

elm creek

Watershed Management Commission

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Regular Meeting Minutes April 13, 2022

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:33 a.m., Wednesday, April 13, 2022, by Chair Doug Baines.

Present were: Bill Walraven, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Terry Sharp, Medina; Catherine Cesnik, Plymouth; David Katzner, Rogers; and Amy Juntunen and Judie Anderson, JASS.

Also present: Heather Nelson, Champlin; Kevin Mattson, Corcoran; Nico Cantarero, Stantec, Dayton; Derek Asche and Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Diane Spector, Ed Matthiesen, and Erik Megow, Stantec; James Kujawa, Surface Water Solutions; Rebecca Carlson, Resilience Resources; Kris Guentzel and Kevin Ellis, Hennepin County Environmental Services (HCEE); Brian Vlach, Three Rivers Park District (TRPD); Jeff Weiss, MN DNR; Paul Robinson, Rachel Development for Project Review 2022-009; and RSB.

A. Motion by Guenther, second by Trainor to approve the **revised agenda**. *Motion carried unanimously.*

B. Motion by Guenther, second by Katzner to approve the **minutes*** of the March 9, 2022, regular meeting. *Motion carried unanimously.*

C. Motion by Guenther, second by Katzner to approve the April **Treasurer's Report** and **Claims*** totaling \$32,151.25. *Motion carried unanimously.*

II. Open Forum.

III. Action Items.

A. Project Reviews.

1. **2021-055 Morningside Estates 6th Addition, Champlin**.** This proposed development will construct seven single-family homes adjacent to the recently reviewed Oaks at Bauer Farm Project (2021-012) on the north side of French Lake Road, disturbing 2.8-acres and creating 0.8-acres of net, new impervious surfaces. The project was reviewed for Rules D and E. In their findings dated April 5, 2022, Staff recommended approval contingent on final escrow determination and O&M agreements with both the City and with the Oaks at Bauer Farms HOA with terms acceptable to the Commission being filed. Motion by Guenther, second by Sharp to approve Staff's recommendations. Motion carried unanimously.*

2. **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. The applicant has extended the 15.99 deadline to June 7, 2022. In their findings dated April 4, 2022, Staff recommended approval of this project with two conditions: final escrow determination and provision of a stormwater maintenance agreement acceptable to the City and the Commission within 90*

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days after the plat is recorded for all stormwater BMPs on the site that will not be operated and maintained by the City. Motion by Guenthner, second by Katzner to approve Staff’s recommendations. *Motion carried unanimously.*

3. 2022-007 Weston Commons 2nd Addition, Maple Grove.* The proposed project is for construction of 82 row townhomes with associated sidewalks, roads, and stormwater infrastructure. The project triggers Rules D, E, and I. In their findings dated April 6, 2022, Staff recommended approval of this project subject to final escrow determination. Motion by Guenthner, second by Trainor to approve this recommendation. *Motion carried unanimously.*

4. 2022-008 Bechtold Farms, Corcoran.* This is two parcels that total 117.6 acres proposed to be subdivided 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 triggers Rules D, E, F, G, and I. In their findings dated April 2, 2022, Staff recommended approval contingent upon the following conditions:

- a. Final escrow determination.
- b. Preservation areas meeting the following criteria:

(1) A long-term vegetation management plan describing methods of maintaining the conservation area in a natural vegetative condition must be submitted with the stormwater management plans. (i) An analysis of the conservation easement areas should be provided by an arborist or similar knowledgeable expert and include existing quality and quantity of native and non-native species. A plan to preserve, restore and protect native vegetation and control invasive species is needed and must be incorporated into the conservation easement. Newly restored preservation areas must have a minimum establishment of >70% native species and <5% invasive species;

(2) A recordable conservation easement acceptable to the City and Commission for protecting the excess preservation areas must be provided and include the long-term management plan as part of the document.

(3) Because the City will be the easement holder, they must agree with the preservation area and its management, restrictions, and preservation plan;

(4) Conservation easement areas must have appropriate monumentation per wetland buffer spacing requirements.

c. An operation and maintenance agreement implementing those conditions that bind current and future owners of the project shall be recorded on this property;

d. Prior to any wetland impacts a wetland replacement plan must be approved by the City of Corcoran (LGU);

e. The buffer vegetation must meet Commission requirements for native vegetation establishment and maintenance.

Motion by Guenthner, second by Cesnik to approve Staff’s recommendations with an additional advisory recommendation that the City/applicant follow the Commission’s Model Livestock Policy. *Motion carried unanimously.*

5. 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 covers Rules D and E. In their findings dated April 4, 2022, Staff recommended approval with three contingencies: (a) final escrow determination; (b) an updated detail for OCS 105 (Sheet 8 of 21)

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showing the 2'-wide by 1'-deep notch in the weir modeled in HydroCAD; and (c) Eliminate the redundant 5-foot weir in the HydroCAD model for the pond outlet. It is understood that the removal of this weir will not affect hydraulics or results for the 2-, 10- and 100-year storm HydroCAD modeling results but should be updated to be consistent with what is being constructed. Motion by Guenther, second by Trainor to approve Staff's recommendations. *Motion carried unanimously.*

B. Technical Advisory Committee (TAC) Recommendations.

1. HUC 8 Model.* Asche recapped the discussion from the TAC meeting that preceded this meeting. The members agreed to continue moving forward with Stantec's work as proposed in their response to the Commission's RFP, and to address problems as (if) they arise.

2. The members recommend to the Commission that the **Capital Improvement Program (CIP)** be revised to add three new projects:

a. Line 50: Maple Grove South Fork Rush Creek Steam Restoration project, \$406,252 each in 2022 and 2023.

b. Line 57: City Cost Share Program, a new project to the CIP – to share in the cost of small Best Management Practices (BMPs) on city projects, in accordance with the Commission's Cost Share Policy, approved in August 2021, \$100,000 annually.

c. Line 58: Partnership Cost Chare Program , a new project to the CIP – to share in the cost of voluntary load-reduction BMPs on private property, in accordance with the Commission's Cost Share Policy, also approved in August 2021, \$50,000 annually.

Some smaller projects (under \$100,000) have been submitted to the CIP by the cities, as well as one since the March meeting from Three Rivers Park District for the proposed Oxbow Trail-Rush Creek Channel Stabilization that is likely to be under \$100,000. It is recommended that those projects be managed administratively through the city cost share program rather than as small line items on the CIP.

3. The members performed a final review of the **revised rules** in anticipation of a Minor Plan Amendment. One correction was noted for non-linear projects: **Replace** "one point one inch (1.1") of runoff from the new impervious surface or 0.55-inches from the combination of new and fully reconstructed impervious surfaces, whichever is greater" **with** "one point one inch of runoff from the sum of new and fully reconstructed impervious surfaces."

In addition, the TAC recommended the applicability date should be June 1, 2022, for the revisions to the low floor rules (Rule D.3.b.i.7 and Rule F.3.b) and November 30, 2022, for the linear project rules (Rule D.2.b and Rule D.3.c).

Motion by Guenther, second by Trainor to approve the addition of the three projects to the CIP and the revised rules as proposed and to call for a public meeting to be held during the Commission's regular May 11, 2022, meeting wherein these items will be considered as Minor Amendments to the Commission's Third Generation Watershed Management Plan. *Motion carried unanimously.*

C. Motion by Trainor, second by Guenther to accept the **2021 Annual Activity Report** with any corrections received by Friday, April 22, 2022. *Motion carried unanimously.* The report will be forwarded to the Board of Water and Soil Resources by the April 30, 2022, deadline.

IV. Old Business.

A The **PRAP subcommittee** did not meet in March.

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B. Reminder: Volunteers are needed for **CAMP monitoring** this year. Staff will review which lakes are needful of monitoring data.

V. New Business.

Due to time constraints the second Convene Meeting for the **2022-2023 Watershed-Based Implementation Fund (WBIF)** process did not occur during the preceding TAC meeting. It will be rescheduled for later this month.

VI. Communications.

A. Staff Report.* Staff reports provide updates on the development projects currently under review by Staff or awaiting final recordations. The projects listed in the table beginning on page 6 of these minutes are discussed in this month's report. Megow provided a **Communications Log*** of activities related to pre-project review activity as an addendum to the Staff Report.

B. Hennepin County Staff Report.*

1. Project Updates.

a. Jubert Lake Agricultural BMPs Phase 1A. Hennepin County staff met with EOR to discuss updates based on a neighboring potential Water And Sediment Control Basin (WASCOB) project. EOR needs to do survey work before completing updates to the plan set. Completed updates are currently under review by Hennepin County. Construction is slated to begin in Summer and Fall 2022.

b. 27015 123rd Ave N., Rogers. Hennepin County met with Anoka County SWCD to discuss filter strip designs and species for planting. Recommendations have been received and incorporated into the plan. The County is now developing a contract for the landowner to sign.

c. 13861 129th Ave N., Dayton. Landowner requested scaled up version of manure bunker plans (20 feet x 20 feet with a 6 foot apron). The County is currently seeking updates to the plan set with this amendment. Construction for this manure bunker is still projected to begin in Spring 2022.

d. 22835 County Road 10, Corcoran. Landowner has quote for livestock exclusion fencing from contractors. Will return that information and currently working through contracting process. Project scheduled to be executed in Spring 2022.

e. 9945 Sundance Road, Rogers. Hennepin County staff met with engineer from Wright County to discuss possible BMP projects. Survey points were requested to make recommendations. Survey work should be completed by the end of April.

2. Potential Future Work.

a. MPCA Small Watershed Focus Program. The County is currently investigating feasibility of participating in the Small Watershed Focus Program through the Minnesota Pollution Control Agency. The program is part of Section 319 of the federal Clean Water Act and provides access to four, four-year grants (16 years total) to support water quality projects in targeted watersheds. Hennepin County staff is meeting to determine if the Rush Creek Subwatershed, or other similar priority areas may be a candidate for this funding.

b. BWSR Soil Health Grants. County staff are interested in assisting other organizations, such as the Commission, to apply for a Soil Health Grant through the Board of Water and Soil Resources. This grant opportunity is for work related to the adoption of soil health practices that will benefit

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water quality. Hennepin County would not qualify as an applicant but is interested in assisting other organizations with this work. Further investigation into this opportunity is currently underway. Applications for funding are due May 9, 2022.

3. Updates to Natural Resource Strategic Plan. County staff continue meeting with partners and the public to discuss future priorities in our next Natural Resources Strategic Plan. Following completion of our first phase of public outreach, staff have continued outreach over the winter focused on listening and learning from a more diverse set of voices, including meetings with both Southside and Northside Green Zone Task Forces in Minneapolis and with different youth groups.

County staff hosted the first two Collaboration Group meetings with key public entity partners. Participating external partners included those managing natural resources, water resources, and parks and trails in diverse geographies across the county. Internal collaboration partners spanned from those with clear intersections with environmental protection such as Transportation and Facility Services, to those with emerging roles, including the new Climate and Resiliency Department. For partners not actively involved in these collaboration groups, there will continue to be plenty of opportunities to provide input and engage in plan development.

Continue to look for updates in the Green Notes newsletter and on our project website, <https://www.hennepin.us/business/conservation/natural-resources-strategic-plan> Please also sign up for email updates to stay informed and learn about opportunities to provide feedback

VII. Education and Public Outreach.

A. The West Metro Water Alliance (WMWA) met on April 12, 2022.

B. Jessica Sahu Teli, the WMWA Educator, taught Watershed PREP to four classes at Elm Creek Elementary in March. Three schools are scheduled for April and several more have reached out to schedule in May as well. WMWA will purchase Black Eyed Susan seeds for an in-class planting activity to encourage planting of native species.

Sahu Teli will be tabling at the Discover Plymouth event on April 23 and the Maple Grove Arbor Day event on May 7. Volunteers are welcome.

Staff will meet with Karen Galles from Hennepin County to discuss the potential Outreach Coordinator position and how the position may be housed with the County. A job description is being developed.

C. Included in the meeting packet was the **2021 WMWA Annual Report.***

D. The **next WMWA meeting** will be held via Zoom at 8:30 a.m., May 10, 2022.

VIII. Grant Opportunities and Project Updates.

IX. Other Business.

Also included in the meeting packet was the **Presiding Officer Statement to Return to In-Person Meetings.*** Beginning with the May meeting, the Commission will meet in the Mayor’s Conference Room at Maple Grove City Hall. In August, the meeting location will switch to the Plymouth Community Center.

X. Adjournment. There being no further business, motion by Sharp, second by Guenthner to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:47 p.m.

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Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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Item No.	A	E	I RPFI	AR	Project No.	Project Name
			RP DD			
					W=wetland project	
ba.				AR	2014-015	Rogers Drive Extension, Rogers.
bb.				AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
bc.				AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
bd.				AR	2017-014	Laurel Creek, Rogers.
be.				AR	2017-029	Brayburn Trails, Dayton.
a.		E			2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
bf.				AR	2018-046	Graco, Rogers.
bg.				AR	2018-048	Faithbrook Church Phase 2, Dayton.
bh..				AR	2019-021	Brenly Meadows, Rogers.
bi.				AR	2019-026	Interstate Power Systems, Rogers.
bj.				AR	2019-027	Havenwood at Maple Grove.
bk.				AR	2020-008	Ione Gardens, Dayton.
bl.				AR	2020-009	Stetler Barn, Medina.
bm.				AR	2020-017	Meadow View Townhomes, Medina.
bn.				AR	2020-023	Ziegler Dayton Site Upgrades, Dayton.
bo.				AR	2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
bp.				AR	2020-033	Weston Woods, Medina.
bq.				AR	2020-036	Balsam Pointe, Dayton.
br.				AR	2021-007	Birchwood 2nd Addition, Rogers
b.					2021-013	Rush Creek Reserve, Corcoran.
bs.				AR	2021-016	Territorial Lofts, Rogers.
bt.				AR	2021-020	Crew Carwash, Maple Grove.
bu.				AR	2021-021	Territorial Triangle, Dayton.
bv.				AR	2021-023	Maple Grove Medial Office Building (MOB).
bw.				AR	2021-024	River Walk, Dayton
c.					2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
d.					2021-026	Prairie Creek Subdivision, Medina.
bx.					2021-027	Xcel Energy Elm Creek Substation, Maple Grove
e.					2021-028	The Cubes at French Lake, Dayton
f.					2021-029	Tri-Care Grocery / Retail, Maple Grove
g.					2021-030	Tri-Care Grading and Roads, Maple Grove
h.					2021-031	Cook Lake Edgewater, Maple Grove
i.					2021-033	Weston Commons, Maple Grove
j.					2021-034	BAPS Hindu Temple, Medina.

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by.					2021-035	Mister Car Wash - Rogers
bz.					2021-036	D & D Service, Corcoran.
k.					2021-037	Marsh Pointe, Medina.
l.					2021-038	Bellwether 6th/Amberly, Corcoran.
m.					2021-039	1-94 Logistics Center, Rogers.
ca.					2021-040	Napa Auto, Corcoran.
cb.					2021-041	Carlson Ridge, Plymouth.
n.					2021-042	Risor Senior Living, Maple Grove
o.	A	E			2021-043	Northwood Community Church Maple Grove.
p.					2021-044	Balsam II Apartments, Dayton.
q.					2021-045	REO Plastics Phase 2 Addition, Maple Grove
r.	A	E			2021-046	Len Busch Roses, Plymouth
s.	A	E			2021-047	CR 10 Box Culvert Replacement, Corcoran
t.					2021-048	Bellwether - Newman West, Corcoran
u.					2021-049	Dayton Interchange Business Center, Dayton.
v.					2021-050	Evanswood, Maple Grove.
w.					2021-051	Fields of Nanterre Drainage Improvements, Plymouth.
x.					2021-052	Norbella Senior Living, Rogers.
y.					2021-053	Towns at Fox Creek, Rogers.
z.					2021-054	Stotts Family Farm Grassed Waterways, Corcoran.
aa.					2021-055	Morningside Estates 6 th Addition, Champlin.
ab.					2022-001	Dayton Field 2nd Addition, Dayton.

= Action item E = Enclosure provided I = Informational update will be provided at meeting RPF - removed pending further information
R = Will be removed RP= Information will be provided in revised meeting packet..... D = Project is denied AR awaiting recordation

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