

# elm creek

## Watershed Management Commission

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### Regular Meeting Minutes October 13, 2021

I. A virtual meeting of the Elm Creek Watershed Management Commission was called to order at 11:30 a.m., Wednesday, October 13, 2020, by Vice Chair Elizabeth Weir.

Present were: Bill Walraven, Champlin; Ken Guenther, Corcoran; Joe Trainor, Maple Grove; Elizabeth Weir, Medina; Catherine Cesnik, Plymouth; Kevin Jullie, Rogers; and Amy Juntunen and Judie Anderson, JASS.

Not represented: Dayton.

Also present: Heather Nelson, Champlin; Kevin Mattson, Corcoran; Derek Asche, Maple Grove; Ben Scharenbroich, Plymouth; Ross Mullen and Diane Spector, 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); Jason Hohn, Monica Raskob and Ruthie Peterson, for Project Review 2021-041; and Robert Belzer, Medina.

A. Motion by Guenther, second by Walraven to approve the **agenda\*** as revised. *Motion carried unanimously.*

B. Motion by Guenther, second by Walraven to approve the **Minutes\*** of the September 8, 2021, regular meeting. *Motion carried unanimously.*

C. Motion by Guenther, second by Walraven to approve the **October Treasurer's Report and Claims\*** totaling \$76,887.83. *Motion carried unanimously.*

1. Included in the supplemental meeting packet were corrected activity sheets (August correction 2\* and September correction 1\*) extrapolated to 2021 year-end and a memo\* from Staff discussing the state of the administrative budget to date. Commissioners were asked to review the memo and return to the November meeting with their questions or concerns.

2. Also included in the meeting packet was Stantec's September update\* for technical services.

II. **Open Forum.**

III. **Action Items.**

Motion by Walraven, second by Guenther to adopt the draft **Data Practices Policy.\*** *Motion carried unanimously.*

IV. **Project Reviews.**

A. **2021-023 Maple Grove MOB, Maple Grove.\*** This project is for the construction of a Medical Office Building and associated parking on an undeveloped parcel located on the southeastern corner of the

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intersection of 105th Avenue North and Niagara Lane, immediately north of the Highway 610 and Maple Grove Parkway interchange. The project was reviewed for Rules D and E. In their findings dated September 21, 2021, Staff recommends approval contingent upon reconciliation of the escrow balance and a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission for all stormwater facilities on the project site. Motion by Guenther, second by Walraven to approve Staff's recommendation. *Motion carried unanimously.*

**B. Project Review 2021-025 Hackamore Road Reconstruction, Corcoran/Medina.\*** The cities of Corcoran and Medina 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 along the stretch of roadway by widening the roadway, adding turn lanes, pedestrian facilities, and utility improvements. To meet the Commission's stormwater requirements, the project will largely rely on adjacent developments (both existing and proposed) to incorporate BMPs to provide rate control, volume control, and water quality control. Staff findings dated August 28, 2021, and signed October 5, 2021, are included in the meeting packet. Staff reviewed the early coordination application and provided comments to the applicants. Staff presented an overview of the project approach to the Commission. *This item is informational only.*

**C. Project Review 2021-027 Xcel Energy Elm Creek Substation, Maple Grove.\*** Xcel Energy is proposing to expand an existing electrical substation between Maple Grove Parkway and Fernbrook Lane, near the Highway 610 expansion. The expansion will occur within the existing 17.09-acre parcel. The project was reviewed for Rules D and E. In their findings dated September 24, 2021, Staff recommends approval contingent upon receipt of any outstanding project review fees and a stormwater maintenance agreement between the owner and the City with terms acceptable to the Commission for all stormwater facilities on the project site. Motion by Walraven, second by Guenther to approve Staff's recommendation. *Motion carried unanimously.*

**D. Project Review 2021-032 Dayton Park Industrial Center, Dayton.\*** The Dayton Park Industrial Center will include up to 600,000 SF of industrial floor space and 300 vehicle parking areas on 50.8 acres in southwest Dayton. This review is of an Environmental Assessment Worksheet. Included in this month's packet are written comments\* to the City dated August 25, 2021, as the project relates to the Commission's rules and standards and the DNR shoreland rules as well as a letter of response\* from the City dated September 28, 2021. *This item is informational only.*

**E. Project Review 2021-033 Weston Commons, Maple Grove.\*** This project includes construction of 72 new single-family homes on a 10.9-acre site located south of County Road 81 and north of 105th Avenue. The existing property is a single-family home. The project was reviewed for Rules D, E, G, and I. In their findings dated September 30, 2021, Staff recommends approval contingent upon reconciliation of the escrow balance. Motion by Walraven, second by Guenther to approve Staff's recommendation. *Motion carried unanimously.*

**F. Project Review 2021-034 BAPS Temple, Medina.\*** This project includes construction of a Hindu Temple, dining hall, gymnasium, parking lot and one 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. In their findings dated October 4, 2021, Staff recommends approval contingent upon (1) receipt of any outstanding project review fees, (2) a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission, and (3) a geotechnical report being provided to the Commission demonstrating that the onsite

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soils are not conducive to infiltration and/or that groundwater is too high for infiltration. Motion by Guenther, second by Walraven to approve Staff's recommendation. *Motion carried unanimously.*

**G. Project Review 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 6, 2021, are included in the meeting packet wherein Staff are recommending contingent approval with five conditions: (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's consideration and response to Staff comments and provision of final data prior to approval; (4) Applicant's response to City comments; and (5) provision of a Stormwater Maintenance Agreement acceptable to the City and the Commission within 90 days after the plat is recorded. Motion by Guenther, second by Walraven to approve Staff's recommendations. *Motion carried unanimously.*

**H. Project Review 2021-039 I94 Logistics Center, Rogers.\*** This is a 30.90-acre site located between Interstate 94 on the west and County Road 13 (Brockton Lane North) on the east. A proposed warehouse, parking lot, and loading dock will create 12.5 acres of new impervious on the site, which is currently undeveloped. Approximately 12.25 acres of the parcel is in a conservation easement to protect woodlands and wetlands and cannot be developed. The project triggers Rules D, E, G, and I. In their findings dated October 4, 2021, Staff recommends approval contingent upon receipt of any outstanding project review fees, a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission, and WCA reapproval of the wetland fill and replacement plan for impacts of 0.66 acres. Motion by Guenther, second by Walraven to approve Staff's recommendations. *Motion carried unanimously.*

**I. 2021-040 NAPA Auto Store, Corcoran.\*** This is located at the northwest intersection of CR 116 and 75th Avenue, on the former Liquor Store parcel. The applicant proposes to demolish the current building and its adjoining parking areas and construct a 12,800 SF NAPA Auto building, parking lot and associated utilities. An extra 3,600 feet of building area is proposed for future expansion and included within the stormwater management design for this site. Staff findings dated October 1, 2021, and a recommendation to approve with two conditions are included in this month's packet. Those conditions are receipt of any outstanding project review fees and a stormwater maintenance agreement being put in place between the owner and the City with terms acceptable to the Commission and filed on the land title within 90 days after City site plan approval. Motion by Jullie, second by Walraven to approve Staff's recommendations. *Motion carried unanimously.*

**J. 2021-041 Carlson Ridge, Plymouth.\*** This is an existing 4.82-acre residential lot located between Vagabond and Troy Lanes just north of 56th Avenue North. The property will be subdivided into 13 single-family lots. The existing residence will remain, but portions of the driveway and an outbuilding will be demolished. Findings and a recommendation to approve with three conditions dated October 5, 2021, are included in this month's packet. The three conditions are (1) final escrow balance determination when final unconditional approval is granted, (2) wetland impacts cannot occur until appropriate LGU and WCA approvals, and (3) long term operation and maintenance of the stormwater system is determined. Motion by Walraven, second by Jullie to approve Staff's recommendations. *Motion carried unanimously.*

**K. 2021-042 Risor Senior Living, Maple Grove.\*** This is a 3.19-acre project site for construction of a senior living home located within approved Commission Project Review #2020-002 of the Planned Unit Develop-

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ment (PUD) Project 100. The project was reviewed for Rule E. Because the project proposes 72% imperviousness (on a site that was assumed to be 80% impervious) and the project follows best practices and Commission rules regarding erosion and sediment control, technical staff administratively approved the project subject to final escrow balance determination.

**V. Old Business.**

**VI. New Business.**

Scharenbroich reported on the performance of the **regenerative air street sweeper\*** that was financed in part by the Commission’s 2020 CIP tax levy. Approximately 88 curb miles in the Elm Creek watershed were swept. The report breaks down the estimated pollutant removal per mile and total pounds of Total Phosphorus and Chloride collected. The report does not include this fall’s sweeping results.

**VII. Communications.**

**A. September 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.

The report also contains the following update regarding the **Third Party HUC-8 Model Review**: A MNDNR Flood Risk Review Meeting has not been scheduled. Stantec has drafted a response on behalf of the watershed and its member cities.

**B. Hennepin County Staff Report.\***

**1. Project certification.\*** Hennepin County staff have been engaging several landowners in the Elm Creek Watershed regarding manure management on their property. A few of these projects are in the process of moving forward, with landowners requesting assistance to design a manure bunker for their property to meet the needs of their unique operations. These designs, like other engineered designs developed in the County offices, require the signature of a licensed professional that can certify the design meets the standards necessary to ensure its use through its design lifetime. Manure bunkers, in particular, require the certification of a structural engineer. Hennepin County Environment and Energy does not have structural engineers on staff and has been unable to identify another structural engineer either employed by the county or by a local government partner.

Hennepin County staff would like to engage Stantec, the Commission’s engineer, for this assistance. This request was brought to the Technical Advisory Committee (TAC) on August 26, 2021. The TAC supported this request after discussion, and pending Commission approval.

Therefore, Hennepin County staff are requesting approval from the Commission to engage Stantec for their engineering services for projects in the Elm Creek Watershed requiring certification by a structural engineer. Payment for these services can be provided through existing agreements between the Commission and Stantec and the Commission and Hennepin County. Stantec would track time to this effort separately from time for Commission services, and Hennepin County would reimburse costs for this time. Motion by Guenther, second by Walraven to approve this engagement, with amendments to the existing contracts with Stantec and the County being written and executed by the parties. *Motion carried.*

**2. Rush Creek Projects.**

**a. Jubert Lake Area Agricultural BMPs.** Final plans on five waterways were

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expected to be completed by October 8. Plans will be forwarded to landowner for approval and contract signature. Construction is expected to begin later in the Fall.

**b. Top of Hill WASCOB + Waterway.** Construction is complete. Additional punch list items remain, including seeding, which was to have been completed in September. The WASCOB, intake/pipe and waterway all went in according to plan.

**c. Phase 1 projects.** The County is working with project design team (EOR) to finalize design for Phase 1 and begin design work on Phase 2. Construction for Phase 1 scheduled for October following harvest. Phase 2 construction delayed into 2022 to allow time for additional design and permitting. Phase 1 projects include 7 grassed waterways, 1 wetland expansion, and 1 creek stabilization.

**d. Arens WASCOB + Waterway.** Awaiting engineer capacity to complete designs. No information available about intake in road ROW, so will need to make some conservative assumptions about watershed to this project.

**e. Phase 2 projects and wetland consulting.** County will be requesting proposals for engineering services and wetland permitting assistance. These projects are on multiple parcels west of Jubert Lake. Design and implementation are being funded through a funding partnership with the Commission, Hennepin County, the State of MN (Rush Creek CWF grant), and the landowners.

**3. Rush Creek Landowner Outreach.** Postcards advertising BMP projects for crop farmers have been mailed out. Returned cards and responses are starting to arrive. County planning for an event such as an informational session or webinar is underway and will most likely take place over the winter. The County may also start a field day or live stream series in Spring 2022.

**4.** The report also provided updates on five other projects as well as several **conservation assistance projects** in Corcoran, Dayton and Rogers.

**5.** Staff are currently developing options to **preserve farmland** in Hennepin County. Staff have met with others who have developed similar programs in other areas of the country to learn more about potential options. A mailer was sent to farmers and landowners with agricultural operations to gauge their interest and obtain input on the program. Follow up conversations are currently underway.

**6.** Applications are being accepted for [Environmental Response Fund grants](#), which help with the redevelopment of contaminated sites where the added cost of environment cleanup is a barrier to site improvement. **Applications are due November 1.** Contact [brownfields@hennepin.us](mailto:brownfields@hennepin.us) prior to applying.

**7.** Grants are available to increase pollinator habitat on residential properties. The Minnesota Board of Water and Soil Resources and Blue Thumb are now accepting applications for the [Lawns to Legumes program](#), which aims to increase habitat for at-risk pollinators on residential properties. Applications for 2022 projects will be accepted through February 15, 2022.

#### **VIII. Education and Public Outreach.\***

The West Metro Water Alliance (WMWA) met on October 12, 2021. The pet waste and water softener chloride brochures were finalized for text. The road salt chloride brochure is still in process. A graphic designer was selected to begin design of the finalized flyers. Spector will be scheduling interviews for the open educator position later this month to bring on a new Educator at the next WMWA meeting scheduled for November 9, 2021.

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**IX. Grant Opportunities and Project Updates.**

**X. Other Business.**

Vice Chair Weir invited Belzer to write a memo to the Commission expressing his concerns and his request from the Commission in dealing with issues at the **Wild Meadows** development in Medina. His memo and any Staff response will be included in the November meeting packet.

**XI. Adjournment.** There being no further business, motion by Walraven, second by Guenther to adjourn. *Motion carried unanimously.* The meeting was adjourned at 1:20 p.m.

Respectfully submitted,



Judie A. Anderson  
Recording Secretary  
JAA:tim

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Item No.	A	E	I RPF		AR	Project No.	Project Name
			RP	DD			
						W=wetland project	
ah.					AR	2014-015	Rogers Drive Extension, Rogers.
ai.					AR	2015-030	Kiddiegarten Child Care Center, Maple Grove.
aj.					AR	2016-005W	Ravinia Wetland Bank Plan, Corcoran.
ak.					AR	2017-014	Laurel Creek, Rogers.
al.					AR	2017-029	Brayburn Trails, Dayton.
a.						2017-050W	Ernie Mayers Wetland/floodplain violation, Corcoran.
b.						2018-020	North 101 Storage, Rogers.
am.					AR	2018-046	Graco, Rogers.
an.					AR	2018-048	Faithbrook Church Phase 2, Dayton.
ao.					AR	2019-002	Parkside Villas, Champlin.
ap.					AR	2019-021	Brenly Meadows, Rogers.
aq.					AR	2019-026	Interstate Power Systems, Rogers.
ar.					AR	2019-027	Havenwood at Maple Grove.
as.					AR	2019-032	OSI Expansion, Medina.
at.					AR	2020-001	Outlot L, Markets at Rush Creek, Maple Grove.
au.					AR	2020-008	Ione Gardens, Dayton.
av.					AR	2020-009	Stetler Barn, Medina.
aw.					AR	2020-017	Meadow View Townhomes, Medina.
ax.					AR	2020-023	Ziegler Dayton Site Upgrades, Dayton.
ay.					AR	2020-025	Paulsen Farms, Corcoran.
az.					AR	2020-027	Kariniemi Addition, Corcoran.
ba.					AR	2020-032	Enclave Rogers - Commerce Boulevard, Rogers.
bb.					AR	2020-033	Weston Woods, Medina.
bc.					AR	2020-036	Balsam Pointe, Dayton.
bd.					AR	2021-007	Birchwood 2nd Addition, Rogers

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c.				2021-012	The Oaks at Bauer Farms, Champlin.
be.				2021-013	Rush Creek Reserve, Corcoran.
d.				2021-015	66th Avenue/Gleason Parkway, Corcoran.
bf.				2021-016	Territorial Lofts, Rogers.
e.				2021-017	The Park Group Building, Rogers.
f.				2021-019	Kwik Trip Store 1157, Dayton.
g.				2021-020	Crew Carwash, Maple Grove.
h				2021-021	Territorial Triangle, Dayton.
i.				2021-022	ISD 728 Rogers High School Trail & Batting Cage Improvements
j.	A	E		2021-023	Maple Grove Medial Office Building (MOB).
k.				2021-024	River Walk, Dayton
l.		E		2021-025	Hackamore Road Reconstruction, Medina/Corcoran.
m.				2021-026	Prairie Creek Subdivision, Medina.
n.	A	E		2021-027	Xcel Energy Elm Creek Substation, Maple Grove
o.				2021-028	The Cubes at French Lake, Dayton
p.				2021-029	Tri-Care Grocery / Retail, Maple Grove
q.				2021-030	Tri-Care Grading and Roads, Maple Grove
r.				2021-031	Cook Lake Edgewater, Maple Grove
s.		E		2021-032	Dayton Park Industrial Center EAW, Dayton.
t.	A	E		2021-033	Weston Commons, Maple Grove
u.	A	E		2021-034	BAPS Hindu Temple, Medina.
v.				2021-035	Mister Car Wash - Rogers
w.	A	E		2021-036	D & D Service, Corcoran.
x.				2021-037	Marsh Point, Medina.
y.				2021-038	Bellwether 6th/Amberly, Corcoran.
z.	A	E		2021-039	1-94 Logistics Center, Rogers.
aa.	A	E		2021-040	Napa Auto, Corcoran.
ab.	A	E		2021-041	Carlson Ridge, Plymouth.
ac.	A	E		2021-042	Risor Senior Living, Maple Grove
ad				2021-043	Northwood Community Church Maple Grove.
ae.				2021-044	Balsam II Apartments, 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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