

elm creek Watershed Management Commission

ADMINISTRATIVE OFFICE
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November 16, 2021

Members
Technical Advisory Committee
Elm Creek Watershed Management Commission
Hennepin County, MN

Dear Members:

A meeting of the Technical Advisory Committee of the Elm Creek Watershed Management Commission will be held on **Tuesday, November 30, 2021, at 10:30 a.m.** This will be a virtual meeting.

To join the meeting, click <https://zoom.us/j/990970201> or go to www.zoom.us and click **Join A Meeting**. The meeting ID is **990-970-201**. The password is **water**.

If your computer is not equipped with audio capability, you need to dial into one of these numbers:

+1 929 205 6099 US (New York)	+1 312 626 6799 US (Chicago)
+1 669 900 6833 US (San Jose)	+1 346 248 7799 US (Houston)
+1 253 215 8782 US	+1 301 715 8592 US

Meeting ID: 990 970 201. Passcode: 579973

The meeting is open to the public via the instructions above.

Thank you.



Judie A. Anderson
Administrator
JAA:tim
Encls:

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AGENDA Technical Advisory Committee November 30, 2021 • 10:30 a.m.

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Meeting ID: 990 970 201. Passcode: 579973

1. Call to Order.
 - a. Approve agenda.*
 - b. Approve Minutes of August 26, 2021, meeting.*
2. Review Cost Share Policy.*
3. Other Business.

Staff noted, from the August minutes, that the TAC has not completed its business regarding Conformity of City and Commission Rules and Standards. A TAC meeting should be convened to finalize this item.
4. Next TAC meeting date _____.
5. Adjourn meeting

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*in meeting packet
**available at meeting

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Technical Advisory Committee Meeting Minutes August 26, 2021

I. A virtual meeting of the **Technical Advisory Committee (TAC)** of the Elm Creek Watershed Management Commission was convened at 10:01 a.m., Thursday, August 26, 2021.

In attendance: Heather Nelson, Champlin; Kevin Mattson, Corcoran; Nico Cantarero, Wenck/Stantec, Dayton; Derek Asche, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Ross Mullen, Wenck/Stantec; James Kujawa, Surface Water Solutions; Brian Vlach, Three Rivers Park District (TRPD); Kris Guentzel and Kevin Ellis, Hennepin County Dept. of Environment and Energy (HCEE); and Amy Juntunen and Judie Anderson, JASS.

Not represented: Medina.

The members introduced themselves to Nelson, the new Assistant Engineer for the City of Champlin. She will be the regular member on the TAC presenting Champlin.

II. Motion by Scharenbroich, second by Simmons to approve the **agenda**.* *Motion carried unanimously.*

III. Motion by Scharenbroich, second by Simmons to approve the **minutes*** of the July 22, 2021, meeting. *Motion carried unanimously.*

IV. **Conformity of City and Commission Rules and Standards.** The members continued its discussion of conflicting rules. Today's meeting focused on potential changes to Low Floor / Freeboard Rules.

Included in the meeting packet was a flow chart* created by Mullen summarizing the review path taken by the Commission's Technical Staff when reviewing projects. Mullen provided background on how the flow chart was produced and indicated many of the challenges related to low elevations/low openings adjacent to flashing waterbodies such as ponds.

Mattson indicated there may be times when a second pipe may need to serve as an emergency overflow rather than overland flow.

Mullen requested more discussion on groundwater. Kujawa indicated he reviews based on adjoining wetlands.

Vlach inquired how to identify groundwater using Darcy's Law.

Kujawa expressed concern about including groundwater in the chart, Asche agreed.

Motion by Scharenbroich, second by Simmons to approve the following: (1) Delete groundwater from the middle orange box on the right side of the flow chart and (2) item D in that same box would recommend overland flow but allow for a pipe or outlet structure in certain circumstances. *Motion carried.*

These revisions will be incorporated into the flow chart and brought back to the TAC members at their next meeting. If approved, they will be recommended to the Commission and be effective immediately.

CHAMPLIN - CORCORAN - DAYTON - MAPLE GROVE - MEDINA - PLYMOUTH - ROGERS

*included in meeting packet

V. Other Business.

Hennepin County is working with a landowner in Dayton to install a **manure bunker** on the property. This design will require a technical signature from a structural engineer. The only structural engineer the County has worked with recently on such a project works for NRCS and, since this work is not NRCS-funded, they are unable to use that engineer. The County is in the process of trying to identify whether other county departments may have a structural engineer on staff with time in the next few weeks to help with the design; if not, they are asking if the Commission would allow them to work directly with Stantec on the design.

Guentzel was asked why the County doesn't hire Stantec directly. His response was that recent changes to County contracting require that they first identify small business enterprises for this work. That process would likely take months and they would like to work towards installations yet this year. Considering Stantec's working relationship with Commission, understanding of the area of project installation, and likely available capacity to take this work on immediately, County staff consider Stantec to be a better alternative.

No members expressed concern with the County engaging Stantec, with Commission approval.

VI. The date of the next TAC meeting will be determined following the Commission's regular September meeting.

There being no further business, the meeting was adjourned at 10:50 a.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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Elm Creek Watershed Management Commission Cost Share Policy

To facilitate implementation of improvement projects within the watershed, the Elm Creek Watershed Management Commission's Joint Powers Agreement (JPA) and Section V of its Second Generation Watershed Management Plan provide for a Capital Improvement Program (CIP). The JPA also describes how the costs of capital projects shall be allocated.

The Management Plan proposes to share the cost of high-priority watershed capital improvements and demonstration projects through the CIP. High-priority watershed capital improvements are those activities that go above and beyond general city management activities and are intended to provide a significant improvement to the water resources in the watershed. To be considered for inclusion in the CIP, projects must be identified in a Commission-adopted management plan, approved TMDL, or member local stormwater plan or CIP.

In order to identify projects for inclusion on its Capital Improvement Program, the Elm Creek Watershed Management Commission will accept city proposals for cost-share projects until March 15 of every year. Following that date, the Commission's Technical Advisory Committee will review and score the submittals and make a recommendation regarding additions and revisions to the Commission's existing CIP at their regular May meeting.

The Commission has developed a set of criteria by which proposed projects will be scored, with those projects scoring a certain minimum number of points on the submittal form screening questions advancing to a prioritization stage. (Refer to the Commission's Capital Improvement Program Standards and Guidelines.)

Prior to consideration for funding, a feasibility study or engineering report must be written for the proposed project. The city acting as the lead agency for a proposed project will be responsible for the development of and the costs associated with the feasibility study/engineering report.

The Commission has elected to fund capital projects through an ad valorem tax levy. Under the authority provided by MN Stat 103B.251, Subd. 5, the Commission has the authority to certify for payment by the county all or part of the cost of an approved capital improvement. The Commission will pay up to 25 percent of the cost of qualifying projects. This amount will be shared by all taxpayers in the watershed, with the balance of the project cost being shared by the local government(s) participating in or benefiting from the improvement.

- a. The Commission's maximum annual share of an approved project is up to \$250,000.
 - 1) The Commission's share will be funded through the ad valorem tax levy – spread across all taxpayers within the watershed.
 - 2) The Commission will use a maximum annual levy of \$500,000 as a working guideline.
- b. The cities' share will be a minimum of 75% of the cost of the project. The basis of this apportionment will likely be unique to each project. The 75% share will be apportioned to the cities in the following manner or in some other manner acceptable to them. For example,
 - 1) The area directly benefiting from the project will be apportioned 25% of the cost of the project. This will be apportioned to cities based on the proportion of lake or stream frontage.

- 2) 50% of the cost of the project will be apportioned based on contributing/benefiting area.
- c. The cities will each decide the funding mechanism that is best suited to them for payment of their share, for example through special assessments, storm drainage utility, general tax levy, or watershed management taxing district.
- d. Funding from grant sources may also be used to help pay the costs of the capital projects.

The Elm Creek Watershed Management Commission may consider Commission- or City-generated requests to undertake subwatershed assessments (SWAs). Primarily, SWAs will be completed in rural areas suspected of being high-nutrient loading and will be specific enough to identify potential load-reducing projects. SWAs will be

- a. Identified in areas outside of the Municipal Urban Service Area (MUSA).
- b. Supported by the City in which the SWA is located.
- c. Undertaken at the discretion of the Commission.
- d. Funded by a \$15,000 maximum cap (grant or Commission funding) and a 20% match by the City requesting the SWA.