

# elm creek

## Watershed Management Commission

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### MINUTES – Revised, see item II. Regular Meeting | August 9, 2023

I. **CALL TO ORDER.** A meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, August 9, 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; Clark Gregor, Plymouth; and Kevin Jullie, Rogers.

Also present: Kent Torve, Stantec, Corcoran; Mark Lahtinen, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; Erik Megow, Stantec; Rebecca Carlson, Resilience Resources; Kevin Ellis and Lily Kingsley, Hennepin County Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District; and Judie Anderson, JASS.

II. **AGENDA.** Motion by Walraven, second by Guenther to approve the Agenda: Motion carried unanimously.

A. Motion by Guenther, second by Walraven to approve the **Minutes\* of the July 12, 2023, meeting.** *Motion carried unanimously.*

B. Motion by Guenther, second by Walraven to approve the **August Treasurer's Report and Claims\*** totaling \$49,124.13. *Motion carried unanimously.*

III. **OPEN FORUM.**

IV. **PROJECT REVIEWS.**

A. **2023-011 Sundance Greens 9th Addition, Dayton.\*** The site is located within the broader Sundance Greens development north of Rush Creek Parkway and west of Fernbrook Lane and west/south of east/west portion of where 113th Avenue North tees into 110th Avenue North. The applicant is proposing to add 31 single family homes and a community pool to the existing development. Staff findings dated July 3, 2023, recommend approval with four conditions: (1) reconciliation of the project review fees, (2) provision of adequate wetland buffer and monumentation for the wetland in Outlot E as outlined in Project Review 2020-029; (3) addition of an erosion control blanket to grading plan where slopes are steeper than 3:1; and (4) provision of a Stormwater Maintenance Agreement acceptable to the City and the Commission within 90 days of plat recordation. Action on this project was tabled at the July meeting. Staff-level approval for grading was issued on July 5, 2023.

B. **2023-014 Bottema Wetland Restoration, Corcoran.\*** This project restores previously drained agricultural lands to wetlands. A total of ten wetlands will be restored during this project, with uplands seeded into prairie. The project is located north of CR 30 and west of Cain Road. The North Fork of Rush Creek flows east through the northeastern portion of the 120-acre parcel.

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Construction includes grading/disturbance on three acres of land and erosion control for the 120-acre parcel. There is no current or proposed impervious for this project. The project triggers only Rule E. Staff reviewed the project and approved the erosion control but did offer several comments to the County regarding the design and future stabilization. No action by the Commission is required. Staff will reconcile the escrow payment received. A signed agreement from adjacent landowners as required by the City is also mandatory per Staff findings dated July 21, 2023.

**C. 2023-015 South Fork Rush Creek Restoration at Evanswood, Maple Grove.\*** This is a 5,500 lineal foot restoration of the South Fork of Rush Creek beginning 100 feet downstream (north) of the 101st Street Avenue North Bridge. The project incorporates restoration and stabilization techniques and includes construction of a minimal impact pedestrian bridge. The project disturbs 14.7 acres and proposes no impervious outside the pedestrian bridge (a linear project, the proposed bridge impervious is less than one acre and does not trigger stormwater requirements). The project triggers rules E, F and H. A complete submittal was received July 12, 2023 and was reviewed by Staff who, in their findings dated August 2, 2023, recommend approval with three conditions - the standard fee/escrow condition and two conditions related to the LOMR filing with as-built conditions and the second DNR permit required for work in public waters associated with the pedestrian bridge. Motion by Trainor, second by Walraven to approve Staff's recommendations. *Motion carried unanimously.*

**D. 2023-016 Rogers South Community Park Improvements.\*** This project consists of the disturbance of approximately 14.1 acres over three parcels totaling 34.3 acres to construct park improvements and a re-use irrigation system. Impervious surface within the disturbed area will increase from 0.24 acres to 3.36 acres. The project takes place on three parcels northwest of the Territorial Road and Main Street intersection, adjacent to Rogers Elementary School (School District No. 728). The project triggers Commission rules D, E and I. This item has been reviewed by Staff and in their findings dated August 1, 2023, recommend approval with two conditions – reconciliation of the escrow fee and provision of an operation and maintenance agreement between the City and the School District. Motion by Trainor, second by Sharp to approve Staff's recommendations. *Motion carried unanimously.*

**V. OLD BUSINESS.**

**VI. NEW BUSINESS.**

**Call for Public Hearing.\*** The Commission has established the maximum proposed levy for the 2023 Capital Improvement Program (CIP). The next step in the process is to call for a public hearing to consider ordering and certifying a levy for proposed projects and programs. The table below shows the projects under consideration and their funding, followed by short project summaries. The final step in the CIP process will be to hold a public hearing on the proposed projects and programs at the Commission's regular September 13, 2023, meeting. At that time, the Commission will formally order the projects, certify levies to Hennepin County, and authorize the execution of any necessary cooperative agreements with the cities acting as the lead city to contract the ordered projects.

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**Elm Creek 2023 CIP Projects (2024 levy).**

Project	Total Est Cost	City/Other	Grant	Comm 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
<b>Subtotal</b>	<b>\$5,135,410</b>	<b>\$4,</b>		<b>\$767,750</b>	<b>\$814,200</b>
<b>5% additional for legal/admin</b>				<b>38,390</b>	
<b>Subtotal</b>				<b>806,140</b>	
<b>TOLTAL LEVY (101% for uncollectable)</b>				<b>\$814,200</b>	

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

South Fork Rush Creek Stream Restoration. Restoration of 7,200 feet of the 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, 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, part of a package of drainage and stabilization improvements along Hennepin County CSAH 12. The 50+ foot deep ravines have severe active erosion and are not only significant sediment and nutrient sources but also threaten nearby infrastructure. The project will reduce the excess sediment contributed to the river by about 1,100 tons/year and nutrients by about 938 pounds/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 stormwater reuse for the irrigation of nearby parks. The additional storage area will reduce flooding within the Downtown Rogers Area.

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 improvements above and beyond what would be required to meet Commission rules.

Motion by Trainor, second by Walraven to call for a Public Hearing during the September 14, 2023, regular meeting for the five projects listed on the 2023 CIP. *Motion carried unanimously.*

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**VII. COMMUNICATIONS.** The following communications have been received:

**A. Buffer Inspections.\*** In her July 31, 2023, email Rozalyn Davis, HCEE Conservation Specialist, notified the Commission that parcels have been selected in the cities of Corcoran, Dayton and Rogers for on-site review this month. County staff will visit the parcels to verify that the buffers are compliant with the Minnesota Buffer Law (MS103F). Landowners will receive a notice of inspection and a follow-up letter with Staff findings and any action required to correct buffer problems. Buffer requirements include:

**1. Public Waters:** 50-foot average width, 30-foot minimum width, continuous buffer of perennially rooted vegetation or an approved alternative practice plan with the SWCD Office. Buffers are measured from the top or crown of the bank. Where there is no defined bank, measurement must be from the edge of the normal water level. MN Buffers Law for Public Waters started on November 1, 2017.

**2. Public Drainage Systems:** minimum of 16.5 feet of buffer, measured from the top or crown of the bank. MN Buffers Law for Public Ditches started on November 1, 2018.

**B. Staff Report.\*** Staff reports provide updates on the development projects currently under review by Staff. The projects listed in the table beginning on page 5 of these minutes are discussed in the August 2, 2023, report.

**C. Hennepin County Staff Report.\***

**1. Bottema Wetland Restoration Update, Corcoran.** All permits were received on July 24. Staff staked out the parcel for wetland reconstruction and the reconstruction began in late July, including site prep, breaking tile in the previously drained wetlands, and initial construction of spillways. Contractor plans to complete the sediment scrapes and earthen embankments in August once the appropriate equipment is on-site. Seeding was completed on the eastern half of the property last year and the western half of the parcel this year. It was noted that the native mesic prairie seed mix has exceeded expectations for growth in the first year. This is even more impressive considering the drought conditions that have been present on-site.

**2. Mattila Manure Bunker, Corcoran.** Landowner will be starting construction on the manure bunker after a brief delay. A meeting with NRCS to discuss rotational grazing on the north side of Rush Creek is scheduled for late August.

**3. Christian Settling Basin, Dayton.** A meeting was held with the consulting engineer to discuss the project and develop a punch list of needed survey data. Staff were able to survey the area where the potential settling basins will be installed as well as the current channel. Data was collected, sorted, and delivered to the engineer for analysis. A proposed BMP plan should be returned in the coming weeks. The landowner is also interested in technical assistance on how to encourage wildlife to return to the property and utilize the resources onsite.

**4. Van Asten Bunker and Basin, Dayton.** Staff met with the consulting engineers to discuss the design plan of the manure bunker and potential options for runoff control near the

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barn area. Staff will be visiting the site in early August to collect survey data which will be used in conceptual planning

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 with revisions as appropriate.

6. Other County Programming.

a. The County recently launched a newsletter, Conservation Connection, focused on rural conservation and land management in Hennepin County. This newsletter will include funding and technical support opportunities, resources, tips, and project features. The first edition included information on soil testing, conservation easement and cost-share funding, controlling common and cutleaf thistle, cultivating butterfly weed, fun facts about the norther prairie skink, and more! Subscribe to Conservation Connection to receive future updates.

b. There are two remaining community collection events in 2023 for county residents to dispose of unwanted garden and household hazardous wastes safely and properly. Events will take place Friday and Saturday from 9 a.m. to 3 p.m. on August 11 and 12 at Henry High School in Minneapolis and on September 22 and 23 at the Hennepin County Public Works Orono Shop. Check health and safety guidelines and the list of acceptable materials at: hennepin.us/collectionevents.

VIII. Education and Public Outreach.

A. The West Metro Water Alliance (WMWA) will meet via Zoom at 8:30 a.m., September 12, 2023.

B. The new conservation specialist, Grace Barcelow, has been creating a six-month education and outreach plan and amassing appropriate resources.

IX. Grant Opportunities and Project Updates.

X. Other Business.

XI. Adjournment. There being no further business, the meeting was adjourned at 12:24 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.

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2016-005W	Ravinia Wetland Bank Plan, Corcoran.
2017-014	Laurel Creek, Rogers.
2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
2018-046	Graco, Rogers.
2020-009	Stetler Barn, Medina.
2020-017	Meadow View Townhomes, Medina.
2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
2020-033	Weston Woods, Medina.
2021-020	Crew Carwash, Maple Grove.
2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
2021-029	Tri-Care Grocery / Retail, Maple Grove
2021-034	BAPS Hindu Temple, Medina.
2021-035	Mister Car Wash, Rogers.
2021-036	D & D Service, Corcoran.
2021-044	Balsam II Apartments, Dayton.
2021-050	Evanswood, Maple Grove.
2021-052	Norbella Senior Living, Rogers.
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.
2022-016	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.
2022-026	Archway Building, Rogers
2022-028	Elsie Stephens Park, Dayton.
2022-029	Hayden Hills Park, Dayton.
2022-033	Pet Suites, Maple Grove.
2022-035	Rush Hollow, Maple Grove.
2022-038	Tavera North Side, Corcoran.
2022-040	Karinieimi Meadows, Corcoran.
2022-042	Walcott Glen, Corcoran.
2022-043	Meander Park and Boardwalk, Medina.
2022-045	Corcoran Water Treatment Plant.
2022-047	Suite Living of Maple Grove.
2022-049	Connexus Energy South Dayton Substation.
2023-001	Chankahda Trail Reconstruction Phase 2, Plymouth.
2023-002	Lynde Greenhouse Fire Damage Repair, Maple Grove.
2023-004	Medina Industrial Site, Medina.
2023-006	Sota Shine, Maple Grove.

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2023-008	Rush Creek Boulevard Interchange, Maple Grove.
2023-009	Magnifi Financial, Maple Grove
2023-010	Rogers New Fire Station
2023-011	Sundance Greens 9th, Dayton
2023-012	Hope Community Mixed Use, Corc
2023-013	River Valley Church, Maple Grove
2023-014	Bottema Wetland, Corcoran
2023-015	So Fork Rush Creek Restoration, Maple Grove
2023-016	Rogers South Community Park
2023-017	Veit Pit, Rogers

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