

elm creek Watershed Management Commission

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Regular Meeting Minutes January 10, 2018

I. A **regular meeting** of the Elm Creek Watershed Management Commission was called to order at 11:33 a.m., Wednesday, January 10, 2018, in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN, by Chairman Doug Baines.

Present were: Gerry Butcher, Champlin; Sharon Meister, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Catherine Cesnik, Plymouth; Kevin Jullie, Rogers; James Kujawa and Jason Swenson, Hennepin County Dept. of Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, Barr Engineering; and Judie Anderson, JASS.

Also present: Todd Tuominen, Champlin; Kevin Mattson, Corcoran; Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; and Jason Naber, Ryan Fleming, and Spencer Peck, EOR, Inc., and Dean Leischow, Sunrise Energy Ventures, for Project Review 2017-053.

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

B. Motion by Weir, second by Jullie to approve the **minutes*** of the December 13, 2017 regular meeting. *Motion carried unanimously.*

C. Motion by Weir, second by Jullie to approve the January **Treasurer's Report and Claims*** totaling \$13,324.80. *Motion carried unanimously.*

II. Open Forum.

III. Action Item.

A. Project Reviews.

1. **2017-051 Mallard South 2nd Addition, Rogers**.* This is a 1.5 acre parcel proposed to be replatted for a 9-unit townhome development. It was originally approved as 12 townhome units in 2001. Because of the change in platting, the site must conform to the Commission's Third Generation Stormwater Management Plan. Staff recommends the Commission approve the revised site plans dated December 22, 2017 pending compliance with the Commission's operation and maintenance standards on the rain garden/bio-filtration basin. Motion by Weir, second by Cesnik to approve this project per Staff's recommendation in their findings dated December 28, 2017. *Motion carried unanimously.*

2. **2017-053 Sunrise Solar Garden, Corcoran**.* This project proposes to construct a 5 MW Solar Facility on an 80-acre site located northwest of the intersection of County Roads 50 and 19 on the western border of Corcoran with Greenfield. On December 20, Staff met with the applicant prior to the application to discuss the site. The project proposes to place solar panels across much of the site, including through several lower quality wetlands and their associated buffers. Otherwise, the site proposes minimal grading to install the panels and associated infrastructure. The project was reviewed for compliance with Commission Rules D, E, F, G and I – stormwater management, erosion and sediment control, floodplain alteration, wetland alteration and buffer strips, respectively. Motion by Weir, second by Trainor to approve this project per Staff's recommendation in their findings dated December 28, 2017, namely that 1) stormwater easements and buffers are provided over all stormwater features on the site, including a stipulation that no other structures other than the proposed solar panels are allowed for installation in the buffers and wetlands, and that 2) an approved O & M agreement is recorded on the land title within 90 days after City approval. Additionally, Staff will request final signed plans from the applicant's engineer. *Motion carried unanimously.*

B. BWSR Funding.* The Board of Water and Soil Resources is considering moving from a competitive funding model towards a more systematic Clean Water Funding model for local water management authorities on a watershed basis. Included in the meeting packet was a document entitled, “Guiding Principles,”* which outlines how these principles will direct and influence future policies and procedures for Clean Water funds appropriated to BWSR for the purposes of implementing comprehensive watershed management plans. Eligible watersheds are defined as those areas that have watershed management plans developed under the One Watershed, One Plan Program or the Metropolitan Surface Water Management Act.

For the metro area, the funding will be allocated by county, calculated based on the square mileage of private land within the county. County and municipal-owned land is included as private land for the purposes of this calculation. Hennepin County’s share of watershed-based funding for FY 2018-2019 is \$1,018,000. If all watershed organizations in Hennepin County choose to create a collaborative group for the watershed-based funding, that share of funds is available for Hennepin County projects. If the WMOs choose to remain in the competitive-based grant funding, that money will be pooled with counties who also choose to remain competitive-based, meaning that Hennepin County watershed organizations may receive more or less than the \$1,018,000.

The decision on whether to move forward as a collaborative within the county or to remain as competitive must be made by June 30, 2018. This decision can be changed in the future, but BWSR requires that eligible LGUs complete a documented process to make that determination by June 30.

The watershed-based funding pilot program does allow certain activities to be eligible for BWSR grant funds that are not eligible under the competitive grant program such as: programs, project support, grant management and reporting, and technical and engineering assistance necessary to implement activities.

Beginning over the next few weeks, Hennepin County will be convening meetings of all eligible LGUs, which includes Watershed Districts, WMOs and Cities with a state-approved plan (City Local Water Management Plans are considered state-approved if approved by the governing watershed). The first meetings are to determine eligible participants, establish voting representation, establish a direction for the collaborative, and discuss potential projects for FY2018-2019.

Staff is requesting approval to attend the Hennepin County collaboration meetings on behalf of the Commission. Commissioners and Cities will also be invited to participate in these meetings. Motion by Butcher, second by Weir to grant this approval. *Motion carried unanimously.* Staff will send notices of future meetings to Commissioners and member cities.

IV. New Business.

Cost Share Policy.* At the December meeting, the Commissioners briefly discussed the “cap” on the maximum annual levy for Capital Improvement Projects (CIPs). It was noted that, according to the Commission’s current Cost Share Policy which was adopted in 2012. the cap is \$250,000/project, \$500,000/year. The current CIP,* which was amended in 2017, shows estimated costs for projects anticipated to be levied in 2018/payable 2019 are \$1,395,250. While some 2018 projects may be reassigned to future years, others will most probably be added and the costs of some existing projects may increase. The TAC will make a recommendation to the Commissioners regarding revising the cap at their February meeting. TAC members are encouraged to discuss this possible action with their city personnel/councilors.

V. Grant Opportunities and Updates.

A. Internal Phosphorus Loading Control in Fish Lake project. The initial alum treatment occurred September 18-21, 2017. The next steps include collecting sediment cores to determine the alum dosage calculations in 2018 and continuing to monitor the lake to determine the effectiveness of the first treatment. The second treatment will occur in the spring of 2019. The estimated cost for two treatments is \$300,000; the first treatment cost \$176,379. Project funding sources include the BWSR Clean Water Fund Grant, the City of Maple Grove, the Fish Lake Area Residents Association (FLARA), Three Rivers Park District (TRPD), and the Commission. Staff is currently developing the annual progress report due February 1, 2018. A second payment of 40% of the \$200,000 grant amount will be distributed after the first payment (50%) has been expended and reporting requirements have been met.

*in meeting packet

B. Rush Creek Headwaters Subwatershed Assessment project.* On December 7, 2017, Wenck, Hennepin County, JASS, and City of Corcoran staff attended an Open House to which all the property owners living in the Corcoran portion of the Study Area were invited. According to the sign-in sheets, attendance was approximately 50. Scattered at tables around the room were large-format aerial photos of each of the six management units as well as an overview aerial of the study area. Attendees were encouraged to mark up the figures with information about known problems and issues, and observations about conditions in their area. Staff circulated among the tables to discuss and answer questions. A comment sheet was provided for attendees to record their concerns and comments as well as to sign up to participate in future small group meetings or to get email updates about the project. They could also sign up to receive more information about residential or agricultural BMPs. About 20 sheets were filled out and eight attendees were interested in future small group meetings. Comments from the marked-up figures and the comment forms will be added to the “Problems and Issues” figure in the report.

Expected January-February 2018 activities include

1. Completing the second round of analysis with ACPF and PTMAApp tools to prioritize BMPs
2. Reviewing SWAT model runoff and loading data from Three Rivers Park District to estimate BMP load reductions
3. Meeting with Core Team in late January to review prioritization scheme and range of BMP costs and removals
4. Meeting with TAC in February to review prioritized BMPs
5. Preparing website content

C. The Federal Emergency Management Agency (FEMA) has awarded the Minnesota Department of Natural Resources (MnDNR) a **grant to update the Special Flood Hazard Areas (SFHAs)** in the Twin Cities HUC8 watershed. Pass-through grants will be provided so that WMOs can complete some or all of this work. FEMA would like to leverage existing data wherever possible so Twin Cities WMOs within the HUC8 watershed are being approached to see if they have any data that can support this effort. Since leveraged data will reduce overall project cost, WMOs that can provide data will be offered remaining funds allotted for that watershed for such activities as flood risk reduction or communication activities. All deliverables must be submitted to the MnDNR by April 2020.

Total funds for each HUC watershed have been established between FEMA and the DNR. The cost estimates are based on MnDNR staff developing new hydrologic and hydraulic models using HEC-HMS and HEC-RAS, delineating all floodplains and x-section shapefiles, and developing the depth grids. These cost estimates have not been provided to the WMOs and the amount of the grant will not exceed the FEMA-negotiated costs for each WMO. Any unused funds can be passed through to the WMO to complete other flood risk reduction activities pre-approved by MnDNR staff.

Technical Staff has been working with MnDNR to put together a scope of work and cost estimate. It will be brought back to the Commission at their February meeting for further discussion and a decision. Hennepin County staff have the capacity and would like to do the work. Swenson will be the lead and overflow project review work will be performed by Weiss.

D. Tuominen provided an update on the **Mill Pond Shoreline and Aquatic Habitat Restoration Project**, which is being funded in part by the Commission’s 2017 ad valorem levy. Recent subzero temperatures have helped freeze the pond bottom, providing access for heavy equipment to start the pond excavation work. 250,000 CY of silt and sand will be excavated from the Mill Pond and a large amount of this material will be hauled offsite. The schedule requires the contractor to complete the excavation work this winter season. Shoreland and planting restoration will be completed in the summer of 2018. The project will restore approximately 42 acres of aquatic and shoreland area, maintaining and enhancing the game fish population and attracting and supporting migratory and resident wildlife populations. The restoration work also includes removal of invasive plants.

VI. Elm Creek Watershed-wide TMDL. This item will be removed from the recurring agenda.

*in meeting packet

VII. Watershed Management Plan.

VIII. Education.

A. Included in the packet was the **December WMWA (West Metro Water Alliance) update.***

1. WMWA has switched its email distribution system for the **WaterLinks** e-newsletter from Hennepin County to MailChimp. In order to keep receiving WaterLinks (or to newly subscribe), go to westmetrowateralliance.org/contact.html to sign up. The next issue of Water Links will be out in the first quarter of 2018 and will feature late winter, early spring-related content.

2. WMWA is currently discussing options for assisting property owners with **rain gardens and native plant conversions**. Two options being considered are 1) funding two hours of on-site technical assistance for owners who take the Metro Blooms Landscaping workshop; and/or 2) providing reimbursement for the cost of purchasing native plants, up to a certain amount, say \$100. These ideas are still under development.

3. The website **Google Analytics*** for December 2017 and January-December 2017 for the Shingle Creek/West Mississippi Commissions are included in the update, as are the **Facebook insights*** for the last 28 days for both Shingle Creek and WMWA.

4. The next **WMWA meetings** are scheduled for 8:30 a.m., Tuesday, January 16, 2018, and Tuesday, February 13, 2018, at Plymouth City Hall. Commissioners are encouraged to attend.

B. Staff will contact FLARA regarding their water quality education grant application. An approved final report must be submitted in order for FLARA to receive the grant proceeds.

IX. Communications.

X. Other Business.

A. A reminder that annual **Commissioner/Alternate appointments** are due. A copy of the minutes of the meeting when the individuals were appointed or an appointing resolution should be emailed to the Administrative Office.

B. Nominations for 2018 officers will be accepted at the February meeting. Elections will occur at the March meeting.

C. The following **projects** are discussed in the January Staff Report.* ("W" denotes wetland project.)

- 1.** 2013-046 Woods of Medina, Medina.
- 2.** 2014-015 Rogers Drive Extension, Rogers.
- 3.** 2015-004 Kinghorn Outlet A, Rogers.
- 4.** 2015-030 Kiddiegarten Child Care Center, Maple Grove.
- 5.** 2016-002 The Markets at Rush Creek, Maple Grove.
- 6.** 2016-004 Park Place Storage Site Plans, Corcoran.
- 7.** 2016-005W Ravinia Wetland Bank, Corcoran.
- 8.** 2016-026 Faithbrook Church, Dayton.
- 9.** 2016-040 Kinghorn 4th Addition, Rogers.
- 10.** 2016-047 Hy-Vee Maple Grove #1, Maple Grove.
- 11.** 2016-052 The Woods at Rush Creek, Maple Grove.
- 12.** 2017-002 RDO Site Plan, Dayton.*
- 13.** 2017-014 Laurel Creek, Rogers.
- 14.** 2017-016 Territorial Woods, Maple Grove.
- 15.** 2017-017 Mary Queen of Peace Catholic Church, Rogers
- 16.** 2017-019 Medina Senior Living Community, Medina.
- 17.** 2017-021 Hindu Society of MN Staff Housing, Maple Grove.
- 18.** 2017-028W Fehn Meadows Wetland Bank, Corcoran.
- 19.** 2017-029 Brayburn Trails, Dayton.
- 20.** 2017-030 Brindle Path, Medina.

*in meeting packet

21. 2017-031 Bass Lake Crossing, Corcoran.
22. 2017-034 Plymouth Memory Care, Plymouth.
23. 2017-035 Weston Woods of Medina PUD.
24. 2017-036 Enclave at Elm Creek, Plymouth.
25. 2017-037 L-80 Lift Station MCES, Corcoran.
26. 2017-038 Bass Lake Estates, Corcoran.
27. 2017-039 Rush Creek Apartments, Maple Grove.
28. 2017-040 Capitol Beverage, Rogers.*
29. 2017-044 Reserve at Medina 2nd Addition, Medina.
30. 2017-045 Fish Lake Estates, Maple Grove.
31. 2017-046W Wessell Wetland Delineation, Corcoran.
32. 2017-048W Ebert Parcel Wetland Delineation, Corcoran.
33. 2017-049W Rolling Hills Wetland Delineation, Corcoran.
34. 2017-050W Ernie Mayer Wetland/floodplain violation, Corcoran.*
35. 2017-051 Mallard South 2nd Addition, Rogers.*
36. 2017-052 John Meister Wetland Exemption, Corcoran.*
37. 2017-053 Sunrise Solar Garden, Corcoran.*

XI. Adjournment. There being no further business, motion by Weir, second by Jullie to adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 12:36 p.m.

Respectfully submitted,



Judie A. Anderson, Recording Secretary

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*in meeting packet