutters currently on the barn, but some areas where there are none, or current gutters do not work as intended. Installation could assist with mud accumulation during the Spring. Heavy use area protections could also help reinforce alleys and pads around feeders and waterers. The pasture areas in the front are also well maintained. However, pasture in the back has been disrupted due to construction and could use some seeding. Technical assistance regarding seeding and seed mixes will be provided, as well as some assistance on rotational grazing. There is an area at the very south of the property that was formerly row-cropped. The landowner is interested in converting that area either into perennial pasture, or restoring the area, similar to the adjacent natural area. Cover crops funded through the Soil Health Initiative could be used as a nurse crop to assist with the transition. County staff are currently waiting on a returned letter of intent for any future projects. Staff will assist in providing a soil test with the U of M to better understand how to address pasture concerns.

3. **Mattila, Corcoran.** Landowner is still obtaining an updated quote for manure bunker from contractor. Project requires a date amendment which is currently underway. Construction is estimated to begin in late June/early July. Landowner is also interested in installing exclusionary fence in the pasture on the other side of Rush Creek and for technical assistance to implement rotational grazing. County staff will also connect landowner with NRCS for further assistance.

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4. **Bottema, Corcoran.** Designs were completed in May and all permits have been approved for the wetland and prairie restoration project. Contractor bids for the wetland restoration are anticipated in June. Staff anticipate the project will be completed within three months of a contractor being chosen. Native prairie and wetland restoration seed was also purchased late last year and should be applied by a contractor in June or July.

5. Included in the County report is a table showing **updates** for cost-share projects and overall budgeting. This table will be included in future staff updates and revised as projects are designed or reimbursed.

6. The Land and Water Unit has a new conservation specialist, **Grace Barcelow**. Barcelow's position will be dedicated to helping build and establish water quality program presence in more urban and suburban areas of the county, which will include using outreach and community engagement tactics to help build public awareness and interest in implementing water quality projects. Her position was created in partnership with the West Metro Water Alliance and our water management organizations and is supported by a grant from the Board of Water and Soil Resources.

VIII. Education and Public Outreach.

A. The **West Metro Water Alliance (WMWA)** will meet via Zoom at 8:30 a.m., July 11, 2023.

B. The new conservation specialist, **Grace Barcelow**, was introduced to the members. As noted above, she will be working in conjunction with WMWA and the County.

IX. Grant Opportunities and Project Updates.

Opportunity Grant applications are open until July 20 to financially support residents, government organizations, nonprofits, and businesses in implementing conservation projects that protect water quality and preserve and restore natural areas. Grants are capped at \$50,000.

Last fall city of Dayton and Commission staffs investigated a concern posed by residents of adjacent homes on Dayton River Road regarding ongoing erosion in a channel from a **culvert under CSAH 12/Dayton River Road** to the Mississippi River. Their concern was that this culvert was proposed to be modified as part of the ongoing CSAH 12 county road project, and that the modifications would exacerbate that erosion, with no improvement proposed by the county as part of that larger project. The staffs agreed that this was potentially the case and recommended that the City apply for a Hennepin County Good Steward grant to fund stabilization, to be supplemented from the Commission's Partnership Cost Share Program for projects on private property. The City applied for the grant in November 2022, but it was not selected for funding.

There is no specific match requirement for the Opportunity Grants, however, greater weight is given to applications that leverage other funds. The estimated project cost is \$75,000, and the Commission had previously approved an application from Dayton for \$50,000 from Partnership Cost Funds to match the \$25,000 requested from the County.

Staff recommends preparing an Opportunity Grant application in the amount of \$37,500, to be matched by \$37,500 from the Partnership Cost Share Program. Much of the application text that

was prepared last year for the Good Steward grant can be reused in this new application. If the Commission approves preparation of the application, Staff will provide a draft for review at the July 13, 2023, Commission meeting prior to submittal by the July 20 deadline. The TAC did recommend moving forward with this application at its meeting earlier today. The Commission agreed that the Staff should prepare the application.

[Walraven departed 1:32 p.m.]

X. Other Business.

At their meeting earlier today, members of the Technical Advisory Committee (TAC) spent considerable time discussing the current **project review fee schedule**. In 2021, the Commission adopted a project review fee policy that required the applicant to pay the actual cost of performing the review, so that those reviews that were done more efficiently were no longer subsidizing the more complicated projects.

The current fee structure consists of four components: a flat amount based on which rules are being triggered; a 10% contingency on that total; a 10% non-refundable administrative fee; and a 15% nonrefundable technical fee. The flat fee plus contingency is, in essence, an escrow. If the actual cost of reviewing the project is less than that amount, the applicant is refunded the balance. If the cost exceeds that amount, the applicant is invoiced the balance, which must be paid prior to final approval and release of the project review. The non-refundable fees are intended to recover the cost prior to an application being submitted and accepted, and any costs that might come up after, such as a file closeout, or review of documents for issues that may come up later.

A. Administering the fee structure is very staff intensive. The costs and fees for each individual project review are tracked monthly, as are outstanding invoices for increases in the review escrow. Administrative costs associated with an active project are tracked and are billed to that project, but all other tasks are not. In addition, there are administrative costs for inquiries and correspondence with applicants before and after the project review that are not recorded against a specific project but are tracked as a category. These generalized costs are what the Non-Refundable Administrative Fee is supposed to recoup. The nonrefundable administrative fees collected in 2021 and 2022 compared to the cost of administering the project review program did not fully fund the program. *This suggests that the current admin fees should be adjusted.*

B. In 2021 and 2022 *more than half* of the project reviews (32 of 56 in 2021 and 25 of 49 in 2022) required additional fees to be collected. These additional fees were an estimated \$83,600 compared to an estimated \$63,400 that was refunded. The average additional fee required was \$2,280 in 2021 and \$1,900 in 2022, while the amount to be refunded was about \$1,400 and \$1,300, respectively. *This suggests that the current fees should be adjusted.*

C. It can take several months between project submittal and review by the Commission. This lag between submittal of a project review and fee and collection of the final fee owed is impacting the Commission's balance sheet. On the 2022 financial audit, the Commission carried a liability of \$78,161 in outstanding project review fees compared to \$11,739 at the end of 2021. In

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other words, the Commission had expended \$78,161 in project review costs it had paid for but had not yet collected the additional fee. This directly reduces the Unrestricted Fund Balance. *This argues for increasing the base rates in the fee schedule to collect additional fees up front.*

D. The Commission made a policy choice with the adoption of the new schedule to charge the actual cost rather than a flat amount intended to, on average, recover the actual cost. Neither the previous fee schedule nor the current fee schedule work perfectly to accomplish the Commission's and TAC's goals that the fees adequately reimburse the Commission for the costs of performing project reviews.

1. The schedule can be tweaked to be sure the admin costs are fully-covered, or the Commission can accept the admin time spent as the cost of running a project review program.

2. Staff can review the 2021 and 2022 projects to see if there are commonalities in the projects for which the review cost exceeded the initial fee to see if there might be modifications to the fee schedule, for example, a tiered base fee based on project size. The proposed 2024 budget does assume some increase in fees.

At the TAC meeting, Asche noted that the fee structure is not intended to be Staff intensive and that fees collected should cover nearly 100% of applications. He suggested doubling fees and reducing the administrative non-refundable percentage from 10% to 8%. Asche also noted that the current fees are based on 2020 numbers and that the fees should be modified annually to ensure there are no shortfalls during the project review process.

The TAC members asked Staff to draft a revised schedule for the July TAC meeting and agreed the fee structure should be reviewed annually. The Commissioners concurred.

XI. Adjournment. There being no further business, the meeting was adjourned at 1:35 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary

JAA:tim

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Project No.	Project Name
W=wetland	
2014-015	Rogers Drive Extension, Rogers.
2015-030	Kiddiegarten Child Care Center, Maple Grove.
2016-005W	Ravinia Wetland Bank Plan, Corcoran.
2017-014	Laurel Creek, Rogers.
2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
2018-046	Graco, Rogers.
2019-021	Brenly Meadows, Rogers.
2019-026	Interstate Power Systems, Rogers.
2020-009	Stetler Barn, Medina.

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2020-017	Meadow View Townhomes, Medina.
2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
2020-033	Weston Woods, Medina.
2020-036	Balsam Pointe, Dayton.
2021-007	Birchwood 2nd Addition, Rogers
2021-016	Territorial Lofts, Rogers.
2021-020	Crew Carwash, Maple Grove.
2021-021	Territorial Triangle, Dayton.
2021-023	Maple Grove Medical Office Building (MOB).
2021-024	Riverwalk, Dayton
2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
2021-027	Xcel Energy Elm Creek Substation, Maple Grove
2021-029	Tri-Care Grocery / Retail, Maple Grove
2021-031	Cook Lake Edgewater, Maple Grove
2021-034	BAPS Hindu Temple, Medina.
2021-035	Mister Car Wash, Rogers.
2021-036	D & D Service, Corcoran.
2021-037	Marsh Pointe, Medina.
2021-039	1-94 Logistics Center, Rogers.
2021-040	Napa Auto, Corcoran.
2021-041	Carlson Ridge, Plymouth.
2021-043	Northwood Community Church, Maple Grove.
2021-044	Balsam II Apartments, Dayton.
2021-047	CR 10 Box Culvert Replacement, Corcoran
2021-050	Evanswood, Maple Grove.
2021-051	Fields of Nanterre Drainage Improvements, Plymouth.
2021-052	Norbella Senior Living, Rogers.
2021-053	Towns at Fox Creek, Rogers.
2021-055	Morningside Estates 6th Addition, Champlin.
2022-002	Summerwell, Maple Grove.
2022-003	Fox Briar Ridge East, Maple Grove.
2022-006	Hamel Townhomes, Medina.
2022-008	Bechtold Farm, Corcoran.
2022-009	Dunkirk Lane Development, Plymouth.
2022-011	Arrowhead Drive Turn Lane Expansion, Medina.
2022-012	Graco Building 2, Dayton.
2022-013	Dayton 94 Industrial Site, Dayton.
2022-014	Aster Mill, Rogers.
2022-015	County Road 47 Phase I Reconstruction, Plymouth.
2022-016	Rogers Activity Center, Rogers.
2022-017	City Center Drive, Corcoran.
2022-018	Big Woods, Rogers.
2022-019	Grass Lake Preserve, Dayton.
2022-020	Skye Meadows Extension, Rogers.
2022-022	Cook Lake Highlands, Corcoran.
2022-023	Asguard, Rogers.
2022-024	Bridge No. 27J70, Maple Grove.

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2022-025	Harvest View, Rogers.
2022-026	Archway Building, Rogers
2022-027	Edison at Maple Grove Apartments.
2022-028	Elsie Stephens Park, Dayton.
2022-029	Hayden Hills Park, Dayton.
2022-030	Garages Too, Corcoran.
2022-031	Corcoran II Substation.
2022-033	Pet Suites, Maple Grove.
2022-034	CSAH 101 Improvements, Maple Grove.
2022-035	Rush Hollow, Maple Grove.
2022-036	West French Lake Road Improvements, Maple Grove.
2022-037	CSAH13 CR203 Culvert Replacement, Dayton.
2022-038	Tavera North Side, Corcoran.
2022-039	Garland Commons, Maple Grove.
2022-040	Karinieimi Meadows, Corcoran.
2022-041	Elm Creek Swim Pond Culvert, Maple Grove.
2022-042	Walcott Glen, Corcoran.
2022-043	Meander Park and Boardwalk, Medina.
2022-044	Trail Haven Road Bridge Replacement, Corcoran.
2022-045	Corcoran Water Treatment Plant.
2022-046	CSAH12 Culvert and Guardrail Replacement, Dayton.
2022-047	Suite Living of Maple Grove.
2022-048	Hassan Elementary Pavement Renovation, Rogers.
2022-049	Connexus Energy South Dayton Substation.
2023-001	Chankahda Trail Reconstruction Phase 2, Plymouth.
2023-002	Lynde Greenhouse Fire Damage Repair, Maple Grove.
2023-003	Cemstone Supply Facility, Dayton.
2023-004	Medina Industrial Site, Medina.
2023-005	MTL Troy Lane Addition, Dayton.
2023-006	Sota Shine, Maple Grove.
2023-007	Lakeview Knoll's Pickleball Courts, Maple Grove.
2023-008	Rush Creek Boulevard Interchange, Maple Grove.

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Elm Creek Watershed Management Commission Treasurer's Report

		2023 Budget	June 2023	July 2023	2023 Budget YTD
EXPENSES					
Administrative		100,000	9,474.64	10,424.50	65,430.26
Grant Writing		0			0.00
Website		2,000	18.75	332.12	922.41
Legal		2,000			465.00
Audit		6,500			0.00
Insurance		4,000			3,784.00
Miscellaneous/Contingency		0			0.00
Technical Support - HCEE		20,000			0.00
HUC-8 Floodplain Mapping		0			0.00
Technical - Project Review		184,000	5,907.50	8,240.00	41,936.25
Technical - Other		70,000	9,766.25	10,492.25	51,039.75
Project Review - Admin Support		16,000	3,378.22	2,055.84	9,840.14
Stream Monitoring USGS		24,000			20,850.00
Stream Monitoring TRPD		10,020			0.00
Biological Monitoring		4,500			0.00
DO Longitudinal Survey		2,400			0.00
Partnership Biomonitoring Project (Comm share)		2,000			0.00
Rain Gauge		440	33.20	34.35	186.19
Lakes Monitoring - CAMP		840			0.00
TRPD Monitoring - Sentinel Lakes/Addn'l Lake		10,412			0.00
Aquatic Vegetation Surveys		1,365			0.00
Wetland Monitoring (WHEP)		0			0.00
Education		2,000			841.62
WMWA General Activities		5,000			3,000.00
WMWA Implementation/Watershed Prep		4,500			2,000.00
Rain Garden Wkshops/Intensive BMPs/Special Proj		2,000			4,000.00
Macroinvertebrate Monitoring-River Watch		0			0.00
Studies / Project ID / SWA		0			14,750.00
CIPs General		3,000	135.00		753.80
Rush Creek SWA Implementation		106,050			0.00
Plan Amendment		2,000	94.12	486.00	580.12
Contribution to 4th Gen Plan		12,500			0.00
Transfer to (from) Capital Projects (see CIP Tr		291,638	74,884.82		130,872.57
Transfer to (from) Cash Sureties (see below)			-	-	0.00
Transfer to (from) Grants (see below)		125,000	68,746.25	-	88,718.00
To Fund Balance					0.00
TOTAL - Month			172,438.75	32,065.06	436,969.36
TOTAL Paid in 2023, incl late 2022 Expenses		1,014,165.00	435,581.31	467,646.37	2023 Paid

Elm Creek Watershed Management Commission Treasurer's Report

		2023 Budget	June 2023	July 2023	2023 Budget YTD
INCOME					
Project Review Fee		184,000	6,600.00		33,000.00
Refund Project Fee			(9,702.75)		(9,702.75)
Nonrefundable Admin		16,000	600.00		3,000.00
Nonrefundable Technical		17,000	900.00		4,500.00
Water Monitoring - TRPD Co-op Agmt		6,500			0.00
Member Dues		250,000			250,000.00
Interest/Dividends Earned		750	6,496.31		37,647.58
Transfer to (from) Capital Projects (see CIP Tr		291,638			0.00
Transfer to (from) Grants (see below)		125,000	-	-	133,887.00
Rush Creek SWA Implementation		79,537			0.00
Transfer from Assigned Fund Balance		26,513			
Misc Income / Contingency		0			
From Unrestricted Cash Reserves		17,227			
Total - Month			4,893.56	0.00	452,331.83
TOTAL Rec'd 2023, incl late 2022 Income		1,014,165.00	472,359.98	472,359.98	2023 Received
CASH SUMMARY		Balance Fwd			
Checking		0.00			
4M Fund		1,399,787.64	1,436,566.31	1,404,501.25	
Cash on Hand			1,436,566.31	1,404,501.25	
Claims Presented		General Ledger Account No	June	July	TOTAL
Campbell Knutson - Legal		521000			0.00
Connexus - Rain Gauge		551100		34.35	34.35
ECM Publishers					486.00
Hearing Notice Plan Amendment		541500		486.00	
Surface Water Solutions					418.75
Technical - Project Review		578050			
Technical - Other		578050		418.75	
Stantec					18,313.50
Technical - Project Review		578050		8,240.00	
Technical - Other		578050		10,073.50	
South Fork Rush Creek SWA (23 WBIF)		584006			
JASS					12,812.46
Administration		511000		9,347.33	
TAC Support		511000		855.33	
Annual Reporting/Work Plan		511000		215.25	
Website		581000		332.12	
Project Review Admin Support		578100		2,031.09	
Project Reviews - Project Specific Admin		578100		24.75	
Education		590000			
Plan Amendment		541500			
CIPs General		563001		6.59	
Cost Share Admin		511000			
Grant Opportunities		511000			
TOTAL CLAIMS					32,065.06



Account Number:
481113-238425

ELM CREEK WATERSHED MGMT ORG

Monthly Statement

Service Address
ELM CREEK RD
DAYTON MN

Billing Summary

Billing Date: Jun 16, 2023

Previous Balance	\$33.20
Payments - Thank You!	\$33.20
Balance Forward	\$0.00
New Charges	\$34.35
Total Amount Due	\$34.35

Payment must be received on or before July 13, 2023

Total Amount Due

\$34.35

Due Date

July 13, 2023

Message Center

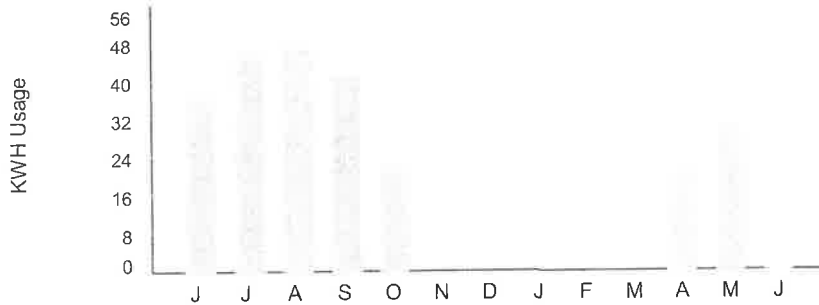
New Online Help Center

Designed with you in mind, we've made getting assistance to your questions even easier. Everything from billing and payments, programs and services, account services, and more. Just ask a question and we'll help direct you to how (or where) to find the answer. Check it out at connexusenergy.com.

Energy Comparison

Previous Months' Usage

Current Month's Usage



How to contact us

Member Services / Moving - 763-323-2650
Outages and Emergencies - 763-323-2660
Hearing/Speech Impaired Call - 711 or 800-627-3529
Email: info@connexusenergy.com
www.connexusenergy.com
Gopher State One Call - 811
14601 Ramsey Boulevard, Ramsey, MN 55303

▼ Please detach at perforation and return this portion with a check or money order made payable to Connexus Energy ▼

TRA3-D-006812/005963 VG2K7E S1-ET-M1-C00002



Account Number:

481113-238425

Total Amount Due

\$34.35

Payment Due By

July 13, 2023

006812 1 AB 0.504 002822/006812/005963 023 02 VG2K7E
ELM CREEK WATERSHED MGMT ORG
3235 FERNBROOK LN N
PLYMOUTH MN 55447-5325



Connexus Energy
PO Box 1808
Minneapolis, MN 55480-1808

00003435 0004811130238425 000000 00000 000000000000 0000004

INVOICE

ELM CREEK WATERSHED MGMT COMMISSION
JUDIE ANDERSON
3235 FERNBROOK LN
PLYMOUTH, MN 55447

Invoice Date

6/8/2023

Invoice Number **Ad Number**

951424

1318210

Terms

Net 30

Check Number **Amount Paid**

Account # 419241

\$486.00

ACCOUNT NUMBER	START DATE	STOP DATE	EDITION DATE	ACCOUNT REPRESENTATIVE
419241	06/01/23	06/08/23	6/8/2023	Osseo Legals 763-691-6001

Please return the upper portion with your payment. Or call 763-712-2494 with a credit card payment.

PUBLICATION	DATE	AD#	CLASS	DESCRIPTION/TAG LINE	TYPE	SIZE	QTY/ TIMES	AMOUNT
Osseo MG Champlin & Dayton Press	06/08/2023	1318210	155	June 14 Commission Meeting	LD	2.0 X 6.65	2	486.00

Net Amount	486.00
Shipping	0.00
Tax	0.00
Amount Due	486.00

951424



\$30 charge assessed for returned checks.
Report errors within 5 days to ensure consideration.
Unpaid balances over 30 days past due will incur a 1.5%
finance charge per month (Minimum .50 per month).

INVOICE

Comments

Surface Water Solutions LLC
6533 Nedderson Circle
Brooklyn Park, MN 55445-3206
952-456-4091
surfacewatersolutions@outlook.com

Stantec Project #

Invoice Date: July 31, 2023
Invoice Number: 2023.06

Type	Date	Hours	Job	Task	Memo	Amount	Paid	Column1
LCWMC	5/31/2023	1.00	Technical Services	Pre-Project Review	Archive search for Corcoran	125.00		
FCWMC	6/5/2023	0.60	Technical Services	Meetings	June staff report/email follow-ups on project status	75.00		
LCWMC	6/15/2023	0.75	Technical Services	General	update staff report as requested	93.75		
LCWMC	6/16/2023	0.75	Project Reviews	2022 036	Conservation E-assessment Review/Recommendation to Corcoran	93.75		TTD ESCROW
LCWMC	7/3/2023	0.25	Technical Services	Meetings	project review updates/email	31.25		
LCWMC						0.00		
Total						418.75		



INVOICE

Page 1 of 3

Invoice Number	2101360
Invoice Date	July 6, 2023
Purchase Order	
Customer Number	167501
Project Number	227705635

Bill To

Elm Creek Watershed Management Commission
Accounts Payable
3235 Fernbrook Lane
Plymouth MN 55447
United States

Please Remit To

Stantec Consulting Services Inc. (SCSI)
13980 Collections Center Drive
Chicago IL 60693
United States

Project Elm Creek WMO Services

Project Manager	Megow, Erik Robert	Contract Upset	254,000.00
Current Invoice Total (USD)	18,313.50	Amount Billed to Date	84,192.00
		For Period Ending	June 23, 2023

Accounting to email att: Judie Anderson at judie@jass.biz; Beverly@jass.biz

Top Task 101 General Services

Low Task 101.2023.001 Prereviews and Inquiries

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Megow, Erik Robert	6.75	172.00	1,161.00
Subtotal Professional Services	6.75		1,161.00

Low Task Subtotal **Prereviews and Inquiries** 1,161.00

Low Task 101.2023.002 Meetings

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Matthiesen, Edward Armin (Ed)	0.50	220.00	110.00
Subtotal Professional Services	0.50		110.00

Low Task Subtotal **Meetings** 110.00

Low Task 101.2023.003 Other Services

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Hyams, Aaron Robert	1.25	133.00	166.25
Megow, Erik Robert	18.75	172.00	3,225.00
Spector, Diane F	27.75	195.00	5,411.25
Subtotal Professional Services	47.75		8,802.50

Low Task Subtotal **Other Services** 8,802.50

Invoice Number	2101360
Invoice Date	July 6, 2023
Purchase Order	--
Customer Number	167501
Project Number	227705635

Top Task Subtotal	General Services	10,073.50
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Top Task	200	2023 Project Reviews
Low Task	200.2023.001	Chankahda Trail Reconstruction Phase 2

Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Megow, Erik Robert	6.00	172.00	1,032.00
Subtotal Professional Services	6.00		1,032.00

Low Task Subtotal	Chankahda Trail Reconstruction Phase 2	1,032.00
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Low Task	200.2023.008	Rush Creek Blvd Interchange - Maple Grove
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Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Truong, Kaitlen Nguyen (Kaitlin)	2.00	142.00	284.00
Abrahams, Mark B	14.50	172.00	2,494.00
Megow, Erik Robert	5.75	172.00	989.00
Subtotal Professional Services	22.25		3,767.00

Low Task Subtotal	Rush Creek Blvd Interchange - Maple Grove	3,767.00
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Low Task	200.2023.010	Rogers New Fire Station
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Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Megow, Erik Robert	2.00	172.00	344.00
Subtotal Professional Services	2.00		344.00

Low Task Subtotal	Rogers New Fire Station	344.00
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Low Task	200.2023.011	Sundance Greens 9th Addition
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Professional Services

Category/Employee	Current Hours	Rate	Current Amount
Megow, Erik Robert	1.50	172.00	258.00
Subtotal Professional Services	1.50		258.00

Low Task Subtotal	Sundance Greens 9th Addition	258.00
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Low Task	200.2023.012	Hope Community Mixed-Use Development EAW
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Professional Services

Invoice Number	2101360
Invoice Date	July 6, 2023
Purchase Order	
Customer Number	167501
Project Number	227705635

Category/Employee		Current Hours	Rate	Current Amount
	Megow, Erik Robert	1.50	172.00	258.00
	Subtotal Professional Services	<u>1.50</u>		<u>258.00</u>

Low Task Subtotal	Hope Community Mixed-Use Development EAW	258.00
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Low Task	200.2023.013	River Valley Church
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Professional Services

Category/Employee		Current Hours	Rate	Current Amount
	Truong, Kaitlen Nguyen (Kaitlin)	8.00	142.00	1,136.00
	Megow, Erik Robert	3.00	172.00	516.00
	Subtotal Professional Services	<u>11.00</u>		<u>1,652.00</u>

Low Task Subtotal	River Valley Church	1,652.00
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Low Task	200.203.009	Magnifi Financial - Maple Grove
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Professional Services

Category/Employee		Current Hours	Rate	Current Amount
	Truong, Kaitlen Nguyen (Kaitlin)	2.00	142.00	284.00
	Megow, Erik Robert	3.75	172.00	645.00
	Subtotal Professional Services	<u>5.75</u>		<u>929.00</u>

Low Task Subtotal	Magnifi Financial - Maple Grove	929.00
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Top Task Subtotal	2023 Project Reviews	8,240.00
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Total Fees & Disbursements	18,313.50
INVOICE TOTAL (USD)	18,313.50

Due upon receipt or in accordance with terms of the contract



3235 Fernbrook Lane
Plymouth MN 55447

Elm Creek Watershed Management Commission
3235 Fernbrook Lane
Plymouth, MN 55447

5-Jul-23				Total by Project Area
Administrative		70.00	0.00	
Administrative	58.960	75.00	4,422.00	
Admin - offsite	2.530	80.00	202.40	
Handbook		75.00	0.00	
Office Support	20.00	200.00	4,000.00	
Storage Unit - .47	1.00	183.77	183.77	
Data Processing/File Mgmt		70.00	0.00	
Drop Box Subscription		120.00	0.00	
Archiving		70.00	0.00	
Reimbursables	539.16	1.00	539.16	9,347.330
Administrative - TAC support		70.00	0.00	
Administrative - TAC Support	9.14	75.00	685.50	
Admin - TAC support	1.72	80.00	137.60	
TAC support - reimbursables	32.23	1.00	32.23	855.330
Website		70.00	0.00	
Website	4.40	75.00	330.00	
Web Domain, hosting		1.00	0.00	
Website - reimbursables	2.12	1.00	2.12	332.120
Annual Reporting		70.00	0.00	
Annual Reporting	2.87	75.00	215.25	
Annual Reporting / Work Plans		75.00	0.00	
Annual Reporting/Work Plans - reimbursables		1.00	0.00	215.250
Project Reviews - Secre		70.00	0.00	
Project Reviews - Admin	26.01	75.00	1,950.75	
Project Reviews - Admin Project Specific	0.33	75.00	24.75	24.75
Project Reviews - Admin offsite		80.00	0.00	
Project Reviews - Admin - File Mgmt		75.00	0.00	
Project Reviews - reimbursables	80.34	1.00	80.34	2,031.090
CIPs -General		70.00	0.00	
CIPs - Administrative		75.00	0.00	
CIPs- Offsite Admin		80.00	0.00	
CIPs - reimbursables	6.59	1.00	6.59	6.590
				12,812.460

elm creek Watershed Management Commission

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

Sundance Greens 9th Addition Dayton, Project #2023-011

Project Overview:

Location: The site is located within the broader Sundance Greens development north of Rush Creek parkway and west of Fernbrook Lane North and west/ south of east/west portion of where 113th Avenue N tees into 110th Avenue North.

Purpose: The applicant is proposing to add 31 single family homes and a community pool to the existing development. Stormwater requirements were permitted previously, so only erosion control was considered for this review.

ECWMC	Rule D	Stormwater Management
Rules	X Rule E	Erosion and Sediment Control
Triggered:	Rule F	Floodplain Alterations
	Rule G	Wetland Alteration
	Rule H	Bridge and Culvert Crossings
	Rule I	Buffer Strips

Applicant: Sundance Development, LLC – Tom Dehn

Attention: Robert Machacek

Address: 6781 Highway 10
Ramsey, MN 55303

Phone: 612-328-2215

Email: tom.dehn@powerlodge.com

Agent: Champion Engineering Services, Inc

Attention: Marty Campion

Address: PO Box 41486
Plymouth, MN 55441

Phone: 763-486-3799

Email: mcampion@championeng.com

Exhibits:	Description	Date Received
Application	<input checked="" type="checkbox"/> Complete ECWMC Application	6/08/2023
	<input checked="" type="checkbox"/> ECWMC Request for Review and Approval	5/30/2023
	<input checked="" type="checkbox"/> City authorization: Corcoran, MN	5/23/2023
	<input checked="" type="checkbox"/> Review fee: \$675*	5/16/2023
	<input checked="" type="checkbox"/> Project Documents (site plans, reports, models, etc.)	6/08/2023

Submittals

1. Stormwater Report dated 6/08/2023 by Civil Site Group with narrative, summaries, HydroCAD modeling output for existing and proposed conditions and P8 model results (327 pages).
2. Plans for Cook Lake Highlands with Stormwater Pollution Prevention Plan and wetland impact plan by Civil Site Group dated 5/1/2023.

3. Staff also reviewed also Sundance Greens 6th Addition plans previously permitted to compare minor stormwater edits for consistency with previous permit (dated 5/6/2021).

Findings

General

1. This is the 10.6-acre, 9th addition to a 220-acre low to mid density residential development. The project results in 2.98 acres of new impervious area to the Sundance Green's 9th addition. This addition is comprised of platted homes, associated road, curb and gutter, and a community pool. The overall development, Sundance Green's, stormwater management plan was approved in the Sundance Green 6th Addition (2020-029). Grading permits were issued for prior developments, Additions 2-8.
2. A complete application was received June 8, 2023. The initial 60-day decision period per MN Statute 15.99 expires August 7, 2023.
3. The existing 10.6 acres is primarily a golf course being converted to single family homes and a public pool with associated roadways and impervious.
4. The project will disturb 10.6 acres in Dayton and add 2.98 acres of impervious. Stormwater, abstraction and rate control have been previously permitted.
5. Limited modifications to the Stormwater Plan were provided and reviewed for this project. These modifications are not materially different from the previously approved development and meet Commission Requirements.

Rule E – Erosion Control

1. The applicant proposes perimeter control, double silt fence around wetlands and existing stormwater facilities, inlet protection at catch basins, and a rock construction entrance.
2. Sheet 6 of 5 shows erosion control blankets are required for all disturbed slopes steeper than 3:1.

Recommendation

Motion: For the Commission meeting, staff approval of project #2023-011 was granted once the following condition(s) are met:

1. *[Standard Condition]* Approval is contingent upon payment of all review fees. Additional payment may be required is the review cost exceeds escrow payment(s) submitted by the applicant.
2. Provide adequate wetland buffer and monumentation for the wetland in Outlot E as outlined in previous Project Review 2020-029.
3. Add erosion control blanket to grading plan where slopes are steeper than 3:1.
4. *The applicant shall provide a Stormwater Maintenance Agreement that acceptable to the city and the ECWMC within 90 days after the plat is recorded.*

Rebecca Carlson, P.E. (MN)
Resilience Resources, LLC

7/3/2023
Date

Advisor to the Commission

Attachments

- Figure 1 Site Location Map
- Figure 2 Aerial Imagery
- Figure 3 Context Map

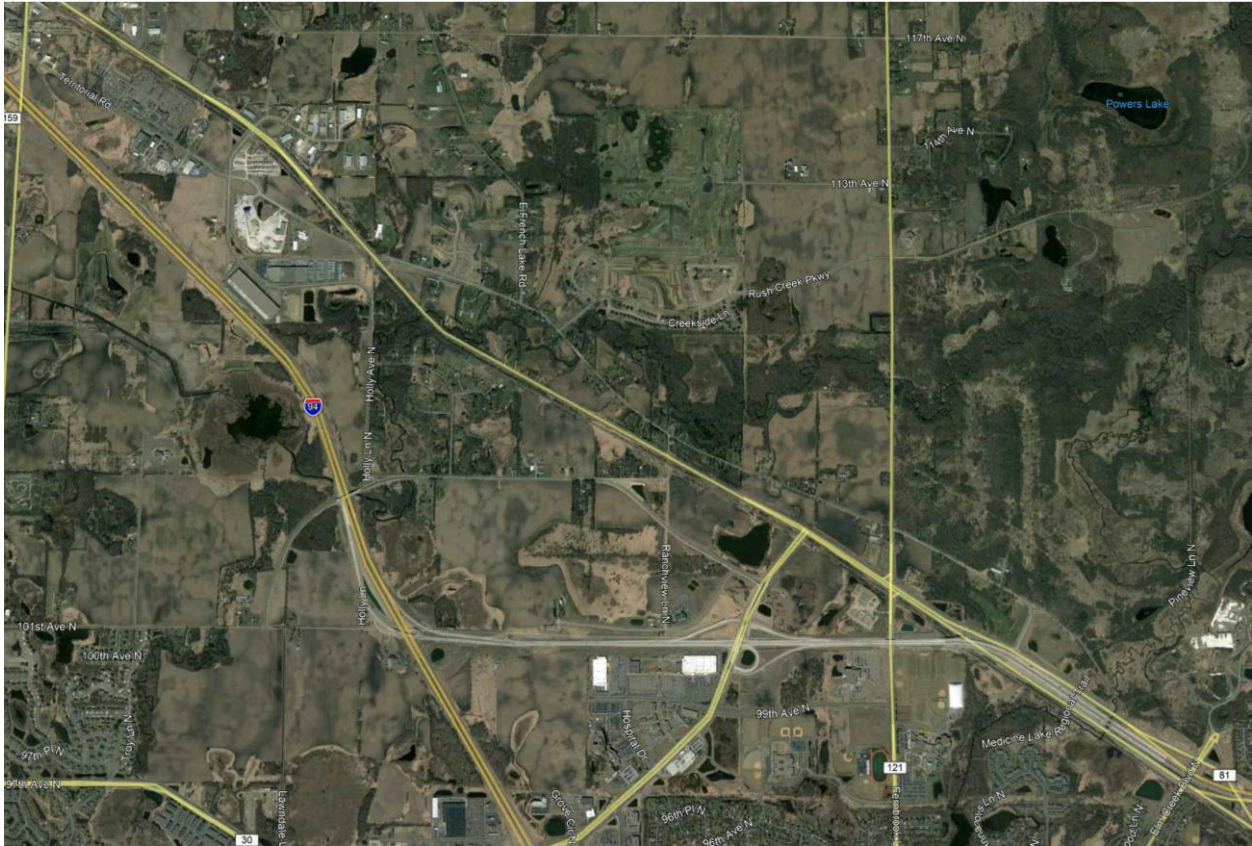


Figure 1 Site Location Map

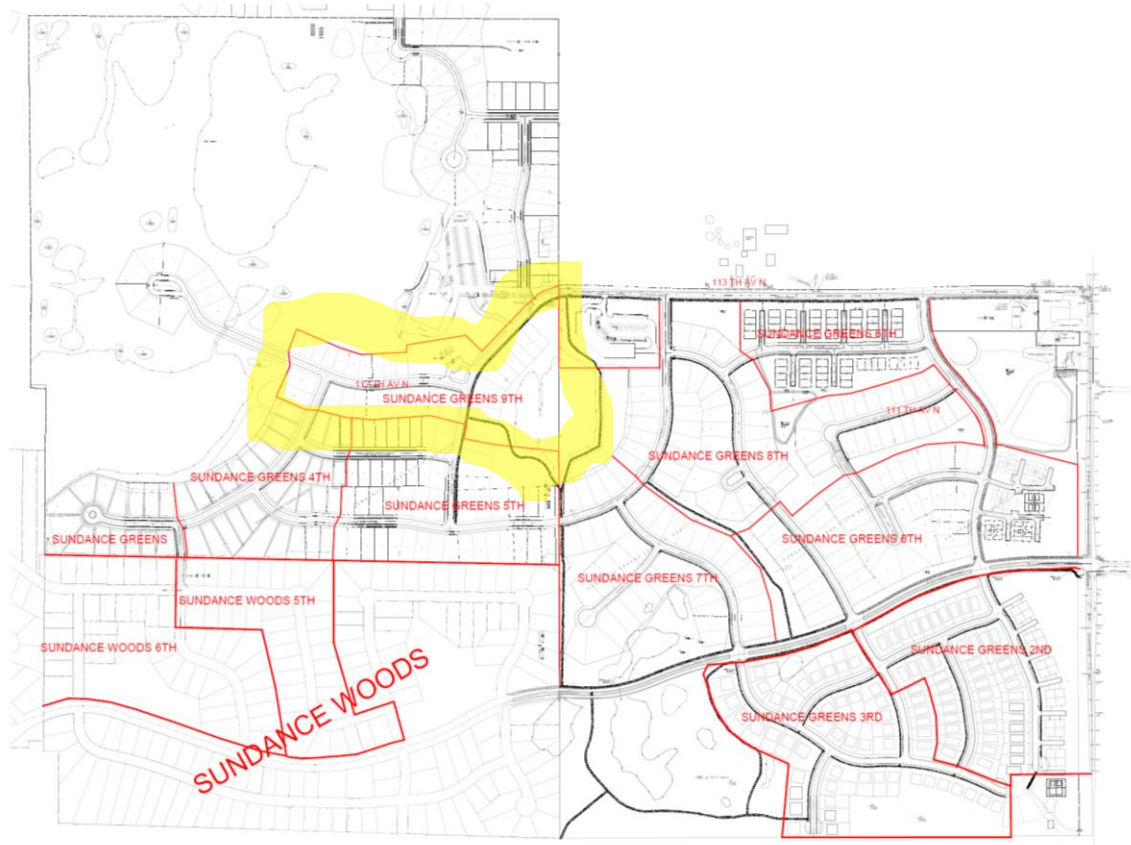


Figure 2 Context Location



Figure 3 Aerial Imagery

Technical Memo

To: Elm Creek Water Management Commission- Commissioners

CC: Erik Megow P.E., Stantec Consulting Services

RE: 2023-012 Hope Community Development Project Draft EAW Review

From: Rebecca Carlson, Resilience Resources

Date: July 5, 2022

Hope Community Church proposes phased construction of a mixed-use development spanning approximately 44.5 acres at the northwest corner of County Road 30 and County Road 116 in Corcoran, MN. The proposed plan reflects 738 housing units (primarily within multifamily buildings) and up to 110,300 square feet of commercial, retail, and medical office space. The existing and proposed cover for the site is shown in the table below (taken from the draft EAW).

Table 3. Cover Types

Cover Types	Before(acres)	After (acres)
Wetlands and shallow lakes (<2 meters deep)	1.2	0
Deep lakes (>2 meters deep)	0	0
Wooded/forest	6.0	1.4
Rivers/streams	0	0
Grass/Shrub	19.8*	0
Cropland	15.8	0
Livestock rangeland/pastureland	0	0
Lawn/landscaping	0	20.6
Green infrastructure TOTAL (from table below*)	0	2.4
Impervious surface	1.7	17.3
Stormwater Pond (wet sedimentation basin)	0	2.7
Other (describe)	0	0
TOTAL	44.5	44.5

Soils on site are C C/D and likely will not allow for infiltration. The site plan proposes meeting Commission requirements via stormwater ponds and filtration basins. The site is fairly flat with slopes less than <10%.

Proximity to Water Resources

The project is located in the Rush Creek Sub-watershed, with no lakes, streams or county ditches in the project area. The site is not located within any floodways or floodplains. Rush Creek located north and west of the project site is impaired for Dissolved Oxygen, E. Coli, fish bioassessments, benthic macroinvertebrate assessments.

Table 9 taken from the draft EAW summarizes the wetlands on site and 2 wetlands on the adjacent church development which will be impacted. Four low quality wetlands on site totaling 1.2 acres are planned to be filled and replaced with mitigation banking credits. Discharge from the remainder of the site routed to 2 other wetlands on the previously developed church site (Wetlands 2 & 3 in the table below).

Table 9. Wetlands Delineated within and adjacent to the Project Area

Wetland ID	Circular* 39	Cowardin	Dominant Vegetation	Acres* (within Project Area)
Wetland 1	Type 1	PEM1Af	Yellow nut sedge, farmed wetland	0.89 acres
Wetland 2	Type 5	PUB1Hx	Cattail	0 acres
Wetland 3	Type 2	PEM1B	Reed canary grass	0 acres
Wetland 4	Type 1	PEM1A	Reed canary grass	0.08 acres
Wetland 5	Type 1	PEM1A	None	0.03 acres
Wetland 6	Type 1	PEM1Af	Farmed wetland	0.23 acres

**Area of Wetlands 1 & 6 are approximate, as final approval of the level 1 delineation offsite review is still pending.*

Managing Stormwater

The project will disturb 43 acres in total and add 17.3 acres of new impervious area. Increasing runoff will be from roadways, roofs, driveways, maintained lawns and landscaped areas. Stormwater ponds and filtration basins placed throughout the development are proposed for mitigating increased runoff rates and meeting water quality and filtration standards. Stormwater runoff quality and quantity will be designed to meet the requirements of the Elm Creek Watershed Commission (ECWMC), and the MPCA National Pollutant Discharge and State Disposal System (NPDES/SDS). The project will eliminate 2 SSTS systems (one for a private residence and one for a church, in lieu of connecting to city sanitary).

Applicable ECWMC Stormwater Rules

The project will disturb more than 1 acre of land and will likely trigger the following rules for ECWMC Review:

- Rule D – Stormwater Management
- Rule E – Erosion and Sediment Control
- Rule G – Wetland Alteration

The project appears to be on track with appropriate considerations to meet Commission requirements. Staff would encourage incorporating resilient and native vegetation and landscaping to reduce maintenance costs, improve habitat and reduce irrigation needs and runoff.

elm creek Watershed Management Commission

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

River Valley Church Maple Grove Project #2023-013

Project Overview:

Location: Disturbing approximately 5.37 acres in Maple Grove located at the southwest corner of Arbor Ridge Parkway and 101st Avenue North.

Purpose: Construct one building, bituminous parking lot, stormwater basin, and other associated site improvements

WMC Rules Triggered:

X	Rule D	Stormwater Management
X	Rule E	Erosion and Sediment Control
	Rule F	Floodplain Alterations
X	Rule G	Wetland Alteration
	Rule H	Bridge and Culvert Crossings
	Rule I	Buffer Strips
	Rule K	Variance

Applicant: River Valley Church
Address: 12345 Portland Ave
Burnsville, MN 55337

Attention: Lou Hernandez

Phone: (952) 255-8800

Email: Lou.hernandez@rivervalley.org

Agent: Rehder & Associates, Inc.
Address: 3440 Federal Drive, Suite 110
Eagan, MN 55122

Attention: Nick Adam

Phone: (651) 337-6729

Email: nadam@rehder.com

Exhibits:	Description	Date Received
Application	<input checked="" type="checkbox"/> Complete ECWMC Application	May 31, 2023
	<input checked="" type="checkbox"/> ECWMC Request for Review and Approval	May 31, 2023
	<input checked="" type="checkbox"/> City authorization: Maple Grove, MN	May 27, 2023
	<input checked="" type="checkbox"/> Review fee: \$3,375	May 26, 2023
	<input checked="" type="checkbox"/> Project Documents (site plans, reports, models, etc.)	May 31, 2023

Submittals

- Stormwater Management Report, dated May 8, 2023, prepared by Rehder & Associates, Inc., revised May 26, 2023, June 27, 2023
 - Stormwater Narrative
 - Volume Control Sizing Calculations
 - Existing and Proposed HydroCAD models
 - Existing and Proposed Drainage Maps
- Construction Drawings, April 14, 2023, prepared by Rehder & Associates, Inc., revised May 8, 2023, May 26, 2023, June 27, 2023

3. Minnesota Wetland Conservation Act Notice of Decision

Findings

General

1. A complete application was received May 31, 2023. The initial 60-day decision period per MN Statute 15.99 expires July 30, 2023.
2. The existing 5.37-acre site is undeveloped and consists mostly of agricultural farmland with a minor wooded area. Stormwater currently drains to the west onto Arbor Ridge Parkway, to the south onto 101st Avenue North, or to the east onto the neighboring site.
3. Construction consists of a single building used as a church with associated parking areas and utility infrastructure.
4. The development will create 3.36-acres of impervious area, all of which is net, new impervious.
5. A new biofiltration basin will be constructed to meet the water quality and abstraction requirements.
6. Soil borings indicate sandy lean clay and poorly graded sand throughout the site. Infiltration is infeasible.
7. There are no Elm Creek Watershed jurisdictional floodplains or stream crossings within the site.

Rule D – Stormwater Management

General

1. The disturbed area is approximately 5.30-acres. The project will result in 3.36-acres of impervious area, all of which is net, new impervious.
2. Soil borings indicate sandy lean clay and poorly graded sand. Infiltration is infeasible.
3. No groundwater was encountered.
4. Stormwater will be managed with one BMP areas which is comprised of biofiltration basins.
5. The biofiltration basin will ultimately drain directly to the existing storm sewer network within Arbor Ridge Parkway.

Rate Controls

1. Rate control **meets** Commission requirements.
2. The proposed basins were sized to draw down within 48 hours.
3. The applicant provided HydroCAD models for the 2-year, 10-year, and 100-year events total outflow from each drainage from the site. The rates are summarized in Table 1.

Table 1 Rate of Discharge Leaving Site

Location	Condition	2-year (cfs)	10-year (cfs)	100-year (cfs)
To Arbor Ridge	Pre-Project	16.4	27.9	52.9
	Proposed	15.2	17.5	21.7
	Change	-1.2	-10.4	-31.2

To 101st Ave	Pre-Project	13.5	23.5	45.3
	Proposed	8.1	14.3	28.2
	Change	-5.4	-9.2	-17.1
To East	Pre-Project	0.3	0.7	1.4
	Proposed	0.3	0.6	1.4
	Change	0.0	-0.1	0.0
Total	Pre-Project	30.2	52.1	99.6
	Proposed	23.6	32.4	51.3
	Change	-6.6	-19.7	-48.3

Low Floor Elevations

1. Low floors **meet** Commission requirements.
2. The low floor elevations must be at least two feet above the 100-yr high water level (HWL) and at least one foot above the EOF for the stormwater pond.

Operation and Maintenance

The applicant will need to enter a stormwater maintenance agreement with the City of Maple Grove. The city's template stormwater maintenance agreement satisfies the requirements of the Commission.

Abstraction Controls and Water Quality

1. Abstraction and Water Quality controls **do meet** Commission requirements
2. Infiltration from 1.1 inches of runoff from impervious areas is not feasible.
3. There is 3.36-acres of net, new impervious areas from the site, requiring abstraction of 13,416 cubic feet.

Table 2 Water Quality Summary

	Annual Runoff Vol. (ac-ft)	Abstraction Vol. (cubic feet)	TP (lbs/year)	TSS (lbs/year)
Pre-Project	3.00	N/A	4.02	411.7
Proposed (w/ BMP's)	6.95	13,416 (required) 13,827 (provided)	2.85	259.6
Change	+3.95	+411 (excess)	-1.17	-185.2

Rule E – Erosion and Sediment Control (plans)

1. Plans **meets** Commission requirements for erosion and sediment control.

2. The erosion and sediment control plans are consistent with current best management practices, including:
 - a. Rock construction entrance
 - b. Silt fence
 - c. Catch basin inlet protection
 - d. Permanent erosion control devices
 - e. Stabilization of disturbed soil areas

Rule G – Wetland Alterations

1. Wetland alterations does **meet** the Commission's requirements.
2. The city of Maple Grove is the Local Government Unit (LGU) in charge of administering the Wetland Conservation Act (WCA) for portions of the project area.
3. The project proposes to fill wetlands.
4. A wetlands alterations plan has been approved.

Recommendation

Conditional Approval

Conditions for Approval

1. Approval is contingent upon final application escrow fee balance. Additional payment or refund of the fees will be determined when all conditions for approval are met.
2. Approval is contingent upon an operation and maintenance plan that is approved by the City of Maple Grove.

On Behalf of Stantec Consulting Services, Inc.
Advisor to the Commission



Date 06/30/2023

Attachments

- | | |
|----------|------------------------|
| Figure 1 | Project Location |
| Figure 2 | Existing Drainage Map |
| Figure 3 | Proposed Drainage Plan |

Figure 1 Project Location

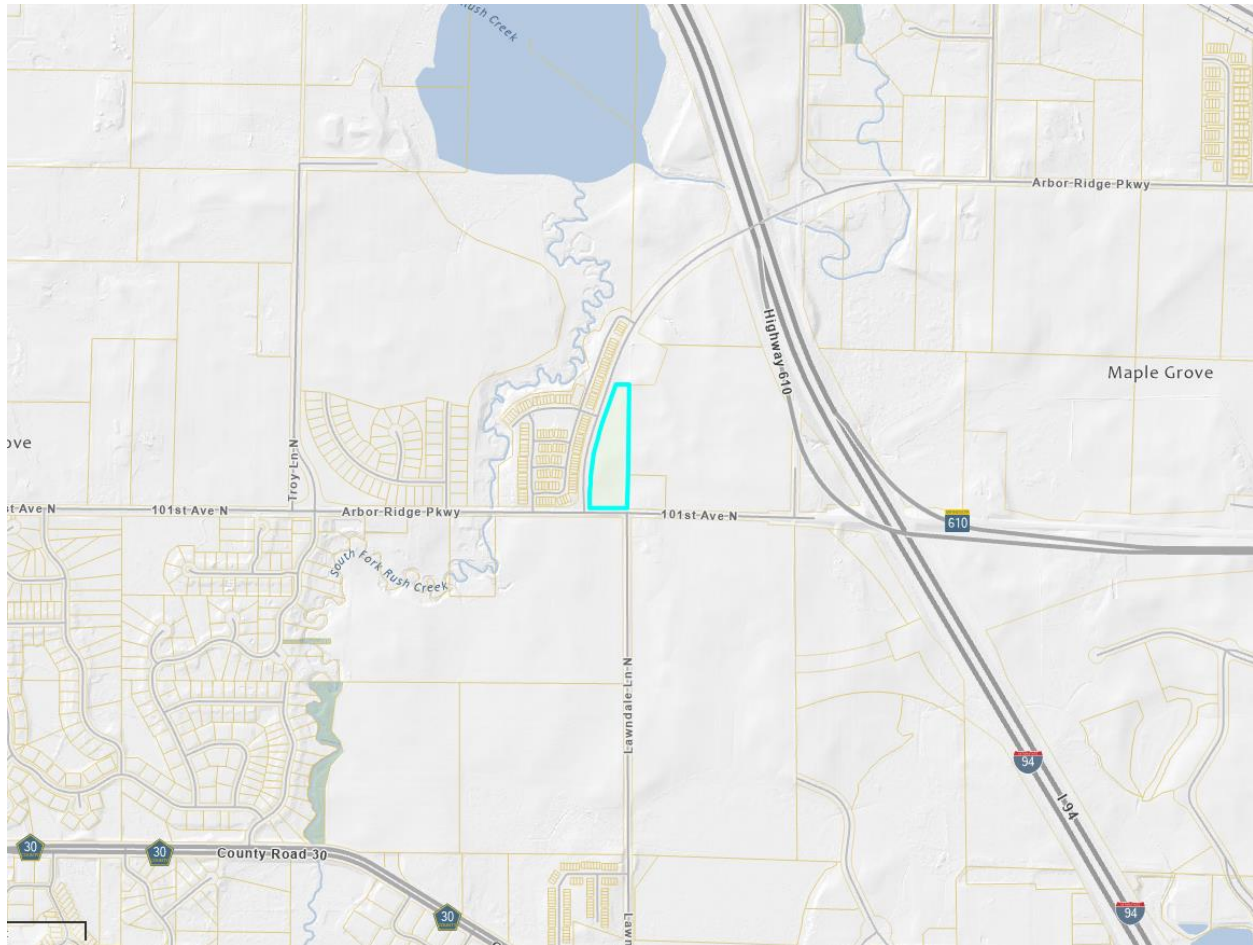


Figure 2 Existing Drainage Map

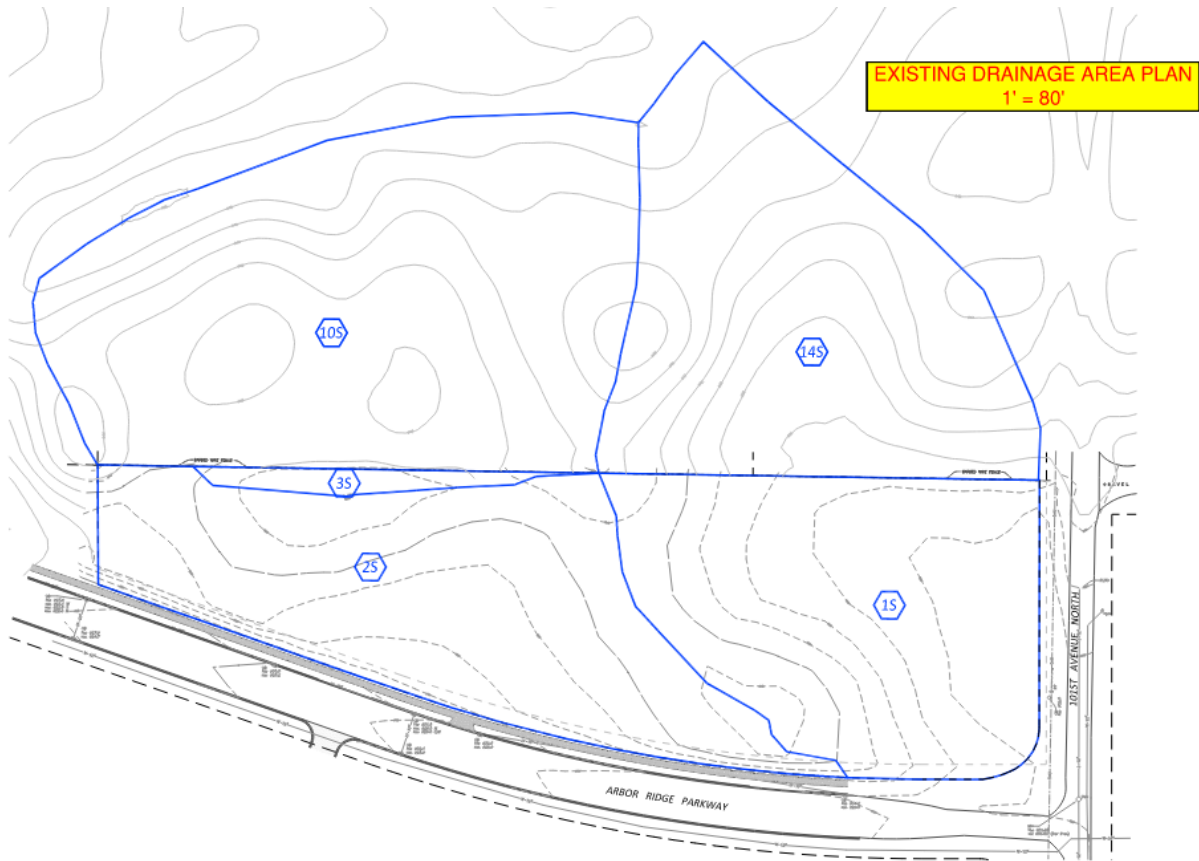
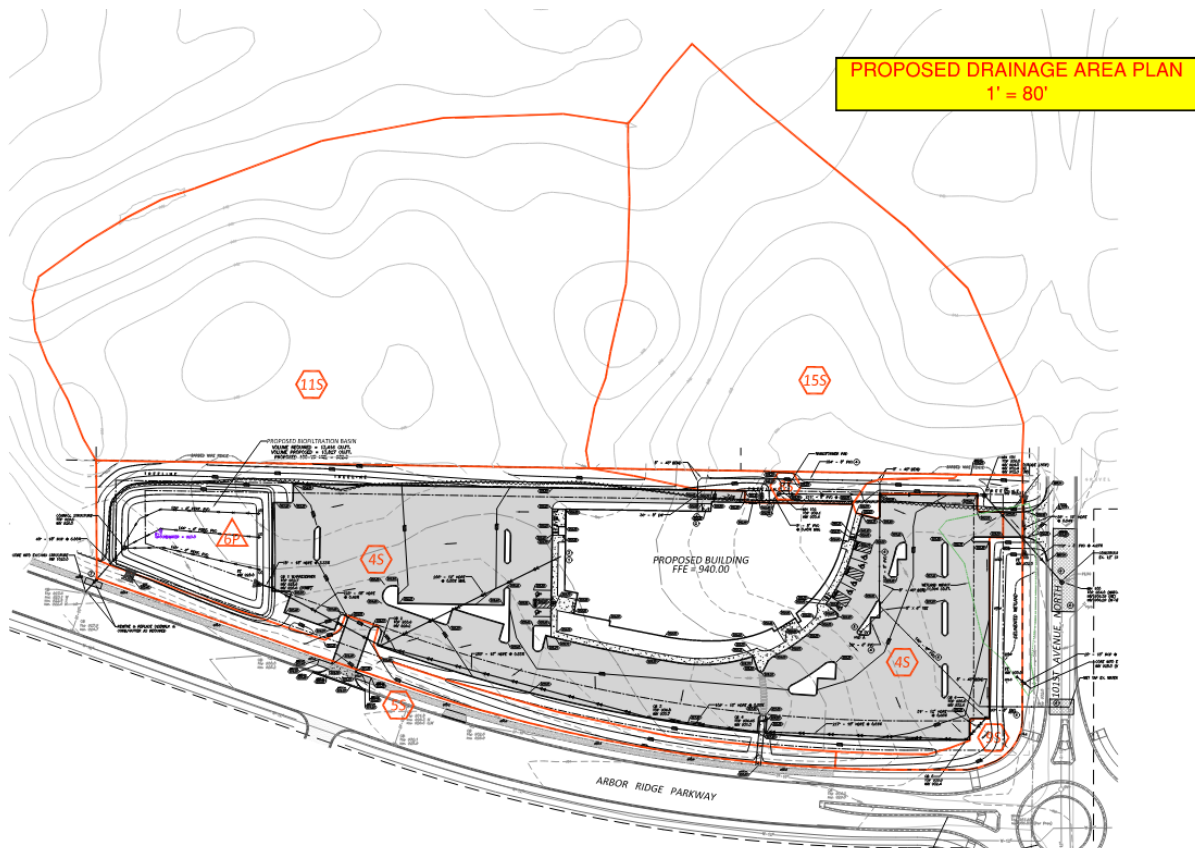


Figure 3 Proposed Drainage Plan



MEMORANDUM

To: ECWMC Technical Advisory Committee

From: Stephanie Thulien, PE, CFM; Kimley-Horn and Associates, Inc.

Cc: Chadd Larson, PE; Kimley-Horn and Associates, Inc.
Mike Payne, PE; City of Plymouth

Date: June 30, 2023

Subject: Review Packet to Discuss ECWMC Rule F: Floodplain Alteration for the Chankahda Trail Phase 2 Reconstruction Project.

The City of Plymouth and Kimley-Horn would like to request the TAC's review and input regarding ECWMC Rule F: Floodplain Alteration for the Chankahda Trail Phase 2 Reconstruction project. The attached Compensatory Storage Summary Letter dated 6/15/23 provides the project background as well as a discussion on the required compensatory storage for project impacts to Elm Creek and how the project is meeting the Commission's Rule F. Additional attachments included in the packet for the TAC's review and consideration are listed below.

The primary topic of discussion will be related to the bottom of the compensatory storage basin elevation of 918.25 relative to the fluctuating groundwater elevations noted in the attachments. The discussion will focus on the current Floodplain Alteration rule and how the basin design meets the rules as written.

Attachments:

- Compensatory Storage Summary Letter dated 6/15/23
- ECWMC Response to Compensatory Storage Summary Letter dated 6/20/23
- Comment Response Letter for ECWMC Comments dated 3/23/23
- Compensatory Storage Basin Grading
- Piezometer Readings
- Onsite Picture of Basin Excavation dated 6/27/23



June 15, 2023, *Updated June 30, 2023*

Elm Creek Watershed Management Commission
c/o Erik Megow - Stantec
733 Marquette Avenue, Suite 1000
Minneapolis MN 55402-2309

**RE: *Elm Creek Watershed Management Commission - Project Review # 2023-01
Chankahda Trail Reconstruction – Phase 2; Rule F: Floodplain Alteration Compensatory
Storage Requirements***

Dear Mr. Megow,

The purpose of this memo is to summarize the requirements related to ECWMC's Rule F: Floodplain Alteration for the Chankahda Trail Phase 2 Reconstruction project and demonstrate the City's compliance in meeting this rule.

The Chankahda Trail Phase 2 Reconstruction project consists of approximately one mile of improvements to reconstruct the roadway into a two-lane urban section and add new trails along the north and south side of the road. Additional improvements include the addition of a new storm sewer network, a box culvert replacement over Elm Creek and the construction of BMPs to meet regulatory requirements for volume control, rate control, and water quality. Due to the widening of the roadway and the addition of trails, approximately 4,892 cubic yards of fill will be placed within the 100-year floodplain of Elm Creek. The ECWMC's Rule F requires compensatory storage below the 100-year flood elevation be provided for this floodplain fill. The current 100-year floodplain elevation is 921.5.

The following is a summary of the watershed commission coordination timeline and key dates.

- 1/27/23 – received the first round of ECWMC review comments
- 3/6/23 – KH responded to ECWMC comments and sent over updated review documents
- 3/22/23 – Received additional comments from ECWMC related to the compensatory storage provided on the lot adjacent to Peony Lane
- 3/23/23 – Response letter to the compensatory storage comments was provided to ECWMC stating compliance with the watershed's Rule F: Floodplain Alteration
- 3/27/23 – Meeting with ECWMC to discuss compensatory storage
- 4/12/23 – ECWMC conditionally approved the Chankahda Trail Phase 2 project

The compensatory storage is shown in the bidding plans on City property located just south of the project area adjacent to Peony Lane. The basin design has a bottom elevation of 918.25 and requires 14,700 cubic yards of common excavation to provide the required 4,892 cubic yards of compensatory flood storage volume needed. The total cost of this improvement is approximately \$200,000.

During the meeting with ECWMC on 3/27/23, the watershed stated concern regarding the current basin bottom of 918.25. The watershed stated that the expected groundwater would be around the 920 elevation and that the basin would be continually full of water below 920. The watershed requested the City provide proof of groundwater levels to approve the current design. The City hired Braun Intertec to install a piezometer to measure the groundwater elevation in April 2023. Measurements indicated the current groundwater elevation was much higher than anticipated at approximately 920.

After receiving the piezometer results, the basin was reevaluated to raise the basin bottom elevation to 920. The floodplain compensatory storage was now only counted between 920 and 921.5 per request by the watershed's engineer. In order to achieve the required 4,892 cubic yards of floodplain compensatory storage within that 1.5 feet, the basin footprint needed to expand significantly. The new basin requires 26,300 cubic yards of common excavation. The total cost for this work is approximately \$370,000.

ECWMC's rules define compensatory storage as the following: Excavated volume of material below the floodplain elevation required to offset floodplain fill. The rules state that "Floodplain alteration or filling shall not cause a net decrease in flood storage capacity below the projected 1% (100-year) critical flood elevation or alter the timing of flooding unless it is shown that the proposed alteration or filling, together with the alteration or filling of all other land on the affected reach of the waterbody to the same degree of encroachment as proposed by the applicant, will not cause high water or aggravate flooding on other land and will not unduly restrict flood flows."

The groundwater elevation noted as part of the piezometer testing in April/May is likely the seasonal high groundwater level due to a spring measurement and a higher-than-average winter snowfall and is not an accurate reflection of the permanent groundwater level within the creek and wetland. Additional piezometer results were obtained on 6/27/23 showing a groundwater elevation of 916.4. The basin was excavated on 6/19/23 and 6/20/23 down to an elevation of 917.75 and no groundwater was present, as shown in the attached site picture. The site also received around 1.2 inches of rain while the basin was excavated, and no rainwater was present within the basin after about 2 days.

Regardless, the large wetland complex south of Chankahda Trail and the portion of Elm Creek that flows through it is likely connected to groundwater and recharged to some extent during the year depending on current flow conditions. A portion of the floodplain storage accounted for is already likely tied to permanent groundwater elevations. The ECWMC floodplain model doesn't take into account groundwater elevations or permanent water within the creek and wetland due to groundwater recharge. ECWMC's rules do not explicitly account for groundwater connection to the floodplain elevation, nor is there enough understanding about how it recharges the existing floodplain storage to regulate to.

The City believes that the original compensatory storage basin design meets the intent of ECWMC's Rule F by providing flood storage from 918.25 up to the 100-year floodplain elevation of 921.5. The redesigned basin with a bottom elevation of 920 creates an extremely large basin that almost doubles the cost of the original design, which is beyond what is reasonable to meet the floodplain compensatory storage requirements stated in the watershed's rules. In addition, the total floodplain storage south between Chankahda Trail and Peony Lane in the large wetland complex is approximately 290,287 cubic yards. The 4,892 cubic yards of fill and subsequent compensatory storage provided due to the project impacts is only 1.7% of the total floodplain storage in the south wetland complex. With this small of an impact to the total flood storage, there would be no negative flooding impacts and is negligible in the updated floodplain model. The City believes that the basin design meets Rule F and is requesting that the watershed consider approving the original basin design.

Please contact me at (612) 431-2644 or stephanie.thulien@kimley-horn.com with any questions or to discuss further.

Sincerely,



Stephanie Thulien, PE, CFM
Water Resources Engineer

cc. Chadd Larson, PE, Kimley-Horn
Mike Payne, PE, City of Plymouth
Ben Scharenbroich, City of Plymouth

Thulien, Stephanie

From: Megow, Erik <erik.megow@stantec.com>
Sent: Tuesday, June 20, 2023 11:26 AM
To: Thulien, Stephanie
Cc: Larson, Chadd; Michael Payne; Ben Scharenbroich - City of Plymouth (bscharenbroich@plymouthmn.gov); James Kujawa; Rebecca Carlson
Subject: RE: Chankahda Trail Reconstruction Project - Elm Creek Compensatory Storage

Follow Up Flag: Follow up
Flag Status: Flagged

Stephanie,

At the Elm Creek's April 2023 Commission Meeting, the Commission approved the project with the following condition:

1. "Approval is contingent upon the receipt of an updated compensatory storage plan that is separated from groundwater and hydraulically connected to the floodplain.

The original compensatory storage grading does not provide a hydraulic connection to the floodplain, as there is a berm at the 100-year HWL, so surface water elevations would have to exceed the 100-year HWL to utilize the compensatory storage.

The original compensatory storage grading also is not separated from groundwater, based on the piezometer readings you provided from Braun. In my talks with Jim Kujawa, the Commission has not historically allowed compensatory storage to be provided below the normal water level or groundwater levels of basins, as these areas are not floodable and will cause a 'net decrease in flood storage capacity below the projected 1% (100-year) critical flood elevation'. How ECWMC Staff have interpreted the compensatory storage, or 'floodable' area, is consistent with the National Flood Insurance Program (NFIP) definition of compensatory storage which states, "The developer is required to offset new fill put in the floodplain by excavating an additional floodable area to replace the lost flood storage area."

Please let me know if you would like to schedule a meeting to discuss alternatives that meet the approved condition, or if you would like to bring this back to the Commission for approval, as we do not believe the proposed solution meets the Commission standards, or their intent.

Thanks,

Erik Megow, PE (MN)

Senior Water Resources Engineer, Associate

Pronouns: he/him/his

Direct: 763 252-6857
erik.megow@stantec.com

Stantec
733 Marquette Avenue Suite 1000
Minneapolis MN 55402-2309



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From: Thulien, Stephanie <Stephanie.Thulien@kimley-horn.com>
Sent: Thursday, June 15, 2023 1:49 PM
To: Megow, Erik <erik.megow@stantec.com>

Cc: Larson, Chadd <Chadd.Larson@kimley-horn.com>; mpayne (mpayne@plymouthmn.gov) <mpayne@plymouthmn.gov>; Ben Scharenbroich <bscharenbroich@plymouthmn.gov>; James Kujawa <surfacewatersolutions@outlook.com>

Subject: RE: Chankahda Trail Reconstruction Project - Elm Creek Compensatory Storage

Hi Erik,

See attached for the original compensatory storage grading plan sheet. The table below are the piezometer results provided by Braun.

Reading Date	Existing Ground Surface Elevation (feet)	Reading (feet)	Corresponding Groundwater Elevation (feet)
4/14/2023	926.7	6.6	920.1
4/19/2023		5.8	920.9
4/24/2023		6.7	920.0
5/3/2023		6.4	920.3
5/17/2023		6.7	920.0
5/18/2023		6.9	919.8
5/31/2023		6.6	920.1

Stephanie Thulien, PE, CFM

Kimley-Horn | 11995 Singletree Lane, Suite 225, Eden Prairie, MN 55344

Direct: 612 431 2644

From: Megow, Erik <erik.megow@stantec.com>

Sent: Thursday, June 15, 2023 1:19 PM

To: Thulien, Stephanie <Stephanie.Thulien@kimley-horn.com>

Cc: Larson, Chadd <Chadd.Larson@kimley-horn.com>; mpayne (mpayne@plymouthmn.gov) <mpayne@plymouthmn.gov>; Ben Scharenbroich <bscharenbroich@plymouthmn.gov>; James Kujawa <surfacewatersolutions@outlook.com>

Subject: RE: Chankahda Trail Reconstruction Project - Elm Creek Compensatory Storage

Stephanie,

Can you please send me the grading plan for the original compensatory storage basin design (that you would like to use) and the piezometer data that you collected?

Thanks,

Erik Megow, PE (MN)

Senior Water Resources Engineer, Associate

Pronouns: he/him/his

Direct: 763 252-6857

erik.megow@stantec.com

Stantec

733 Marquette Avenue Suite 1000

Minneapolis MN 55402-2309



From: Thulien, Stephanie <Stephanie.Thulien@kimley-horn.com>
Sent: Thursday, June 15, 2023 12:57 PM
To: Megow, Erik <erik.megow@stantec.com>
Cc: Larson, Chadd <Chadd.Larson@kimley-horn.com>; mpayne (mpayne@plymouthmn.gov)
<mpayne@plymouthmn.gov>; Ben Scharenbroich <bscharenbroich@plymouthmn.gov>; James Kujawa
<surfacewatersolutions@outlook.com>
Subject: Chankahda Trail Reconstruction Project - Elm Creek Compensatory Storage

Good afternoon Erik,

Please see attached for a memo discussing the compensatory storage requirement for the Chankahda Trail Reconstruction project. The memo outlines our previous discussions on the compensatory storage provided near Peony Lane and the desire for the watershed commission to consider approving the original basin design with a bottom elevation of 918.25. Please review the memo and let me know if you have any questions or would like to set up a meeting with the group to discuss further.

Thanks,

Stephanie Thulien, PE, CFM
Kimley-Horn | 11995 Singletree Lane, Suite 225, Eden Prairie, MN 55344
Direct: 612 431 2644

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March 23, 2023

Elm Creek Watershed Management Commission
c/o Erik Megow - Stantec
733 Marquette Avenue, Suite 1000
Minneapolis MN 55402-2309

**SUBJECT: ELM CREEK WATERSHED MANAGEMENT COMMISSION - PROJECT REVIEW # 2023-01
CHANKAHDA TRAIL RECONSTRUCTION – PHASE 2
RESPONSE TO FINAL COMMENTS**

Dear Mr. Megow:

Thank you for providing the final comments related to the compensatory storage area for the Elm Creek Watershed Management Commission (ECWMC) project #2023-01 – Chankahda Trail Reconstruction Phase 2. The following italicized comments were provided on March 22, 2023. Responses are provided below each comment and a more detailed response follows.

1. *The proposed compensatory storage is not hydraulically connected to the floodplain. The 100-year HWL (~921.5') would need to be exceeded to access this flood storage.*

The grading tie in point for the storage basin can be lowered below 921.5' to allow water during a 100-year event to enter the basin.

2. *The floodplain is currently unable to drain and the drawdown for C/D soils would exceed two weeks.*

Soils on site have been noted through historic soil borings to consist of Hydrologic soil groups C and D. Infiltration rates (inches/hour) for these soil groups are 0.2" and 0.06" respectively per the Minnesota Stormwater Manual Design Infiltration Rates table.

Based on the soil infiltration rates noted above, the compensatory storage area will slowly infiltrate after a 100-year event. This basin is not required to, nor designed to, store back-to-back 100-year events or to infiltrate within a certain amount of time such as a stormwater infiltration/filtration basin would be required to.

To ensure infiltration occurs post construction, the bottom of the basin can be scarified to promote infiltration. Infiltrated water will help recharge the groundwater in this area.

3. *If you can hydraulically connect the compensatory storage to the 920' contour, we will be able to give you credit for the volume within the storage from the 920' to the 921.5' contour, but the storage between the 918.25' and 920' contours is not hydraulically connected to the stream and has no outlet so it is effectively dead storage, or a wet pond.*

See Response #2 above. The compensatory storage area is hydraulically connected to the Elm Creek wetland to the east of the storage area through infiltration and groundwater.



This comment indicates that the ECWMC is requesting the 100-year compensatory storage basin take on flood water during smaller rainfall events and connect to the observed normal water level of the Elm Creek wetland complex to the east. This is not explicitly stated within Rule F and we would like ECWMC to confirm this request, as it goes above and beyond what is listed within Rule F.

4. *As proposed, there may be some scour at the proposed connection to the floodplain if it were done through a channel-like feature.*

Erosion protection measures such as erosion control blanket will be used during construction and can be shown on the plans to prevent scour. The final vegetation in bottom and sides of the storage basin as well as the channel will consist of wetland vegetation. The deep-rooted nature of this vegetation will minimize erosion and scour once established.

The proposed compensatory storage area is designed to provide storage for fill placed within the 100-year floodplain boundary of Elm Creek due to project impacts associated with the culvert crossing of Elm Creek. We believe the designed compensatory storage area as revised, meets ECWMC's Rule F: Floodplain Alteration.

To ensure that the project is approved at the Commission's April meeting, the City would be happy to set up a meeting to discuss the above responses if you have any questions.

Sincerely,



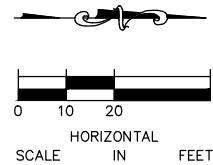
Mike Payne, PE
Assistant City Engineer
763-509-5538
mpayne@plymouthmn.gov

Cc: Ben Scharenbroich, Water Resources Supervisor – City of Plymouth
Stephanie Thulien, PE, CFM – Kimley-Horn
Chadd B. Larson, PE – Kimley-Horn
Judie Anderson, Watershed Administrator – JASS

K:\TWC_Civil\City\PLYMOUTH\CR 47_PPHASE 2_FINAL DESIGN\CAD\Plan Sheets\Exhibits\CR47-PH2 -100 Year Floodplain Grading-PeonyAlt.dwg June 29, 2023 - 9:17am



Kimley»Horn



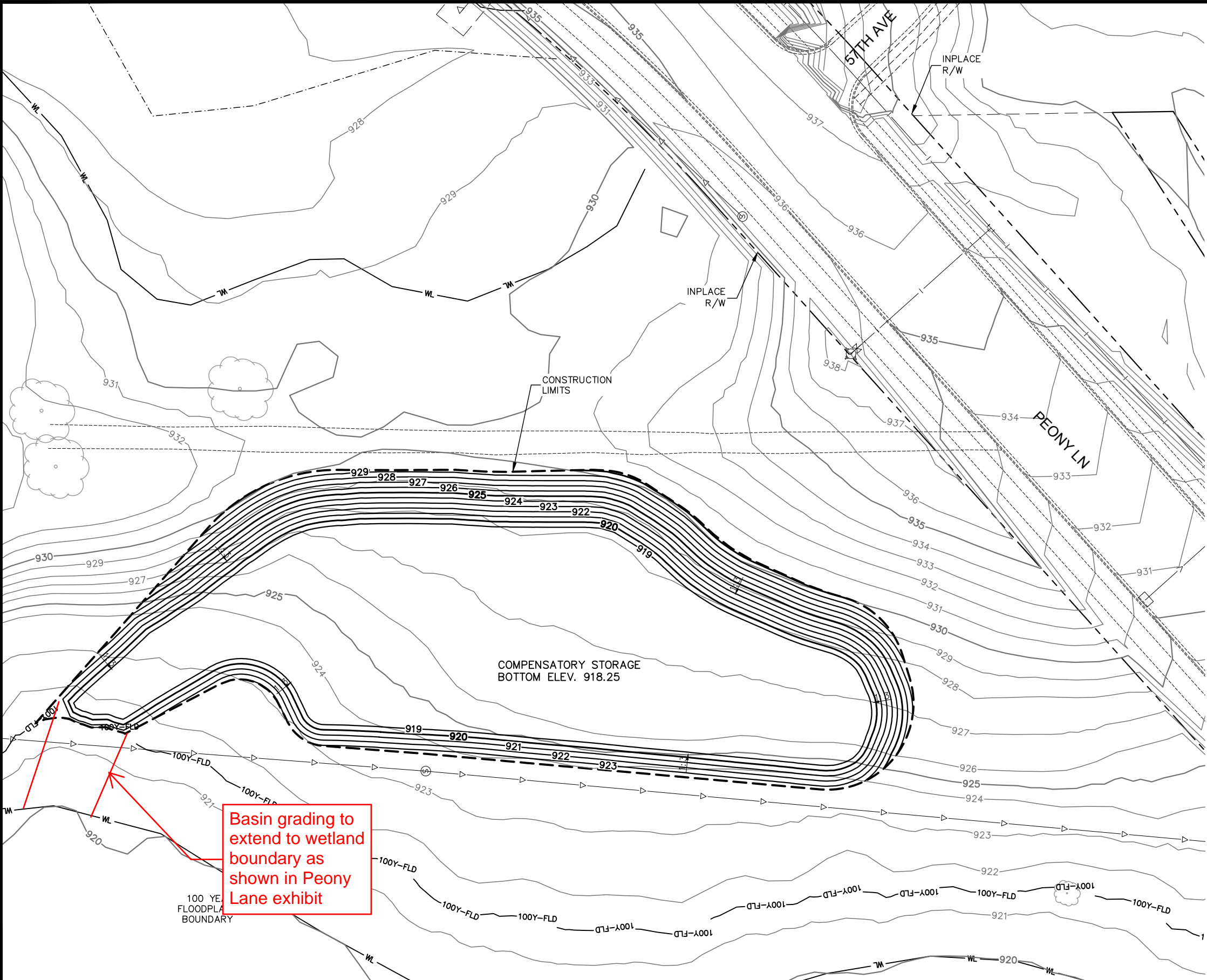
LEGEND



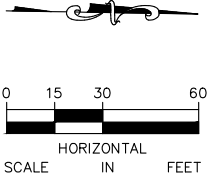
REQUIRE COMPENSATORY FLOOD PLAIN STORAGE VOLUME 4892 CU. YDS.
PROPOSED COMPENSATORY FLOOD PLAIN STORAGE VOLUME 5392 CU. YDS.

CITY OF PLYMOUTH
CHANKAHDA TR
CHANKAHDA TR PHASE 2 CONSTRUCTION

PEONY LN N
FLOOD PLAIN GRADING
JUNE 2023



- NOTES:
1. PROJECT WORK RELATED TO ELM CREEK COMPENSATORY STORAGE TAKING PLACE AT PARCEL ID 0611822440002 IS LOCATED APPROXIMATELY 2,100 FEET SOUTH OF THE INTERSECTION OF CHANKAHDA TRAIL AND PEONY LANE.
 2. THE REQUIRED WATER QUALITY VOLUME FOR THE COMPENSATORY STORAGE AREA IS X CUBIC YARDS. THE PROPOSED COMPENSATORY STORAGE AREA PROVIDES 14,700 CUBIC YARDS OF STORAGE.




No.	Date	Revisions	App.	DRAWING NAME
				CHANKAHDA_PH2_Grading.dwg
				DESIGNED BY: RJG
				DRAWN BY: RJG
				CHECKED BY: CBL
				DATE: 2/14/2023
				PROJECT NO. 160662010

Kimley»Horn
767 EUSTIS STREET, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-645-4197
WWW.KIMLEY-HORN.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Stephanie Thulien
STEPHANIE L. THULIEN, PE
DATE: 2/14/2023 MN LIC. NO. 57230


CHANKAHDA TRAIL
RECONSTRUCTION PHASE 2
PEONY LANE
COMPENSATORY STORAGE GRADING

CITY PROJECT	ST230002
COUNTY PROJECT	
S.A.P.	155-210-002
S.A.P.	

SHEET NO.
115
230

Piezometer Readings – Completed by Braun Intertec.

Reading Date	Existing Ground Surface Elevation (feet)	Reading (feet)	Corresponding Groundwater Elevation (feet)
4/14/2023	926.7	6.6	920.1
4/19/2023		5.8	920.9
4/24/2023		6.7	920.0
5/3/2023		6.4	920.3
5/17/2023		6.7	920.0
5/18/2023		6.9	919.8
5/31/2023		6.6	920.1
6/29/2023		10.3	916.4

Excavation of the pond on 6/19 and 6/20. Photo taken 6/27/23. Follows approximately 1.2 inches of rain that occurred between 6/23-6/26. No water present down to an elevation of 917.75. Basin not holding rainwater.



To: Elm Creek WMO Commissioners
Elm Creek TAC

From: Erik Megow, PE
Diane Spector
Judie Anderson

Date: July 5, 2023

Subject: Project Review Fee Adjustment Options

**Recommended
Commission Action**

Discuss and provide recommendation and direction.

At the June 2023 TAC and Commission meetings, staff discussed the results of their internal review of the adequacy of the project review fees to not only recover the costs of performing the project reviews, but also the administrative and other tasks associated with the program. At that time staff concluded that:

- 1) The nonrefundable admin fee was not recovering the cost of admin time, which was more extensive than anticipated at the time of the programmatic switch from a flat fee to an actual-cost fee.
- 2) The nonrefundable tech fee is adequately recovering costs. While both the non-billable admin and tech costs are tracked separately, currently the Treasurer's Report lumps the technical costs in with other engineering costs on the line item "Technical Other," and should be shown separately.
- 3) More than half the project reviews incurred costs that exceeded the base fee, requiring staff to invoice applicants for additional escrow funds and causing what was sometimes a several month gap between when the review expense was incurred and when the fee was recovered. Staff recommended increasing the base review fees.

Table 1 shows the estimated actual costs of performing project reviews and undertaking admin and technical tasks related to project reviews but not associated with a formal project review.

Table 1. Budgeted revenues compared to actual expenses.

Category	2021		2022		2023
	Revenues	Actual	Revenues	Actual	Budget
Review fees (incl contingency)	\$155,758	\$181,987	\$169,720	\$188,032	\$184,000
Admin fee	13,750	27,806	13,100	22,703	16,000
Tech fee	20,265	12,448	19,650	14,634	17,000
# reviews		56		49	

The TAC recommended adjusting both the base fees and the nonrefundable admin and tech fees to reduce some of the administrative and financial burden and better align with actual costs. It was the TAC's thought that refunds, rather than tracking down payments from developments that may have ultimately been cancelled or changed ownership, would reduce administrative costs. Based on Table 1, given the historical number of project reviews reasonable revenue goals for each would be:

- review fees: \$180,000-200,000
- admin fees: 18,000 - 20,000
- tech fees: \$16,000 -18,000

Table 2 shows the estimated fees collected from a hypothetical 50 project reviews: 50 requiring erosion control review, 45 stormwater management and 15 buffer reviews. The TAC initially supported doubling the review fees. Scenario 1 shows the impact of just doubling the fee, while scenario 2 shows doubling the review base fee but also reducing the contingency and nonrefundable fees, which are a percentage of the total review fee.

Scenario 3 takes a slightly different approach. It doubles the review fee while eliminating the 10% contingency; charges a flat \$250 administrative fee per application plus 5% of the total review fee; and reduces the tech nonrefundable fee to 8% of the total fee. The advantage of a flat amount plus a percent of the total is that for project reviews such as a grading plan for erosion control only, even doubling the fee from \$500 to \$1,000 means a 10% multiplier would yield only a \$100 admin fee, which would not cover costs.

Table 2. Project review fee scenarios.

Scenario	Fees	Contingency	Total Eng	Admin	Tech
Current fee structure (10%/10%/15%)*	\$127,500	\$12,750	\$140,250	\$12,750	\$19,125
1-double fees (10%/10%/15%)*	255,000	25,500	280,500	25,500	38,250
2-double fees, reduce NRF (5%/8%/8%)	255,000	12,750	267,750	21,420	21,420
3-double fees, elim contingency, add flat application fee, reduce NRF (5%/8%)	255,000	0	255,000	25,250	20,400

*10% contingency, 10% nonrefundable (NRF) admin fee, 15% nonrefundable tech fee, etc

Recommendation

This is presented for review and discussion. Staff believes either approach would bring the Commission closer to its desirable revenue goals and by reducing the number of project reviews requiring invoicing and chasing after additional escrow, would be more administratively cost-effective. Discussion can be had regarding the appropriate nonrefundable fee percentages based on desired revenue goals.

Project review fees should be reviewed annually to determine if they are adequately recovering costs and adjusted as necessary on a regular basis as part of the annual budget/audit process.

To: Elm Creek WMO Commissioners
Elm Creek TAC

From: Erik Megow, PE
Diane Spector
Brian Vlach

Date: July 5, 1023

Subject: TMDL 10-year Review Update

**Recommended
Commission Action**

For information and discussion.

A few months ago the Commission and TAC discussed undertaking a progress review of the Elm Creek Watershed TMDL. The purpose of this memo is a progress report on the development of a scope of work to undertake that review.

The TMDL was completed in phases over several years, starting with additional monitoring and data gathering in 2009-2010, analysis and development of the TMDL in 2012-2014, and then final completion of the TMDL document and accompanying Watershed Restoration and Protection Strategies document in 2015. This TMDL covers seven nutrient-impaired lakes, and multiple impairments (dissolved oxygen, nutrient, sediment, bacteria) on Elm, Diamond, and North and South Forks Rush Creek.

The final reports were approved by the MPCA and EPA in 2016. While the final TMDL has been in place for seven years, much of the underlying data about watershed conditions goes back to 2010 and one area to 2006. Since those “baseline years” there have been numerous Best Management Practices and improvement projects implemented, and it is timely to compile that information to determine how much progress has been made toward meeting the required pollutant load reductions and whether any measurable improvement in water quality has occurred.

In previous discussions staff has met to review how best to approach this analysis and as previously discussed has developed a multi-phase approach: 1) compile BMP and water quality data; 2) fill water quality monitoring gaps; and 3) finalize TMDL review. This will take 2-4 years to complete, depending on the amount of supplemental monitoring that is desired. Our intent is to set this up as a “living analysis” that can then be added to every year as more data is available.

Staff met recently and have developed a division of labor that seems workable. Stantec will take the lead on gathering and analyzing BMP and project data and will develop an interactive GIS application to track progress. Three Rivers will take the lead on analyzing lake water quality data, and Stantec will lead analyzing stream water quality data. We still have some work to do to estimate the level of effort for the BMP collection – we assume some cities have some BMP removals computed for their NPDES reporting and GIS location data but not all do. In addition, older project reviews will have to be reviewed to estimate removals and added manually to our GIS coverages. That will allow us to partition the load reductions by drainage area.

We will meet separately with the cities and county to better understand existing data so we can prepare a final Scope of Work for consideration at the August meeting. We expect that will require a supplemental contract with Three Rivers and an additional Work Order for Stantec’s work.

elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE
3235 Fernbrook Lane
Plymouth, MN 55447
PH: 763.553.1144 | email: judie@jass.biz
www.elmcreekwatershed.org

TECHNICAL SUPPORT
Erik R. Megow | erik.megow@stantec.com
James Kujawa | surfacewatersolutions@outlook.com
Rebecca Carlson | rebecca@resilience-resources.com

STAFF REPORT July 5, 2023

- a. **2017-050W Ernie Mayers Wetland/floodplain violation, Corcoran.** The City of Corcoran contacted the Commission in 2017 concerning drainage complaints on Mayers' property. Technical Evaluation Panels (TEPs) were held to assess the nature and extent of the violations and a restoration order was issued to Mayers. In 2018, an appeal of the restoration order was received by the Board of Water and Soil Resources. BWSR placed an order of abeyance (stay) on the appeal looking for a resolution between the LGU and Mayers. The parties came to an agreement to resolve the violation in 2021. The agreement was signed by BWSR, Corcoran and Mayers. Commission Staff have not been provided with a copy of the agreement and the agreement does not resolve the Commission's floodplain fill issue from the wetland work. Staff sent correspondence to that effect to Mayers on February 1, 2022, requesting an application and site plan. To date, no WCA or floodplain compliance actions have been taken by Mayers or the City. Once the Commission is informed by the LGU of how the violations will be resolved, Staff can follow up on the scope of any outstanding Elm Creek floodplain issues. *No new information has been received from the LGU since the agreement was signed in 2021. An email from BWSR on June 6, 2023 recommends an on-site assessment be conducted.*
- b. **2021-029 TriCare Grocery, Maple Grove.** The project will construct a grocery store, retail, and associated parking on approximately 2.5 acres of the 62.7-acre TriCare parcel, located just north of CR 30 and southwest of I-94. The project was reviewed for Rules D and E. Staff issued a denial in 2016 when the regional stormwater BMP project was constructed. On November 10, 2021, the Commission approved this project contingent upon receipt of the escrow balance and the City reconstructing the basin to meet Commission rules and standards per Staff findings dated November 1, 2021.
- c. **2021-034 BAPS Temple, Medina.** This project includes construction of a Hindu Temple, dining hall, gymnasium, parking lot and a permanent residency for the temple's priest on a 19.7-acre parcel at 1400 Hamel Road. The parcel currently serves as a farmstead with a farmhouse and barns. The project was reviewed for Rules D, E, G, and I and approved at the October 2021 meeting contingent on three conditions outlined in Staff's findings dated October 4, 2021: (1) receipt of the escrow balance, (2) an operation and maintenance agreement with the City, and (3) a geotechnical report provided to the Commission. An update from the applicant's engineer on July 21, 2022, stated, "The client is holding on[to] construction documents temporarily; once they give us the go-ahead we will work to finalize the items below, likely by this fall [2022]." On November 3, 2022, Dusty Finke informed the Commission that the applicant has amended the site layout a bit and anticipates construction in 2023.

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- d. **2021-044 Balsam II Apartments, Dayton.** The Commission approved this project in January 2022. The final infiltration testing of the stormwater basin and receipt of the escrow balance are the only conditions outstanding from Staff's findings dated December 22, 2021. As of November 2, 2022, the City and the Commission are awaiting the test results so that the outstanding escrow balance can be invoiced, and this project can be closed. The applicant informed the City they will provide the test results when completed in summer 2023.
- e. **2021-052 Norbella Senior Living, Rogers.** This project will construct a 40-unit senior living facility on South Diamond Lake Road. The proposed disturbance is 2.4-acres with net, new impervious surfaces of 1.4- acres. The project was reviewed for Rules D and E. Staff findings dated February 14, 2022, were approved by the Commission at their March 9, 2022, meeting with three conditions: (1) final escrow balance being reconciled, (2) a stormwater maintenance agreement being put in place between the owner and the city with terms acceptable to the Commission, and (3) a detail being added to the construction drawings showing the inspection ports being installed along the isolator row of the underground filtration system. On January 25, 2023, Andrew Simmons reported that this project has not yet proceeded.
- f. **2022-002 Summerwell Townhomes, Maple Grove.** This project is for construction of a 26-acre site into a residential townhome community. It will create 13-acres of impervious, all of which is net, new impervious. The project triggers Rules D, E, G, and I and was approved at the Commission's June meeting with three conditions: (1) determination of escrow fee balance; (2) receipt of an O&M Plan approved by the City, and (3) provision of a wetland monitoring plan with four conditions. These conditions are found in Staff findings dated June 2, 2022. The monitoring plan was received on November 3, 2022. This project will be removed from the report upon receipt of the escrow balance.
- g. **2022-003 Fox Briar Ridge East, Maple Grove.** The proposed project is for construction of eight townhomes and one single family home with associated sidewalks, roads, and stormwater infrastructure. The project will create 1.81-acres of impervious, 1.68-acres of which is net, new impervious. The project triggers Rules D and E. This project received approval at the Commission's April meeting with two conditions as cited in Staff findings dated April 4, 2022: final escrow determination and provision of a stormwater maintenance agreement acceptable to the City and the Commission within 90 days after the plat is recorded for all stormwater BMPs on the site that will not be operated and maintained by the City. This project will be removed from the report upon receipt of the escrow balance.
- h. **2022-006 Hamel Townhomes, Medina.** The proposed project would construct 30 townhomes with associated sidewalks, roads, and stormwater infrastructure. The project will create 1.76-acres of impervious, 1.54-acres of which is net, new impervious, and triggers Rules D and E. In their findings dated August 2, 2022, Staff recommended approval with two conditions: receipt of an Operations and Maintenance Agreement acceptable to the City and final escrow determination. The project was approved at the Commission's August meeting. The project is currently on hold and Staff are working with the engineer and owner regarding the escrow.
- i. **2022-008 Bechtold Farms, Corcoran.** This is two parcels that total 117.6 acres proposed to be sub-divided into 12 large, single-family lots. The project will create 6.3-acres impervious areas, 4.5-acres which are net, new impervious. The project triggered Rules D, E, F, G, and I. The vegetation

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management plan for the wetland buffers and preservation areas was approved by Commission staff on May 3, 2022. The City is working on the conservation easements and O & M agreements. Staff provided the Commission's livestock guidelines to the applicant and the City. Staff's April 13, 2022 (updated) recommendations were approved at the Commission's April 13, 2022, meeting. All the contingencies have been accomplished and the escrow balance will be refunded.

j. 2022-011 Arrowhead Drive Turn Lane Expansion, Medina. This project consists of a linear project for the City of Medina and a private site expansion for Open Systems International (OSI). The City will be constructing a stormwater BMP on the OSI site to accommodate for rates and water quality from two projects: (1) Arrowhead Drive Turn Lane Expansion and the future (2) Open Systems International, Inc. (OSI) Expansion. The projects are being reviewed as a planned development being treated by the proposed basin. Updated plans were received April 1 and April 14, 2022. This project received approval at the Commission's May Meeting pending three conditions found in Staff findings dated May 2, 2022: (1) final escrow determination, (2) payment of the additional floodplain alteration review fee, and (3) plans for the OSI, Inc. parking expansion being developed. A Commission application for Rule E will be necessary, assuming the stormwater management is consistent with this approval. An erosion control and grading plan for the OSI site should include no more than 1.56 acres of impervious surface and all impervious surfaces shall be directed to the proposed stormwater BMP.

k. 2022-013 Dayton Industrial Site, Dayton. This project is a 25.04-acre site located on the north side of CR 81 between Brockton Lane and Dayton Parkway. The applicant is proposing to construct a 334,750 SF industrial building with associated parking for passenger vehicles and tractor trailers. Construction of an extension of Troy Lane Extension from its current cul-de-sac terminus continuing eastward to a future intersection with West French Lake Road is also planned, but will be permitted separately by the City. The proposed project will create 17 acres of new impervious, disturbing 30 acres. The area of the two existing parcels is 25.04 with 0.44 acres of existing impervious. Staff received the signed application March 21, 2022. Staff completed an initial review and requested additional documents from the applicant, which were received March 29, 2022. At their May 11, 2022 meeting the Commission approved this project with eight conditions per Staff's findings dated May 2, 2022.

l. 2022-016 Rogers Activity Center. Redevelopment and additions to the Rogers Municipal Complex are proposed at 14160 James Road. The project includes site clearing, demolition of the existing asphalt pavement, and grading for a future turf and ice rink facility. The Commission review covered Rules D, E, G and I. At their May 11, 2022 meeting the Commission approved Staff's findings dated May 2, 2022, with five conditions.

m. 2022-017 City Center Drive, Corcoran. This site is approximately 30-acres, adjacent to and east of CR 116. The City is proposing to provide infrastructure and a regional stormwater system for the ultimate development of this area. This plan proposes to grade and construct City Center Drive, 79th Place, CR 116 turn Lanes, the proposed St. Therese Senior housing facility and a linear city park and trail along CR 116. At the June meeting the Commission approved this project with four conditions 1) Wetland impacts and replacement plans must be approved by the LGU. 2) Final erosion and sediment control plans must be submitted that meet the Commissions requirements. 3) Post construction drawdown rates of >3" per hour must be verified on the filter bench to the NE regional

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pond and 4) Final escrow balance determination, as cited in Staff findings dated May 31, 2022. Items 3 and 4 are the only remaining items.

n. 2022-018 Big Woods, Rogers. This site is approximately 72.1 acres, with 61.0 acres being disturbed. The project will create 207 residential lots and include 23.6 acres of impervious surface after development. The Commission review covers Rules D, E, and I. Per Staff findings dated June 1, 2022, the Commission approved this project at the June meeting conditioned on: (1) reconciliation of the escrow fee balance; (2) receipt of a wetland alteration plan approved by the WCA LGU [the City]; and (3) approval of an operations and maintenance plan approved by the City.

o. 2022-019 Grass Lake Preserve, Dayton. This is two parcels totaling 38.45 acres, located east of Brockton Road (CR 13) approximately halfway between North and South Diamond Lake Roads. The applicant is proposing 120 twin homes and 6 single family detached homes with corresponding utilities, and streets. Based on Staff findings dated June 2, 2022, the Commission approved this project at their June 2022 meeting with the following conditions. (1) reconciliation of the escrow fee balance; (2) final SWPPP plan submittal prior to grading; (3) receipt of a wetland alteration plan approved by the WCA LGU [the City] and MNDNR {if applicable}; (4) additional sump manholes at CBMHs 205 and 210; and (5) City approval of a long-term operation and maintenance plan on the stormwater facilities. Items 2, 4 and 5 are adequate. The WCA wetland replacement plan was approved in November by the LGU. The balance of the escrow will be refunded.

p. 2022-020 Skye Meadows Extension, Rogers. This is a development on a 45.3-acre parcel which will disturb 44.1 acres and result in 14.1 acres of impervious surface. The impervious surface includes 129 lots and associated streets. The Commission review covered Rules D, E, G, and I. The project was approved at the Commission's June meeting with the three conditions cited in Staff's findings dated June 1, 2022: (1) final escrow balance reconciliation; (2) approved wetland mitigation plan for the proposed disturbance of Wetlands A and B; and (3) an operation and maintenance plan approved by the City. On January 25, 2023, Andrew Simmons reported that the project includes a road vacation that likely will not be approved. The applicant may need to come back for a re-review.

q. 2022-022 Cook Lake Highlands, Corcoran/Maple Grove. This is a 53.58-acre development comprised of four existing parcels. The western parcel in Corcoran totaling 27.3 acres is under consideration for this review. The adjacent Cook Lake Edgewater, 2021-031 was approved in October 2021. The site is located along the north side of CR 10 (Bass Lake Road) just west of the CR 101 crossing and southwest of Cook Lake. The applicant is proposing to create a detached residential rental community with 59 units creating 10.4 acres of new impervious areas in Maple Grove, and 8.1 acres of new impervious in Corcoran (a total of 18.5 acres). The applicant reports incorporation of some impervious that is planned for the future acres of new impervious areas in Maple Grove, 8.1 acres of new impervious in Corcoran (totaling 18.5 acres) as well as for the future expansion of CR 10. This phase of the project will disturb 18.6 acres. A stormwater pond with bio-filtration bench and a smaller filtration basin are proposed for the Corcoran portion of the site. At the June meeting the Commission granted approval of the six conditions cited in Staff's June 1, 2022, findings.

r. 2022-026 Rogers Archway Building, Rogers. The project site is located between 129th Avenue

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North and Territorial Road, west of Main Street and east of Elm Parkway. The applicant reconfigured their construction activities in order to maintain the volume of the existing pond, thereby not triggering Commission rules. Upon receipt of as-built plans confirming the reconfiguration, this project will be closed out and the surplus escrow returned to the applicant. On January 26, 2023, Andrew Simmons reported that construction has not yet commenced.

s. 2022-028 Elsie Stephens Park, Dayton. This is existing park property (~20 acres) located about a mile north of the junction of County Roads 144 (N. Diamond Lake Road) and 12 (Dayton River Road). The project proposes to construct two entrance roads off CR 12, 1,300 feet of park roadways with a parking area and loop road, and a trail system to connect existing and future trails. Site revisions received July 5, 2022, were reviewed by the Commission at their July 2022 meeting. Staff recommended approval in their findings dated July 6, 2022, contingent upon: 1) pre- and post-construction soil analysis on each infiltration basin to determine that infiltration rates meet or exceed design assumptions; 2) erosion and sediment control meeting the Commission's requirements and approved by Staff; and 3) escrow fee reconciliation. No new information has been received.

t. 2022-029 Hayden Hills Park, Dayton. This is an existing 6.5-acre vacant park property located in the Hayden Hills Development about one-half mile south of Dayton City Hall near Deerwood Lane at 132nd Avenue. The City proposes to grade and construct a baseball field, open play areas, ice skating area, a basketball court, pickleball court, playground, putting green, and connection trails into the existing trail system. The site's stormwater (Rule D) was designed into the Hayden Hills development approved by the Commission under project 2018-008. Staff reviewed this plan for Rule E only. Site plans conformed to Rule E and were administratively approved in Staff findings dated May 27, 2022. The escrow balance will be invoiced and this item removed from the report when it is received.

u. 2022-031 Corcoran II Substation. The project site is located on 2.87 acres in the northeast intersection of Larkin Road and CR 116. It is a 38.91-acre parcel that is proposed to be subdivided into one lot and two outlots. Block 1, Lot 1 will be the parcel where Wright Hennepin Cooperative Electric Association will place their substation. The remaining areas will be utilized for future development and for ROW along CR 116. The Commission approved Staff's July 5, 2022, recommendations with three conditions. 1) a stormwater operation and maintenance agreement acceptable to the City and the Commission must be recorded by the landowner on this property; 2) the 48-hour drawdown (4,704 CF) on the stormwater basin must be verified post-construction; and 3) escrow fee reconciliation. No new information has been received. *The stormwater basin drawdown has been received and verified. The only remaining item is the escrow fee reconciliation.*

v. 2022-038 Tavera (North Phase), Corcoran. Lennar Homes is proposing to develop this site into a 244-unit housing development, with 110 single family detached lots and 134 attached townhouse units. It is the second phase of the overall larger 548-unit Tavera housing development. The total site area is 272 acres. Phase 2 will encompass approximately 175 acres, disturb 110 acres, and create 38.6 acres of new impervious area. The Commission approved the project at their August 2022 meeting contingent upon meeting the conditions cited in Staff's August 3, 2022, findings: (1) operation and maintenance plans and agreement being provided to the Commission for their review and approval. These plans must include the irrigation system. (2) irrigation system pump and aug-

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mentation information being provided and approved by Staff and (3) the escrow balance being reconciled. No new information has been received.

w. 2022-040 Karineimi Meadows, Corcoran. This is a 125-acre parcel in the southeast quadrant of the CR 10 and 19 intersection proposed to be subdivided into 10 large single family residential lots. The project will consist of constructing Chaparral Lane south of CR 10 with its associated drainage and stormwater basins into the site. Lot grading improvements will be customized and occur at the time the homes are built. Staff provided preliminary comments to the applicant on August 17. Revised information and a recommendation for approval was provided to the Commission at their December 2022 meeting. The Commission approved this project contingent upon the following: 1) Ponds 3 and 4 filter volume drawdown rates must be designed for a 1.0"/hour drawdown rate, or if the existing rate of 1.8"/hour is used, the 48-hour drawdown must be field-verified after construction; 2) An approved and recorded operation and maintenance agreement for the stormwater ponds must be recorded on the property; 3) the escrow balance must be reconciled; and 4) the Commission recommends the City of Corcoran follow their recommended livestock management policy. Staff provided the City and applicant with the livestock management policy. *Construction is to begin this spring/summer (2023) Item 1 will be verified by the applicant after construction.*

x. 2022-043 Meander Park and Boardwalk, Medina. This project is a proposed commercial planned unit development located on the north side of Highway 55, 900 feet east of Arrowhead Drive on Lake Medina. Wetland surrounds the 18-acre site on the west and south, leaving approximately 7 acres of developable land. The project will disturb 6.3 acres of the site, resulting in a 4.0 acre increase in impervious surface. The project triggers Rules D, E, F, G and I. In their November 2, 2022, findings Staff recommended approval contingent upon 1) final escrow fee reconciliation; 2) an operation and maintenance plan that is approved by the City, 3) addition of Emergency Overflows (EOFs) to the grading plan for basins East Filtration and the North Retention Basin. The low floor elevations must be at least one foot above the (EOF) for the stormwater pond. Secondary outlet devices potentially modeled as EOFs are reported as 987.27 for the North Retention Basin and 993.0, the elevation of the roadway, for the East Filtration Basin, 4) jurisdictional determination for LGU WCA replacement or exemption is necessary. LGU and WCA approval is required prior to any wetland impacts if required by LGU, and 5) addition of approved wetland monument signs to the plan set. These conditions were approved at the November 9, 2022, meeting.

y. 2022-045 Corcoran Water Treatment Plant, Corcoran. This is a 3.25-acre parcel on the east side of CR 116, one-half mile north of CR 30. The project will consist of access off CR 116, the Water Treatment Plant, a municipal well, and a wet detention stormwater pond with a bioretention bench for stormwater management, rate control and water quality. Initial review and comments were provided to the City and their consultant on October 23. Revisions were received November 4. Updated findings and recommendation were reviewed and approved by the Commission at their December 2022 meeting. The only outstanding item is reconciliation of the escrow fee balance.

z. 2022-049 Connexus Energy Subdivision, Dayton. This is an existing 1.8-acre lot located on the north side of 117th Avenue North between Fernbrook Lane and East French Lake Road. The applicant is proposing to construct an energy substation adding 0.73 acres of impervious area, disturbing the entire

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parcel plus ROW. The current land use is row crops in C soils. A complete project application was received December 12, 2022. In findings dated December 29, 2022, Staff is recommending approval with the following conditions: (1) payment of all review fees. Additional payment may be required if the review cost exceeds escrow payment(s) submitted by the applicant; (2) applicant must meet all City requirements; (3) applicant must provide signed agreement from adjacent landowner and the City for any off-site grading and direction of flow to the west; and (4) an operation and maintenance agreement for the stormwater facilities that implement those conditions that bind current and future owners of the project shall be recorded on this property.

aa. 2023-01 Chankahda Trail Reconstruction Phase 2, Plymouth. Hennepin County and the City of Plymouth are proposing to reconstruct approximately four miles of Chankahda Trail over the next few years. Phase 2 of the reconstruction extends from approximately 300 feet east of Peony Lane/Maple Grove Parkway to roughly 100 feet east of Vicksburg Lane. This project triggers Commission Rules D, E and F. This project was approved with two conditions at the Commission's April meeting: 1) final application escrow fee balance and 2) receipt of an updated compensatory storage plan that is separated from groundwater and hydraulically connected to the floodplain.

ab. 2023-004 Medina Industrial Site Development, Medina. This proposed industrial development is located on an undeveloped property currently being used for agricultural purposes. The project will disturb 23.8 acres of the 26.7-acre site and result in 17.3 acres of net, new impervious surfaces. The project requires review under Commission Rules D, E and G. Staff's May 1, 2023 findings with four conditions were approved at the Commission's May 10 meeting: (1) escrow fee balance reconciliation; (2) receipt of an operation and maintenance plan approved by the City; (3) receipt of an irrigation layout and pump plan once a design-build contractor has been selected for the project; and (4) grading details showing how the pond, maintenance road and associated parking and retaining walls (Sheet C-502) work with the proposed grades at the northwest corner of the proposed stormwater pond.

ac. 2023-008 Rush Creek Boulevard Interchange, Maple Grove. The City of Maple Grove is proposing to extend Trunk Highway 610 from east of TH 94 to CSAH 30. The project will consist of the construction of a new interchange at TH 94, south of the existing TH 610 interchange with TH 94 and includes improvements and realignment of Lawndale Lane. The project area is roughly 89 acres and will include approximately 20 acres of new impervious surface, triggering Rules D and E. *The Commission approved this project at their June meeting with four conditions as stated in Staff's June 2, 2023, findings.*

ad. 2023-009 Magnifi Financials, Maple Grove. *This project consists of the construction of a building with split-use between a coffee shop and bank with associated parking and utilities. The project will disturb 2.15 acres and result in a decrease in hardcover for the lot. The project triggers the Commission's Rules D and E. The Commission approved this project at their June meeting with three conditions as stated in Staff's June 2, 2023, findings.*

ae. 2023-010 New Fire Station, Rogers. *The City is planning to construct a new fire station facility, Fire Station 2, located at 141st Avenue N. The project includes a new building, parking lots, sidewalks, an access road tying into Northdale Boulevard, and driveways. The project triggers Commission Rules D and E. This item has received initial review and comments were sent to the applicant on May 23, 2023.*

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af. 2023-011 Sundance Greens 9th Addition, Dayton. *Sundance Development, LLC submitted an application for review of this project. A complete submittal was received by the Commission on June 8, 2023. The project disturbs 10.6 acres increasing impervious by 2.8 acres for single-family homes. The project relies on existing stormwater approved for previous Sundance Greens Additions and is only an erosion control review request. Staff-level approval for grading was issued July 5, 2023.*

ag. 2023-012 Hope Community Mixed-Use EAW, Corcoran. The City of Corcoran submitted a draft EAW worksheet prepared by Stantec dated May 2023 for review of this project. This project proposes phased construction of a mixed-use development spanning approximately 44.5 acres at the northwest corner of County Road 30 and County Road 116. The plan includes 738 housing units (primarily within multifamily buildings) and up to 110,300 square feet of commercial, retail, and medical office space. *Review shows the project will trigger rules D, G and E. It is likely the project in its entirety will be reviewed and additional phases, if consistent with prior approvals, may require only staff level grading permits. C and C/D soils on the site make infiltration infeasible. The applicant proposes to meet Commission requirements through a mix of stormwater ponds and filtration basins. Wetland banking is proposed to mitigate the 1.2 acres of wetlands over four low quality wetlands which will be filled during development. The development appears to be on track with meeting Commission requirements. Staff offers that 20.6 acres of landscaping/lawn are proposed in the project and encourages the applicant to consider native resilient landscaping to reduce maintenance costs and irrigation needs and enhance habitat.*

ah. 2023-013 River Valley Church, Maple Grove. *This project consists of the construction of a single building, bituminous parking lot, stormwater basin, and other associated site improvements on an undeveloped lot located at the southwest corner of Arbor Ridge Parkway and 101st Avenue North. The project triggers Commission Rules D and E. This item has been reviewed and a findings of fact memo dated June 30, 2023, is included in the July meeting packet.*

FINAL RECORDINGS OR OTHER DOCUMENTATION/FOLLOW-UP ARE DUE ON THE FOLLOWING PROJECTS:

ca. 2014-015 Rogers Drive Extension, Rogers. This project involves improvements along Rogers Drive from Vevea Lane to Brockton Lane. Site plans received July 1, 2014, met the requirements of the Commission with the exception of the nutrient control. The Commission approved the site plan contingent upon the City deferring 4.6 lbs. of phosphorus for treatment in future ponding opportunities as the easterly corridor of Rogers Drive develops. 2.3 lbs. will be accounted for in the Kinghorn Spec. Building site plan, with 2.3 lbs. still outstanding. This item will remain on the report until the total deferral is accounted for.

cb. 2015-030 Kiddiegarten Child Care Center, Maple Grove. Approved December 9, 2015. If the City does not take over the operation and maintenance of the underground system and the sump catch basins, an O&M agreement for the underground trench/pond system must be approved by the Commission and the City and recorded with the title. On February 5, 2019, Derek Asche contacted the owner requesting a copy of the recorded maintenance agreement. On October 21, 2022, Asche reported there is no update for this project.

cc. 2016-005W Ravinia Wetland Replacement Plan, Corcoran. In December 2016, the Commission approved Staff's recommendations on this wetland replacement plan. Barr Engineering is providing monitoring to ensure the replacement meets the performance standards of the approved plans. Annual reports were submitted to the US Army Corps of Engineers (USACE) in February 2019, February 2020, and March 2021. As of March 2021, wetlands and buffers are looking good but

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will need continued vegetation management in 2021 to get rid of invasive species (mostly cattail). Hydrology is good in both the restoration and creation areas. Cattail and Reed canary grass reemerged during the 2021 growing season and will likely need another year of aggressive maintenance in 2022. The 2021 monitoring report will be submitted to the USACE in March 2022 with recommendations for maintenance.

cd. 2017-014 Laurel Creek, Rogers. In June 2017, the Commission approved this project with four conditions. All contingency items have been provided with the exception of the O&M agreement which is being negotiated as to whether the City or the HOA will be responsible for the operation and maintenance of the stormwater management facility. On August 31, 2017, Andrew Simmons responded that the O&M agreement is still being negotiated.

ce. 2018-046 Graco Expansion, Rogers. This project is the expansion of an existing building. The site is located in an area that has regional ponding provided for rate control purposes, but needs to account for water quality and abstraction requirements on-site prior to discharging offsite as part of the improvements. The Commission granted conditional approval at their October 2018 meeting. Conditions of approval were to (1) submit a SWPPP plan meeting requirements, (2) clarify maintenance responsibilities for the iron enhanced sand filter, and (3) a letter from the City of Rogers stating their intentions to provide the water quality deficit in an upcoming project. Staff confirmed several minor plan revisions remain in conformance with the original approval. This item will remain on the Staff report until the water quality deficit has been made up.

cf. 2020-009 Stetler Barn, Medina. This site disturbs approximately 3.5 acres and must meet Commission Rules D, E, and I. Because of the limited available space for pasture, paddocks and land application of manure, understanding how these components will be managed was also an important part of the review. A complete plan was received on April 22, 2020. At their May 13, 2020, meeting the Commission approved this project contingent upon: 1) the land-owner continuing to work with the U of M Extension Office and Hennepin County Rural Conservationist to finalize composting, pasture and paddock management plans and 2) a long-term pond/basin operation and maintenance plan and agreement with the City of Medina being approved by the City and the Commission. The agreement must be recorded on the land title with a copy of the recorded agreement provided to the Commission.

cg. 2020-017 Meadow View Townhomes, Medina. This is a 22-acre site located south of Meander Road and north of Highway 55. Lennar Homes is proposing to build 125 townhomes with their necessary infrastructure on this site. A complete application was received May 29, 2020. The plans call for 7.64 acres of new impervious areas. The Commission's review was for conformance to Rules D, E, F, G, and I. At their October meeting, the Commission approved Staff's finding dated September 30, 2020, contingent upon (1) The mean (average) depth on the west wet detention pond must be 4.0' or deeper; (2) Buffer strip monumentation and vegetation maintenance plans must conform to the Commission's requirements; (3) An operation and maintenance agreement of the stormwater ponds and irrigation system must be approved by the City and the Commission. The agreement must be recorded on the property title with a copy of the recorded document provided to the Commission; and (4) Erosion and sediment controls must conform to Commission requirements. Since the approval, the City of Medina has requested the applicant provide abstraction by irrigation only, thus eliminating one filter basin. Staff reviewed the changes and found the updates to be compliant with the Commission's original approvals for stormwater management and administratively approved the plans contingent upon item (3) above and added the condition that design information on the irrigation pump and augmentation water source must be provided within six months of this approval. On November 2, 2021, Dusty Finke provided the Commission with a copy of the recorded O&M agreement.

ch. 2020-032 Enclave Rogers – Commerce Boulevard., Rogers. This project would create an apartment complex on a 3.3-acre site. The existing condition is undeveloped. The project will disturb the entire site and create 2.15 acres of impervious surface. The applicant is proposing an iron enhanced sand filter to meet Total Phosphorus removal requirements. The site is within two of the three outlots created as part of the adjacent former Lowe's development. The application was reviewed for Rules D and E. Staff granted administrative approval for grading contingent on applicant accepting risk for changes required for final approval and on approval from the City for grading activities. In their findings dated December 2, 2020, Staff recommended approval with those conditions, as well as submission of an O&M agreement for stormwater features and with minor updates to the hydrology report and the SWPPP. The Commission approved Staff recommendations at their December 9, 2020, meeting.

ci. 2020-033 Weston Woods, Medina. This project would create 150 residential units on a 135-acre undeveloped site.

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Italics indicates new information

indicates enclosure

The project will disturb 49.2 acres and create 17.49 acres of impervious area. The Commission approved this project at their March 2021 meeting with four contingencies: a) Wetland replacement plans must be approved by the City of Medina (LGU), MN DNR and USACE prior to impacts, b) Provide quantification of the change in flood storage capacity for the one-percent annual chance flood event due to the proposed project, c) Provide documentation that changes in flood elevation and loss of floodplain storage have been avoided, minimized, and/or mitigated to the extent practicable. Demonstrate that changes in flood elevation will not cause high water or aggravate flooding on other land and, d) An O&M agreement for stormwater facilities, including irrigation pumping system components and augmentation wells system, must be approved by the City and the Commission and recorded within 90-days after final plat approval on the title to this property. A copy of the recorded agreements must be provided to the Commission.

cj. 2021-020 Crew Carwash, Maple Grove. This project would reconstruct an existing bank building and parking lot on a 1.80-acre parcel into a carwash. The site is located southwest of the intersection of Weaver Lake Road and Elm Creek Boulevard with access from Grove Drive. The disturbance is 1.52 acres, the existing impervious is 1.07 acres, and the proposed impervious is 1.17 acres. Runoff from this site flows into a regional pond on Arbor Lakes Parkway, which ultimately discharges to Rice Lake. The City has stated that the regional pond meets rate control and water quality treatment for the site. The applicant is proposing to use soil amendments to meet the Commission's volume rules. The Commission approved the project at its June meeting contingent on a maintenance agreement being filed with the City with terms agreeable to the Commission. The outstanding escrow balance has been received. On October 21, 2022, Derek Asche reported there is no update for this project.

ck. 2021-025 Hackamore Road Reconstruction, Corcoran/Medina. The two cities plan to reconstruct 1.3 miles of Hackamore Road from just west of CR 116 to CR 101. The project will add 4.4 acres of new impervious surface by widening the roadway and adding turn lanes, pedestrian facilities, and utility improvements. To meet the Commission's stormwater requirements, the project will largely rely on adjacent developments (existing and proposed) to incorporate BMPs to provide rate control, volume control, and water quality control. The project was approved at the December 2022 Commission meeting with the following recommendations: 1) Approval is contingent upon final application escrow fee balance determination. 2) A buffer strip plan with proper wetland buffer monumentation, and 3) Future Development 1 BMPs providing volume control to offset the remaining 4,180 cfs, and water quality to offset the interim increases of 1.0 lb/yr TP and 179.5 lbs/yr TSS to Wetland 1. Staff's findings dated December 27, 2022, were prepared to reflect these recommendations. *This project will be removed from the report upon receipt of the escrow balance.*

cl. 2021-035 Mister Carwash, Rogers. The project includes redevelopment of an existing, vacant Staff restaurant building, parking lot, and drive-through into a new carwash facility at 21421 South Diamond Lake Road. The redevelopment is anticipated to decrease the impervious area by approximately 0.3 acres at the project site and add an underground filtration basin with underdrain. The project was reviewed for Rules D and E. The Commission approved this project at its December 2021 meeting with four contingencies: 1) receipt of deficit escrows, 2) a Stormwater Maintenance Agreement, including irrigation system, being entered with the City, 3) A wetland replacement plan approved by the LGU and the TEP, and 4) the buffer plan contingent upon approval of the wetland replacement plan, per Staff findings dated August 31, 2021. The O&M Agreement was received in the administrative office on January 27, 2023. *This project will be removed from the report upon receipt of the escrow balance.*

cm. 2021-036 D&D Service, Corcoran. This development is proposed at the southeast corner of the intersection of County Roads 10 and 19 on a 16.54-acre parcel. The proposed project will include a large warehouse and office buildings along with parking and associated facilities. The existing site is a single farmhouse and surrounding agricultural land. The project was reviewed for Rules D, E, G, and I. Findings updated October 5, 2021, wherein Staff recommended contingent approval with five conditions were approved at the October meeting: (1) payment of all review fees; (2) Corcoran TEP approval of the Wetland Mitigation Plan and the city maintains a drainage and utility easement for existing and proposed on site wetlands; (3) applicant shall consider and respond to staff comments on plan and provide final data prior to approval; (4) applicant shall respond to any City comments; and (5) applicant shall provide a Stormwater Maintenance Agreement acceptable to the city and the Commission within 90 days after the plat is recorded. On July 26, 2022, Kevin Mattson confirmed that the O&M agreement has been received and recorded.

cn. 2021-050 Evanswood, Maple Grove. This proposed development will construct 227 single-family and 138 townhomes in the northwest corner of the City, disturbing 108.5-acres, and creating 45.8-acres of impervious surfaces, 41.4-

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acres of which is net, new impervious surfaces. The project was reviewed for Rules D, E, F, G, and I. Staff's March 2, 2022, findings were approved at the March meeting with five conditions. Two conditions remain outstanding: (1) receipt of the final escrow balance, and (2) receipt of a Stormwater Maintenance Agreement acceptable to the City and the Commission. The City is working on the agreement. *This project will be removed from the report upon receipt of the escrow balance.*

co. 2022-009 Dunkirk Lane Development, Plymouth. This project is located in the southwest quadrant of the intersection of Dunkirk Lane and 59th Avenue. The proposed development includes construction of 21 single-family home units and associated streets, utilities, and stormwater management basin. The Commission review covered Rules D and E and the project received approval at the April meeting with three contingencies outlined in Staff findings dated April 4, 2022. *This project will be removed from the report upon receipt of the escrow balance.*

cp. 2022-012 Graco Building 2, Dayton. Graco purchased this property that was the Liberty Industrial Center, approved by the Commission under project 2015-011. Graco is proposing to replat this site and construct a 515,400 SF distribution center. Additionally, mass grading on the remaining portion of Outlot H, and Outlots A and B will occur to accommodate two future buildings, regional ponding, and the construction of French Lake Road West. In total, 74 acres will be graded. The Commission's review covers Rules D and E on the 74-acre site. The site plan proposes to encroach into an existing conservation and preservation easement approved by the Commission for project 2015-011. At the July 2022 meeting the Commission reviewed this project and approved site plans for the area west of French Lake Road, contingent upon Staff recommendations found in their findings dated July 6, 2022: (1) final wetland buffer monumentation meeting Commission requirements, (2) an operations and maintenance agreement approved by the City that implements conditions that bind current and future owners of the project shall be recorded on this property and (3) the escrow balance reconciliation. The areas east of French Lake Road were tabled at that meeting.

Revised plans for the West French Lake Road project area were submitted on November 23, 2022, January 6, 2023, and February 17, 2023. At the March 2023 meeting, the Commission approved the updated plans for West French Lake Road for erosion and sediment controls, buffers, and the conservation easement. *This project will be removed from the report upon receipt of the escrow balance.*

cq. 2022-030 Garages Too, Corcoran. *All conditions for approval have been met and the escrow overage has been refunded. This item will be removed from the report.*

cr. 2022-033 Pet Suites, Maple Grove. The project site is located on a vacant lot just north of the CR 30 and Upland Lane N intersection. The proposed project will include the construction of a building and parking lot along with necessary utilities and stormwater management for a canine care facility. The project triggers Rules D and E. This project was approved at the Commission's September meeting with two conditions: 1) receipt of final application escrow fee balance and 2) an O&M plan approved by the City. This project has been withdrawn and will be removed from the report upon receipt of the escrow balance.

cs. 2022-035 Rush Hollow, Maple Grove. The project is located on 161.5 acres and will result in 49.01 acres of impervious surface. The project triggers Rules D, E and I. The Commission approved Staff findings dated November 1, 2022, at the November meeting with the following conditions: 1) final application escrow fee balance and 2) an operation and maintenance plan that is approved by the City. *This project will be removed from the report upon receipt of the escrow balance.*

ct. 2022-042 Walcott Glen, Corcoran. This is a 40-acre parcel located in the northwest quadrant of the intersection of Hackamore Road and CR 101 (Brockton Lane). The site will be developed into a residential area with 10.8 acres of new impervious area including homes, driveways, roads, and sidewalks, as well as a playground area. Staff's findings dated October 5, 2022, were reviewed and approved at the October meeting conditioned upon 1) The escrow balance being rectified to the satisfaction of the Commission Administrator; 2) Notice of wetland replacement plan approval being provided to the Commission. Prior to grading the wetland, a replacement plan must be approved by the LGU; 3) The applicant entering into a stormwater maintenance agreement with the City. The City's template stormwater maintenance agreement satisfies the requirements of the Commission; and 4) the City must approve the final emergency overflow design for wetland H4. Final design must be reviewed and approved by Commission staff. Revisions to the plan were received December 15, 2022. Staff approved the changes to the plan after determining them to be consistent with the Commission's requirements and intent from their October, 2022, approval. *This project*

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will be removed from the report upon receipt of the escrow balance.

cu. 2022-044 Trail Haven Road Bridge L9384 Replacement, Corcoran. *All conditions for approval have been met and the escrow overage has been refunded. This item will be removed from the report.*

cv. 2022-046 CSAH 12 Culvert and Guardrail Replacement and Ravine Stabilization, Dayton. *All conditions for approval have been met and the escrow overage has been refunded. This item will be removed from the report.*

cw. 2022-047 Suite Living of Maple Grove. This project is the development of a parcel within the Market of Rush Creek development which was previously approved. The development includes a senior living facility with a new building and associated parking. Previous approvals covered wetland buffers and stormwater management. The current project will be reviewed for Rule E. The application was received December 6, 2022, and administratively approved on January 4, 2023. A findings of fact memo for the project dated January 4, 2023, was included in the January meeting packet. *This project will be removed from the report upon receipt of the escrow balance.*

cx. 2022-048 Hassan Elementary 2023 Pavement Renovation, Rogers. *All conditions for approval have been met and the escrow overage has been refunded. This item will be removed from the report.*

cy. 2023-02 Lynde Greenhouse Fire Damage Repair, Maple Grove. The project proposes to rebuild a greenhouse building lost to a fire in 2022. The project is located south of 93rd Avenue North, along Pineview Lane. The property is approximately 10.3 acres and this project will disturb approximately 1.6 acres, triggering Commission Rules D and E. Staff have reviewed the initial application materials and sent the applicant comments for their stormwater management. As they address the stormwater management issues, Staff, along with the City of Maple Grove, have given approval to commence grading and erosion control activities at their own risk. Staff's findings dated March 1, 2023, were approved at the March meeting contingent upon an O&M plan that is approved by the City and the escrow fee balance reconciliation. *This project will be removed from the report upon receipt of the escrow balance.*

cz. 2023-003 Cemstone Supply Facility, Dayton. *All conditions for approval have been met and the escrow overage has been refunded. This item will be removed from the report.*

da. 2023-005 MTL Troy Lane Addition, Dayton. *All conditions for approval have been met and the escrow overage has been refunded. This item will be removed from the report.*

db. 2023-006 Sota Shine, Maple Grove. This is a 1.51-acre site located southeast of the intersection of Bass Lake Road and Troy Lane. This project is part of the greater HY-VEE development, where regional stormwater is provided for the development of this site. The project only triggers the Commission's erosion control requirements. This project was reviewed by Staff and given administrative approval with no conditions. A findings of fact memo dated April 10, 2023 was included in the May meeting packet for information. *This project will be removed from the report upon receipt of the escrow balance.*

dc. 2023-007 Lakeview Knolls Site Pickleball Courts, Maple Grove. *All conditions for approval have been met and the escrow overage has been refunded. This item will be removed from the report.*

HENNEPIN COUNTY

MINNESOTA

DATE: July 3, 2023

TO: Elm Creek Watershed Management Commission (ECWMC)

FROM: Kevin Ellis and Kris Guentzel; Hennepin County Department of Environment and Energy

RE: July ECWMC Updates

Bottema Wetland Restoration Update (Corcoran)

There was an error in our June staff report stating the Bottema Wetland Restoration project had secured all permits. It had secured all permit approvals from the City of Corcoran but still requires erosion & sediment control permit review from ECWMC and Stormwater Pollution Prevention Plan (SWPPP) approval from the MN Pollution Control Agency (MPCA). Both of these are anticipated by mid-July.

Two bids to restore the wetlands have been secured and the landowner is working with county staff to review bids and select a contractor. Work is expected to begin in 3-4 weeks and will be completed in August. Prairie seed application was completed in June.

Mattila Manure Bunker (Corcoran)

Landowner returned updated bid for the manure bunker. Updated cost is \$54,800 instead of the originally quoted \$36,900 over a year ago. Bunker is being moved to be closer to the barn and dry lot area for easier access. Contractor recommended that landowner install a trench drain to capture water from dry lot area before it runs into manure bunker. Staff are currently working to finalize this design.

Landowner is interested in working with NRCS and Hennepin County to implement more conservation projects such as an exclusionary fence for the pasture northwest of Rush Creek, a grazing plan, and more livestock waterers. Staff have connected the landowner with NRCS staff to start the EQIP application process. Staff have prepared a state and county contract amendment for the project and are circulating it for signature.



Figure 1- New proposed location of Mattila Manure Bunker

Welcome Ranch (Dayton)

Staff performed a free soil test at Welcome Ranch in late June. Staff were able to meet the owner of the ranch and discuss the cost-share program and potential BMPs. Landowner is very interested in installing a manure bunker regardless of needed placement, and installing fencing for rotational grazing. Application for fall round of cost-share funding will be developed and analyzed.

Van Asten Bunker and Basin (Dayton)

Information necessary for design of the manure bunker and conceptual settling basin/water diversion BMP have been sent to engineering for review. Designs are expected to be completed in 4-6 weeks and available for review by staff and the landowner.

Cain Exclusionary Fence (Corcoran)

Staff performed a one-year inspection on the exclusionary fence that was installed as a part of the Clean Water Fund grant for Rush Creek. The fence is in excellent condition and the landowner has done a good job of keeping it clear of brush. Owner of cattle recently pulled the herd from this property for the rest of the year, but will return them for the 2024 season.

Project Funding Table

See the table below for updates regarding projected funding for cost-share projects and overall budgeting. This will be included in future staff updates and revised as projects are designed or reimbursed. Numbers that are highlighted denote a change from the prior month, and those that are bold and italicized indicate estimated totals which have not been reimbursed.

HENNEPIN COUNTY

MINNESOTA

Project Funding Table: Projects completed and in design which are anticipated to utilize Elm Creek Watershed Management Commission (ECWMC) funds. Amounts in 'Funding Sources' columns include costs invoiced and encumbered. Funding sources may be from a federal agency (Natural Resources Conservation Service, or NRCS), state agency (Watershed-based implementation fund (WBIF) or another grant), or local entity (ECWMC Capital Improvement Program (CIP), Hennepin County, or from the landowner).

Receiving Water(s)	Project Name	Best Mngt. Practice(s) (BMP)	Status	BMP Benefits		Cost		Cost effectiveness *		Funding Sources					
				TP (lbs/yr)	TSS (tons/yr)	Project Dev / Design	Install	\$/lb-TP/yr	\$/ton-TSS/yr	NRCS	Grant **	WBIF	CIP	Henn. Co.	Land-owner
Rush Creek	Cain Fencing	Pasture Mngt.	Installed and Complete (2022)	6.63	-	\$6,419.86	\$14,180.50	\$213.88	-	-	\$7,799.28	-	\$3,545.13	\$1,418.05	\$1,418.05
	Mattila Phase 1	Barn Gutters and Waterers	Installed and Complete (2022)	17.29	-	\$4,279.91	\$33,225.00	\$192.16	-	-	\$24,918.75	-	\$4,983.75	-	\$3,322.50
	Mattila Phase 2	Manure Bunker	Install Summer 2023	4.8	-	\$6,419.86	\$54,800	\$1,141.67	-	-	-	\$30,140	\$13,700	\$5,480	\$5,480
	Stotts Phase 1A	Grassed Waterways	Substantially Installed	79.44	39.72	\$8,559.82	\$120,000	\$151.05	\$302.11	-	\$74,940	-	\$14,988	-	\$9,992
	Stotts WASC0B & Waterway	WASC0B & Grassed Waterway	Installed and Complete (2021)	7.5	7.5	\$4,279.91	\$32,704.80	\$436.06	\$436.06	-	\$17,987.64	-	\$8,176.20	\$3,270.48	\$3,720.48
	Vehrenkamp WASC0B	WASC0B	Prelim. design complete	TBD ±	TBD	\$8,559.82	\$20,600	TBD	TBD	-	-	\$9,270	\$5,150	\$2,060	\$2,060
	Bottema Restorations	Wetland and Prairie Restoration	Securing permits	14.2	-	-	\$124,000	\$932.86	-	-	-	\$68,200	\$31,000	\$6,200	\$18,600
	Stotts Phase 1B	Grassed Waterways, Wetland Restoration	In design	TBD ±	TBD	\$4,279.91	TBD	TBD	TBD	-	-	TBD	TBD	TBD	TBD
Diamond Creek, Diamond Lake	Diamond Hills Pasture / Feedlot Upgrades	Fencing, Waterers, Barn Drainage	Landowner design feedback	54	1.4	-	TBD	TBD	TBD	TBD		TBD	TBD	TBD	TBD
	Van Asten Manure Bunker	Manure Bunker	Cost-Benefit Analysis			\$6,419.86	\$36.900				-	\$20,295	\$9,225	\$3,690	\$3,690
								Total Encumbered:				\$127,905	\$90,768.08	\$22,118.53	\$47,833.03
								ECWMC Funding:				\$175,000	\$100,000	-	-
								Remaining:				\$47,095.00	\$13,706.93	-	-

* Cost effectiveness is annualized over the practice life cycle, which considers the cost (install + maintenance) and benefit over the lifetime of the practice, typically 10-20 years.

** Stotts Phase 1A was completed in 2022 using the Rush Creek Headwaters Clean Water Fund Projects and Practices grant.

± TBD = To Be Determined. Projects in early design phases may not have installation costs or water quality benefits estimated yet.

Bold and Italicized text indicates projects that have encumbered funds but have not been reimbursed or invoiced.

Highlighted text indicates change from last month's report.

Hennepin County Environment and Energy

701 Fourth Ave S., Suite 700, Minneapolis, MN 55415

612-348-3777 | hennepin.us/environment

HENNEPIN COUNTY

MINNESOTA

Other Hennepin County Programming

Natural Resources Opportunity Grant applications due July 20

There is still time to apply for a [Natural Resources Opportunity Grant](#) and turn your environmental ideas into reality. These grants are available for larger projects to improve water quality or preserve, establish, or restore natural areas. Applicants are encouraged to use these funds as required match for other funding sources.

Learn about past Opportunity Grant projects by exploring the [natural resources story map](#).

To apply, see the [Opportunity Grant guidelines \(PDF\)](#), then submit [applications \(DOCX\)](#) to Ellen Sones at ellen.sones@hennepin.us by Thursday, July 20.

Monitoring pollinator populations across Hennepin County



Hennepin County staff began biological monitoring, which involves tracking plants and animals on county properties and conservation easements, in 2022. New this spring, the county began monitoring for butterflies and bees.

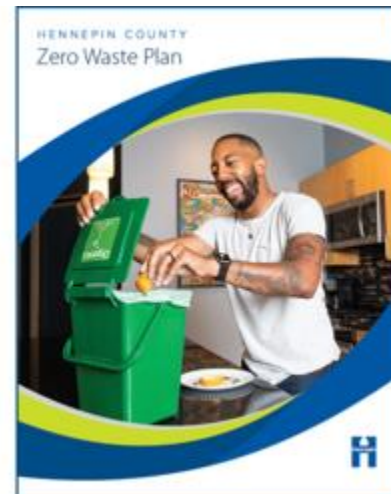
The first year of data collection will establish a vital baseline inventory of what pollinators are present in the county. This data will be used to inform our habitat restoration and management decisions to create healthier ecosystems that are home to a diversity of species and resilient to climate change. For example, there are a number of non-native plants that attract non-native honeybees at many proposed habitat restoration sites. As we restore the habitat and establish more native plant species, we expect to see more native bees.

Pollinator surveys will be conducted three times per year – in the spring, summer, and fall. This helps us better understand the diversity of pollinators in an area, learn what species are prevalent at different times of year, and understand how species composition changes as habitat restoration projects are completed. Most butterflies are captured and identified in a net, while bees are captured in a jar while they are feeding on a flower. Most insects are identified and released in under one minute, and all have been released unharmed.

For more information, contact Nicole Witzel at nicole.witzel@hennepin.us.

Hennepin County Zero Waste Plan finalized

Hennepin County has finalized its [Zero Waste Plan \(PDF\)](#), concluding a 1.5 year long process that resulted in 62 actions to advance a zero-waste future. The actions were developed with extensive public feedback from more than 1,800 participants. A [report \(PDF\)](#) summarizing feedback received during the final public comment period and an outline of [changes made to the plan](#) as a result of the feedback is also available. These materials and other plan documents and updates are available at beheardhennepin.org/zero-waste-future.



The county's waste reduction and recycling staff are now shifting to implementation of the plan's actions. We recently launched the Apartment Recycling Champions program, expanded education and outreach, and hired a food waste prevention specialist to establish a food waste reduction target and a plan to eliminate food waste. We are planning for additional resources in the 2024 budget process that will support new initiatives to address plastics and collection of hard-to-recycle materials, increase assistance to community groups, businesses, multifamily properties and schools, and increase enforcement of the county's food waste and recycling requirements. The county is also preparing to develop the next solid waste management plan. The Zero Waste Plan will serve as the foundation of the county's solid waste management plan, which will be considered for board approval in 2024.

Natural Resources Opportunity Grant Program



This Natural Resources Opportunity Grant Application Form is available on the program website:

<https://www.hennepin.us/business/conservation/funding-assistance-natural-resources-projects>

Application instructions

The Application

The Natural Resources Opportunity Grant application is to be used by local, state, or regional governmental units, landowners, and other organizations to seek Natural Resources Opportunity Grant program funds from Hennepin County. Please complete all required sections of the application. Incomplete applications will not be considered for funding.

Part 1 of the application requests background information on the applicant, the project area, project type, and funding request. Part 2 of the application requests detailed information on the project, natural resources problem or need being addressed, scope of work, and project budget. Part 2 of the application will be reviewed and rated against the evaluation criteria listed for each question, and the Selection Considerations listed in the Opportunity Grant guidelines. Please ensure your answers sufficiently meet each of these criteria when completing the application.

Application Resources

An overview of all Hennepin County Natural Resource funding opportunities, programs, guidelines and applications can be found at <https://www.hennepin.us/business/conservation/funding-assistance-natural-resources-projects>.

Prospective applicants are invited to contact the county for feedback on project ideas before applying. County staff are also available to provide assistance in filling out the application, particularly to provide information on project benefits and/or your project's ability to meet natural resource management goals. Please contact Ellen Sones (612-596-1173; ellen.sones@hennepin.us) if you're interested in filling out the application and seeking assistance. Once the application is complete, please submit the application to Ellen Sones via email (ellen.sones@hennepin.us).

Part 1

Natural Resources Opportunity Grant Application



Application No. _____

Place the cursor in the gray box at question 1, fill in the answer, and then use the F11 function key to navigate through the remaining questions in the application.

1. PROJECT TITLE:

Dayton River Road Ravine Stabilization

2. APPLICANT NAME:

City of Dayton, MN

3. APPLICANT SIGNATORY: *(The person whose name is listed here must sign Part 1 -Box 7 of this application)*

Name: Jason Quisberg, P.E.

Title: City Engineer

Telephone Number: 763 252-6873

E-Mail Address:

jason.quisberg@stantec.com

Mailing Address

Organization (if any): City of Dayton

Address: 12260 South Diamond Lake Road

City: Dayton State: MN Zip Code: 55327

4. PROJECT DURATION:

Estimated Start Date: Spring 2024

Estimated Completion Date: Summer 2024

Anticipated PROJECT Length: 3 months

Part 1

Natural Resources Opportunity Grant Application

5. PROJECT TYPE:

- ☒ 1. Water Quality Project
☐ 2. Wetland Restoration
☐ 3. Habitat Restoration/Protection
☐ 4. Assessment Identifying Future Projects
☐ 5. Other:

6. FUNDING REQUEST: (Provide the amount of funding requested to complete your project.)

Check for consistency with costs provided in Part 2, Question 2.

Project Amount:

Total PROJECT Cost

This amount represents the full cost of the PROJECT.

\$75,000

Natural Resources Opportunity Grant Request

\$37,500

Other Match Funds in PROJECT

Identify secured source(s) of funds:

Funding Source Elm Creek Watershed Cost Share

Funding Source _____

Funding Source _____

Funding Source _____

\$37,500

\$ _____

\$ _____

\$ _____

Describe the status of the matching funds: Secured

7. APPLICATION CERTIFICATION:

I CERTIFY TO THE BEST OF MY KNOWLEDGE THAT THE INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT AND THAT I AM THE **LEGALLY AUTHORIZED SIGNATORY** OR DESIGNEE FOR THE SUBMITTAL OF THIS INFORMATION ON BEHALF OF THE APPLICANT.

Printed Name

Signature

Title

Date

Part 1
Natural Resources Opportunity Grant Application

THIS CONCLUDES PART 1

Part 2

Natural Resources Opportunity Grant Program

This is the portion of the grant application the evaluation panel will use to provide an adjectival rating for the application. Each question identifies criteria the panel will use to evaluate the application. Criteria are provided in no particular order.

EXECUTIVE SUMMARY

Summarize the overall project, the associated water quality problem, and how the project will address or solve the problem. (Limit your answer to 250 words or less).

This project is the stabilization of an eroding channel conveying stormwater runoff discharging from a culvert under Dayton River Road (CSAH 12) in Dayton to the Mississippi River. It is estimated this channel erosion is contributing an excess of 2.6 tons sediment and 2.2 lbs TP to the river each year, with those loads expected to increase each year as the channel continues to deteriorate. Excess sediment also accumulates in the near-bank area, which impacts growth of beneficial aquatic and emergent vegetation and limits fish habitat. This erosion is expected to worsen as development occurs in the area and as precipitation frequency and intensity increases due to changing climate. The channel is located on private property between two homes on Dayton River Road. This City of Dayton project will repair and stabilize the slope, add grade control structures, and restore vegetation to prevent further erosion and damage to property and reduce excess sediment and nutrients to the River.

1. SCOPE OF WORK

Evaluation Criteria
Project description is clear and concise, scope is feasible
Project tasks, and level of effort to complete them, are clearly described
Deliverables and timeline are clearly defined. Timeline within 3-year grant period.
Project is feasible as proposed with resources (people, money, etc.) outlined in the scope of work
The purpose meets defined shared goals of county and project partners

Reviewers provide favorable ratings for scopes of work that thoroughly meet the evaluation criteria and that directly address one or more natural resource management problems/needs. The scope must demonstrate an understanding of the work required to fully implement and complete the project.

Using the area below, please provide:

- A detailed scope of work for the project that includes clearly defined tasks, deliverables, timelines, and purpose.
 - Describe the intended results (what is the benefit?).
 - Be specific, clear, and concise.
 - Describe the project area and provide supporting map(s) and relevant diagrams and/or pictures.

The project is the stabilization of a channel that conveys stormwater runoff discharging from a culvert under Dayton River Road (CSAH 12) to the Mississippi River (location map attached). This channel is on private property and runs between two homes at 16630/16750 Dayton River Road. This culvert is being replaced and lengthened by the County

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Natural Resources Opportunity Grant Program

as part of a larger project on CSAH 12. The two property owners' concern is the existing channel degradation from the intermittently flowing pipe and the expectation that it may get worse as development across Dayton River Road from their properties increases runoff to the culvert.

City staff, the Elm Creek Watershed Commission's engineers, and County staff visited the site and observed that the channel is worn and eroding, and with proposed development and changes in precipitation frequency and intensity concluded it will likely get worse. The culvert extension itself is not expected to increase flow but will direct it into the opposite bank and increase the efficiency of flow. There are several feet of fall to the River, so with future increased flow continued head cutting will occur, increasing erosion and sedimentation. It is estimated this channel erosion is currently contributing an excess of 2.6 tons sediment and 2.2 lbs TP to the river each year, and that amount will likely increase each year as conditions deteriorate. Stabilization of this channel is not included in the CSAH 12 project.

The City of Dayton proposes to repair and stabilize the slope, add grade control structures, and restore vegetation to prevent further erosion and damage to property and reduce excess sediment and nutrients to the River. The City's Engineer, Stantec, has developed 30% plans (attached), and if funding is awarded and contract executed will proceed according to the task list below.

Task 1. Final Design and Quotes

In this task the City would complete the final design, making any adjustments as necessary to the 30% plans to accommodate the final as-built culvert and contours as completed with of the 2023 Dayton River Road Culvert Replacement project. The City will seek out and obtain at least two quotes from qualified contractors to complete this work, awarding a contract to the lowest responsible bidder.

Timeline: Fall-Winter 2023-2024

Deliverable: Final bid package, tabulation of bids, contracts

Task 2. Construction and Observation

The city's Engineer, Stantec, will provide construction management and observation. It is expected that depending on weather conditions the work will take 1-3 months.

Timeline: Spring 2024

Deliverable: Construction Management and Inspection reports, pay vouchers

Task 3. Final Report

On completion and acceptance of the work, the city document the project and will complete a final report using the County's template as required.

Timeline: Summer 2024

Deliverable: Photo record, final report

The intended result will be a stabilized channel that is able to withstand erosive effects of changing precipitation patterns, and the reduction in nutrients and sediments transported to the Mississippi River.

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Natural Resources Opportunity Grant Program

2. PROPOSED BUDGET

Evaluation Criteria

Complete project budget is consistent with the scope of work and estimates are clear and reasonable.

Project attempts to leverage other, and preferably several, local, state, or federal resources.

The project budget represents a good value for the work and natural resource benefit achieved.

Reviewers provide favorable ratings for cost-effective projects, with accurate cost estimates, which can equitably leverage multiple funding sources. The application should have a complete, reasonable budget that is consistent with the tasks described in the scope of work.

Using the areas below, please provide:

- A budget for the project including total cost for the project broken down into tasks.
 - i. Additional lines may be added to the Proposed Project Budget table if necessary.
 - ii. Applicants may instead provide a separate budget if a more detailed one is available.
- Identify the match sources and their status.

Proposed Project Budget	
Task elements	Total Project Cost
1. Project administration/management	\$ <u>0</u>
2. Construction (see attached Opinion of Probable Cost)	\$ <u>69,000</u>
3. Final design and observation	\$ <u>6,000</u>
4.	\$ _____
5.	\$ _____
6.	\$ _____
Total costs needed to complete:	\$ <u>75,000</u>

In addition to the proposed budget above, please provide the following information:

Total Project Cost	\$ <u>75,000</u>
Natural Resources Opportunity Grant request	\$ <u>37,500</u>

Match sources:

List other funding sources and amounts, including local cash matching funds

Funding Source: <u>Elm Creek Watershed</u>	\$ <u>37,500</u>
Funding Source: _____	\$ _____
Funding Source: _____	\$ _____
Funding Source: _____	\$ _____

Describe the status (secured or unsecured) of matching funds: Secured

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Natural Resources Opportunity Grant Program

3. PROJECT NEED AND BENEFIT

Evaluation Criteria
Severity of the problem/need is well documented.
Project will achieve substantial natural resources benefits, including (but not limited to) erosion prevention, pollutant (e.g. sediment, phosphorus) runoff reduction, wildlife habitat protected or restored, or climate impacts mitigated for.
Project success has been measured, and proposed methods to measure success are reasonable.
The Project provides long-term sustainability of natural resource benefits (e.g. operation and maintenance, long-term follow-up, natural resources management), and/or identifies additional projects to address specific problems area(s).
Project provides significant community benefit, such as creating a community amenity, addressing socioeconomic or racial disparities, or addressing inequities and environmental justice needs.

Reviewers provide favorable ratings for projects that address one or more documented severe natural resource problems and/or needs over the project lifetime. Projects with measurable improvements receive more favorable ratings than those with unclear or vague benefits. Reviewers will consider the actual benefit, the level of implementation, and the severity of the problem. Reviewers will consider only changes that can be achieved by the proposed scope of work within available budget.

Using the area below, please provide:

- A detailed description of the severity of the problem or need to be addressed by the project.
 - Include how the problem has been documented in a plan or assessment (e.g., Total Maximum Daily Load (TMDL) study, watershed organization or city plan, or presence on Minnesota's 303(d) impairment list).
 - Describe how the problem will be addressed by the project and how success will be measured.
 - Describe any anticipated community benefits.

It is estimated this channel erosion is contributing an excess of 2.6 tons sediment and 2.2 lbs TP to the river each year, with those loads expected to increase each year as the channel continues to deteriorate. While the project itself does not build additional climate resilience, it is being designed and stabilized to convey future expected runoff flows and velocities and limit future nutrient and sediment transport. The Elm Creek Watershed WRAPS includes a strategy to "Reduce bank/bluff/ravine erosion" to the Mississippi River. The project is also consistent Hennepin County's Natural Resources Strategic Plan goals to restore degraded waterbodies not meeting water quality standards and to work cooperatively with county partners to address soil erosion.

The South Metro Mississippi River TSS TMDL sets a goal of a 20% reduction in TSS from the Upper Mississippi River basin to improve water quality in the river and reduce sedimentation in Lake Pepin. The Lake Pepin Nutrient TMDL sets a goal of reducing non-permitted sources of nutrients to the estimated natural background rate. This project would provide a small part of the load reductions, which will be accomplished incrementally through numerous small projects such as this. Stabilizing this channel will help protect water quality in the river immediately downstream as well as help support nearshore habitat that is negatively impacted by accumulation of sediment in spawning and emergent vegetation areas.

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4. PROJECT TEAM

Evaluation Criteria
Team members are all listed, with roles and responsibilities that are well defined and expected contributions to the project are adequate for the scope of work.
Team members' qualifications and past experiences are relevant.

Reviewers provide ratings based on skills, qualifications, and experience of the project team members.

Using the area below, please provide:

- List contact information for the partners, staff, and volunteers who will implement the project as outlined in the scope of work.
- Briefly describe their relevant skills, qualifications, past experiences, and expected contributions for this project (*do NOT submit resumes*).

Jason Quisberg, P.E., City of Dayton City Engineer, will be responsible for overall project oversight, management, and contracting. Jason is a Senior Civil Engineer at Stantec and has over 20 years of experience working as a Civil Engineer in several roles. He has extensive experience performing daily municipal engineering activities and delivering both small and large projects. Contact: 763 252-6873 jason.quisberg@stantec.com

Erik Megow, P.E., will be responsible for design and construction management. Erik is a Water Resources Engineer at Stantec with over twelve years of experience as a consulting engineer. His primary expertise is stormwater best management practice design, regulatory review, hydraulic and hydrology modeling, stream restoration and stabilization design, floodplain analysis, and stormwater management. Contact: 763 252-6857
erik.megow@stantec.com

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5. PROJECT DEVELOPMENT PROCESS/ LOCAL COMMITMENT

Evaluation Criteria
A comprehensive decision-making process was used to arrive at the proposed project.
The level of local support and commitments from project partners is documented
A collaborative process will be implemented to execute the project.

Reviewers provide favorable ratings for projects that demonstrate a clear path from project idea to implementation and that have actively engaged each of the necessary partners and other stakeholders to reasonably anticipate success. Provide documentation as appropriate.

Using the area below, please provide:

- Describe the decision-making process used to select the project (i.e. why was this project chosen over other solutions).
- List where the proposed project is identified as a priority by a local, state, or federal unit of government that manages natural resources (e.g., state approved watershed management plan).
- Describe how you have involved and fostered local, regional, and statewide partnerships for the success of the project.

This project was developed at the request of two property owners who were concerned about ongoing erosion on their property from culvert discharge to the Mississippi River. Commission, City, and County staff met with the property owners on site and developed a preliminary concept. City staff undertook a site survey and developed more refined 30% plans and an estimate of probable cost. The City then presented an application to the Commission for cost share funding from the Commission's Partnership Cost Share program, intended to fund voluntary load-reduction BMPs on private property. The Commission unanimously approved this funding.

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Natural Resources Opportunity Grant Program

6. READINESS TO PROCEED

Evaluation Criteria
Project elements are in place for the project to proceed and documentation is provided (e.g. planning, design, and permits).
Necessary stakeholders are either on project team or have provided sufficient support for project to move forward expediently.

Reviewers provide ratings based on how soon a project can begin construction and how efficiently the project can proceed to completion, especially through early stages. A project does not need to begin immediately after the grant award, but must begin soon enough that the project can complete well within the grant agreement period.

Using the area below, please provide:

- Describe the steps you have taken to coordinate partners and activities that would allow the project to proceed immediately after grant award. Provide information and documentation on project elements such as status of designs, permits, cross- or inter-agency agreements, landowner agreements, easements, other secured funding, and staff or agency approvals.

The Commission worked together with the City of Dayton to survey the site and prepare 30% plans and the cost estimate. The city has requested, and the Commission approved, contributing the matching funds detailed in this application. The two property owners are willing participants and are eager to have the project completed to correct the existing erosion and prevent future erosion from the extended culvert. Any permits required?

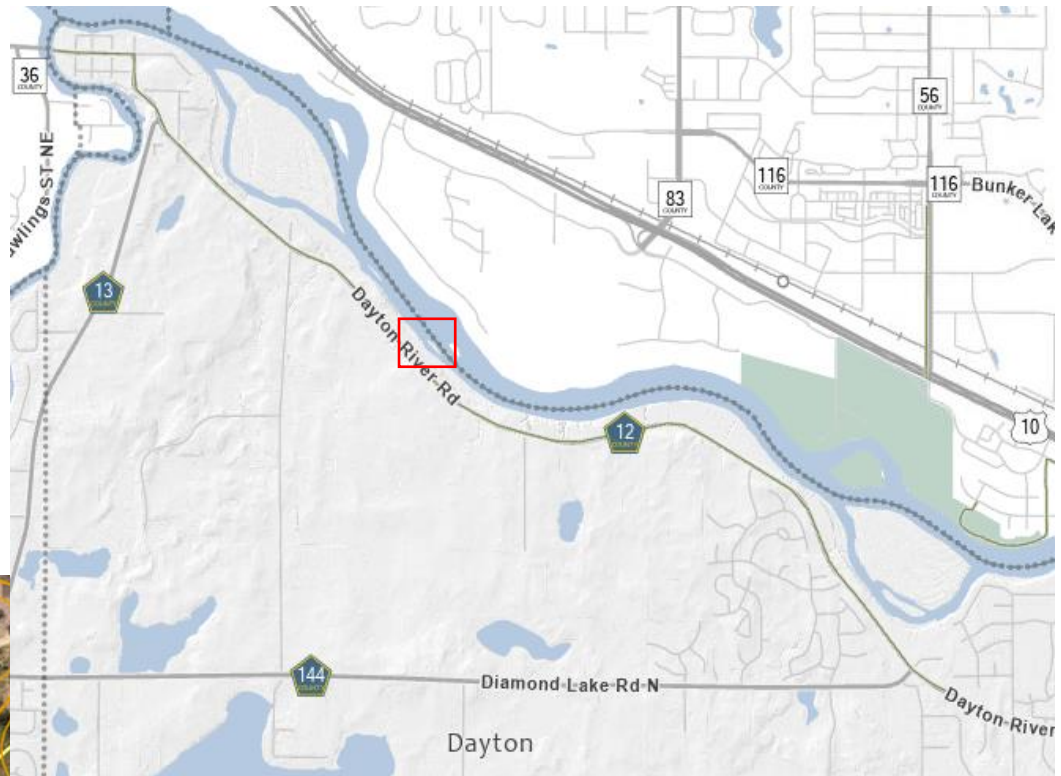
THIS CONCLUDES PART 2

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Natural Resources Opportunity Grant Program

(Right)
Project location

(Below)
Culvert and
direction of flow



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Natural Resources Opportunity Grant Program



30% design showing stabilized channel and rock grade control structures

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Natural Resources Opportunity Grant Program

Table 1. Engineer's Opinion of Probable Cost, 30% Design.

Stantec Opinion of Probable Cost for 16630 Dayton River Road Ravine Stabilization					
Bid Components					
No	Item	Unit	Quantity	Unit Price	Cost
1	Mobilization & Demobilization	LS	1	\$5,000	\$5,000
2	Traffic Control	LS	1	\$5,000	\$5,000
3	Temporary Rock Construction Entrance - Maintained	EA	1	\$2,000	\$2,000
4	Clear Trees	EA	5	\$750	\$3,750
5	Silt fence, Type MS - Maintained	LF	125	\$3	\$313
6	Flotation Silt Curtain Type Still Water - Maintained	LF	40	\$50	\$2,000
7	Sediment Control Log Type Straw (or Bioroll) - Maintained	LF	200	\$5	\$1,000
8	Erosion Control Blanket Category 20	SY	325	\$3	\$975
9	Coir Erosion Control Mat	SY	325	\$6	\$1,950
10	Random Riprap Class II	TON	295	\$125	\$36,875
11	Geotextile Fabric, Type V Non-Woven	SY	615	\$5	\$3,075
12	Native Seeding	AC	0.3	\$2,500	\$750

Subtotal	\$62,688
10% Contingency	\$6,269
Construction Subtotal	\$68,956
Engineering & Admin	\$6,000
Total	\$74,956
Say	\$75,000

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Natural Resources Opportunity Grant Program

To: Elm Creek WMO Commissioners
Elm Creek TAC

From: Diane Spector

Date: July 5, 2023

Subject: 2023 Clean Water Fund (CWF) Grant Solicitation

**Recommended
Commission Action**

For discussion and staff direction.

The Board of Water and Soil Resources (BWSR) opened the annual solicitation for Clean Water Fund Grants on June 29, 2023. Grant applications are due by August 24. The program is similar to the grant solicitation in past years with a few exceptions.

This \$8.5 million is funding from the ongoing Legacy Amendment and is one of the primary funding sources for surface water improvements in Minnesota. Up to 20% of that amount may be reserved by BWSR for focus on projects that protect or improve drinking water sources.

Projects must be identified in a watershed management plan that has been state approved and locally adopted or an approved total maximum daily load study (TMDL), Watershed Restoration and Protection Strategy (WRAPS), Groundwater Restoration and Protection Strategy (GRAPS), surface water intake plan, or well head protection plan. Unlike previous years, the required match has been reduced from **25%** to **10%**.

These are very competitive funds, so well thought out, targeted projects with local consensus and significant cost-effective removals will complete best. The Commission does have a few projects on its CIP for the next few years that cities might consider for application (see attached Table 1), but again, the funds are extremely competitive, and the pool of available funds is growing smaller each year.

More information can be found here:

[Apply for BWSR Grants | MN Board of Water, Soil Resources \(state.mn.us\)](#)

Table 1. Elm Creek WMC CIP as Amended June 2023.

CAPITAL IMPROVEMENT PROGRAM	Location	2023	2024	2025	Future
Cost Share Program	Varies	200,000	200,000	200,000	200,000
Commission Contribution		100,000	100,000	100,000	100,000
Local Contribution		100,000	100,000	100,000	100,000
Partnership Cost-Share BMP Projects	Varies	50,000	50,000	50,000	50,000
Commission Contribution		50,000	50,000	50,000	50,000
Local Contribution		0	0	0	0
S Fork Rush Creek Restoration	Maple Grove	3,250,000			
Commission Contribution		406,250			
Local Contribution		2,437,500			
CSAH 12/Dayton R Rd Ravine Stabilization	Dayton	1,329,400			
Commission Contribution		110,000			
Local Contribution		1,219,400			
Downtown Pond Exp & Reuse	Rogers	406,000			
Commission Contribution		101,500			
Local Contribution		304,500			
Rush Creek Resto- Rush Hollow	Maple Grove		1,000,000		
Commission Contribution			250,000		
Local Contribution			750,000		
Fox Cr, South Pointe	Rogers		90,000		
Commission Contribution			22,500		
Local Contribution			67,500		
Lowell Pond Rain Garden	Champlin		400,000		
Commission Contribution			100,000		
Local Contribution			300,000		
The Meadows Playfield	Plymouth		5,300,000		
Commission Contribution			250,000		
Local Contribution			5,050,000		
Brockton Ln WQ Improv	Plymouth		150,000		
Commission Contribution			37,500		
Local Contribution			112,500		
Recon Bridge at Cartway and Elm Creek	Champlin		950,000		
Commission Contribution			237,500		
Local Contribution			712,500		
Eastman Nat Ctr Oxbow Tr Rush Ck Stabil	Maple Grove		100,000		
Commission Contribution			25,000		
Local Contribution			75,000		
Ranchview Wetland Restoration	Maple Grove				2,500,000
Commission Contribution					250,000
Local Contribution					2,250,000
Goose Lake Rd Area Infiltr Improv	Champlin				200,000
Commission Contribution					50,000
Local Contribution					150,000
Mill Pond BMPs Water Quality Project Area	Champlin				200,000
Commission Contribution					50,000
Local Contribution					150,000
Lemans Lake Water Quality Improvements	Champlin				100,000
Commission Contribution					25,000

CAPITAL IMPROVEMENT PROGRAM	Location	2023	2024	2025	Future
Local Contribution					75,000
TOTAL PROJECT COST		5,235,400	7,150,000	250,000	3,250,000
TOTAL COMMISSION SHARE		767,750	800,000	150,000	525,000
TOTAL CITY SHARE		4,061,400	6,350,000	100,000	2,725,000

Judie Anderson

From: Minnesota Board of Water and Soil Resources <mnbwsr@public.govdelivery.com>
Sent: Thursday, June 29, 2023 9:36 AM
To: Judie Anderson
Subject: News Release: BWSR Accepting Applications for Clean Water Fund Grants



News Release

FOR IMMEDIATE RELEASE

Contact: Mary Juhl (612-358-5733)

BWSR Accepting Applications for Clean Water Fund Grants

June 29, 2023

St. Paul, Minn. — The Minnesota Board of Water and Soil Resources (BWSR) is now seeking applications for its Clean Water Fund Competitive Grants Program. More than \$8.7 million in grants and \$8.2 million in loans are available to local governments. Eligible applicants include soil and water conservation districts, watershed districts, watershed management organizations, counties, joint powers boards and municipalities with approved water management plans.

"Supporting local efforts to improve water quality and protect drinking water is essential to BWSR's mission," said BWSR Executive Director John Jaschke. "These grants will help local governments advance meaningful conservation work throughout Minnesota."

The application period opens June 29 and closes August 24. Grants are typically awarded during the winter following the application period. Interested applicants can find the Request for Proposals on [BWSR's website](#).

About the Minnesota Clean Water Fund Minnesota voters approved the Clean Water, Land and Legacy Amendment in 2008 to protect, enhance, and restore wetlands, prairies, forests, and fish, game, and wildlife habitat; to preserve arts and cultural heritage; to support parks and trails; and to protect, enhance, and restore lakes, rivers, streams, and groundwater. The Clean Water Fund receives 33 percent of the sales tax revenue generated by the Legacy Amendment. More information about the Clean Water Fund is [available here](#).

###

BWSR is the state soil and water conservation agency, and it administers programs that prevent sediment and nutrients from entering our lakes, rivers, and streams; enhance fish and wildlife habitat; and protect wetlands. The 20-member board consists of representatives of local and state

government agencies and citizens. BWSR's mission is to improve and protect Minnesota's water and soil resources by working in partnership with local organizations and private landowners.



Questions? [Contact Us](#)



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This email was sent to judie@jass.biz using GovDelivery Communications Cloud on behalf of: Minnesota Board of Water and Soil Resources · 520 Lafayette Rd N · Saint Paul, MN 55155 · 651-296-3767

