

elm creek Watershed Management Commission

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November 14, 2018 Minutes Technical Advisory Committee (beginning on page 1) and Regular Meeting (beginning on page 3)

I. A meeting of the **Technical Advisory Committee (TAC)** for the Elm Creek Watershed Management Commission was convened at 10:01 a.m., Wednesday, November 14, 2018 in the Mayor's Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN.

In attendance were: Todd Tuominen, Champlin; Kevin Mattson, Corcoran; Sarah Nalven, Wenck Associates, Dayton; Kaci Fisher, Hakanson-Anderson, Medina; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; James Kujawa, Jason Swenson, and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District (TRPD); and Judie Anderson, JASS.

Also present: Ken Guenther, Corcoran; Doug Baines, Dayton; and Steve Christopher, Board of Water and Soil Resources (BWSR).

II. Motion by Vlach, second by Mattson to **approve the agenda**. *Motion carried unanimously.*

Motion by Kujawa, second by Simmons to **approve the minutes** of the April 11, 2018 TAC meeting. *Motion carried unanimously.*

[Nalven arrived 10:07.]

III. Subwatershed Assessments.

A. **Cost Share Policy Recommendations.** Staff provided draft recommendations* regarding the subwatershed assessment (SWA) section of the Commission's current cost share policy.*

1. Under item c of the subwatershed assessment section, it is recommended that some clarification be added, for example: *"Undertaken at the discretion of the Commission based on the information provided by cities in the completed SWA cost share application form."*

2. Staff propose the following timeline for evaluating and executing SWA projects:

- a. January 15 – applications are due from cities
- b. February TAC meeting – Technical staff will have reviewed applications and prepared recommendations for the consideration of the TAC to be brought to the February Commission regular meeting.
- c. March – Budget work
- d. March/April following year – SWA delivered to Commission
- e. August – BWSR grant applications due for implementation funding

[Tuominen arrived 10:19.]

B. Staff also created a draft Subwatershed Assessment Cost Share application form.* The following criteria are suggested for evaluating the applications:

1. Subwatershed is identified in the MPCA WRAPS or TMDL report as a priority

2. Sponsor city shows active staff and financial support for implementation of projects identified within the SWA

3. Sponsor city has the ability to leverage outside funding for implementation

As this process is implemented and multiple applications are received, it may become necessary to devise a ranking system to prioritize the SWAs.

C. Current Cost Share Policy.* Discussion resulted in the following revisions to the SWA section of the current cost-share policy:

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) of \$15,000 or 25% of the cost of the SWA, whichever is lower, and a 20% match (cash or in-kind) by the City requesting the SWA.*

Motion by Fisher, second by Scharenbroich to forward the proposed revisions to the Commission for consideration and adoption. *Motion carried unanimously.*

IV. Use of wetlands for irrigation purposes.

This topic was brought forth by Medina Commissioner Elizabeth Weir. In her October 12, 2018 email* to Staff, Weir expressed concern regarding the use of wetlands for irrigation, citing the recent approval of Project Review 2018-032W Encore Development in Corcoran.

Staff consulted with Ben Carlson, BWSR, who in turn spoke with Jennie Skanke, DNR Hydro southern metro. They agreed that discharging ground water into a wetland would not negatively affect the wetland's ecology, chemistry, biota, etc.

Staff also received a response from Alex Yellick, Anderson Engineering, regarding iron in wetland systems. Yellick provided excerpts from two articles entitled, "Treatment Wetlands"* by Kadlec and Wallace and Mitsch and Gosselink on the subject.

It was a consensus to defer this subject to another meeting so that Weir can be present to take part in the discussion.

V. Buffer Law.

Barta reported that the Buffer Law requirements going forward require Staff to check each parcel in the county at least once every three years and spot check up to 15% of parcels. Hennepin has opted to section the county into thirds and check 1/3 each year, beginning in 2019. Those residents chosen to have a spot check done will be notified by letter. Letters will go out late winter/early spring.

VI. There being no further business, the meeting of the Technical Advisory Committee was adjourned at 11:21 a.m. The TAC will tentatively reconvene on Wednesday, January 9, 2019.

I. A regular meeting of the Elm Creek Watershed Management Commission was called to order at 11:31 a.m., Wednesday, November 14, 2018, in the Mayor’s Conference Room, Maple Grove City Hall, 12800 Arbor Lakes Parkway, Maple Grove, MN, by Chairman Doug Baines.

Present were: Bill Walraven, Champlin; Ken Guenther, Corcoran; Doug Baines, Dayton; Joe Trainor, Maple Grove; Fred Moore, Plymouth; Kevin Jullie, Rogers; James Kujawa, Jason Swenson, and Kirsten Barta, Hennepin County Dept. of Environment and Energy (HCEE); Brian Vlach, Three Rivers Park District (TRPD); and Judie Anderson, JASS.

Not represented: Medina.

Also present: Todd Tuominen, Champlin; Kevin Mattson and Jon Bottema, Corcoran; Sarah Nalven, Wenck Associates, Dayton; Mark Lahtinen and Scott Mahar, Maple Grove; Ben Scharenbroich, Plymouth; Andrew Simmons, Rogers; and Ed Matthiesen and Lucius Jonett, Wenck Associates.

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

B. Motion by Walraven, second by Moore to approve the **minutes*** of the October 10, 2018, regular meeting. *Motion carried unanimously.*

C. Motion by Walraven, second by Moore to approve the November **Treasurer’s Report and Claims*** totaling \$52,267.12. *Motion carried unanimously.*

II. Open Forum.

A. Mattson introduced **Ken Guenther**, the newly appointed representative to the Commission from Corcoran.

B. Matthiesen and Jonett presented an update on the **Elm Creek Restoration project**. They provided “before” pictures as well as pictures of design work from similar projects. The City approved awarding of the contract on November 13. Construction should be substantially completed by the end of February 2019. Restoration, revegetation and final completion are scheduled for mid-June, 2019.

III. Action Items.

A. **Project Review 2018-048 Faithbrook Church Phase 2, Dayton**.* This project is an expansion of an existing church located northeast of the intersection of Fernbrook Lane and Elm Creek Road. The proposed project expands upon work completed in 2016, and site improvements constructed at that time that did not account for future expansions. The expansion requires modifications to the existing stormwater facilities on the site. In their findings dated November 13, 2018, Staff recommends approval of this project conditioned on receipt of a SWPPP meeting NPDES requirements. Motion by Moore, second by Jullie to approve Staff’s recommendation. *Motion carried unanimously.*

B. Motion by Walraven, second by Trainor to adopt the **Capital Improvement Program Closed Project Account Policy*** as presented. *Motion carried unanimously.*

C. Fish Lake Alum Treatment.

1. Vlach stated that the **RFP for the second treatment** will be sent out following review by the TRPD Board.

2. Included in the meeting packet was a copy of a Hennepin County Natural Resources **Opportunity Grant application*** to supplement funding of the second alum treatment. The grant request is in the amount of \$50,000. Motion by Moore, second by Jullie to approve submittal of this application. *Motion*

carried unanimously. If the applicaiton is funded, the Joint Powers Agreement between the parties must be amended.

D. Fish Lake Subwatershed Assessment. Also included in the meeting packet is a **cooperative agreement*** between the Commission and the City of Maple Grove to complete a subwatershed assessment (SWA) of the Fish Lake area subwatershed within the boundaries of the City to help establish the present status of water quality within the lake. The assessment will help identify how to best meet the required TMDL reduction and other water quality goals with new BMPs and/or BMP retrofits. The estimated cost of the assessment is \$35,000. Under the agreement the Commission is willing to reimburse up to \$15,000 of the costs incurred by the City to conduct the assessment. Motion by Moore, second by Jullie to approve this agreement. *Motion carried unanimously.* Vlach noted that some of the data identified in the proposal may already be available from work performed by the Park District.

E. Watershed Management Plan – Local Plans.

1. Maple Grove.* Staff has determined that the updated final draft of the City’s Local Surface Water Management Plan addresses their concerns regarding the City’s original submittal and meets the spirit and intent of the Commission’s Third Generation Plan. Motion by Trainor, second by Jullie to approve Maple Grove’s SWMP. *Motion carried unanimously.*

2. Plymouth.* Staff reviewed the City of Plymouth’s draft Surface Water Management Plan. Staff provided comments, recommendations and clarifications in their letter to the City dated November 7, 2018. Staff recommends approval of the plan with consideration given to the comments contained in their letter. Motion by Moore, second by Walraven to approve Plymouth’s SWMP. *Motion carried unanimously.*

3. Corcoran.* The City has provided a response letter dated November 5, responding to Staff’s comments and well as comments provided by Metropolitan Council. Staff has reviewed the proposed revisions, finds that the comments have been satisfactorily addressed, and recommends approval of Corcoran’s local plan. Motion by Trainor, second by Jullie to approve Corcoran’s SWMP. *Motion carried unanimously.*

F. BWSR Watershed-Based Funding. The grant agreement* is included in the meeting packet. The awarded amount is \$134,486, with a total match of \$450,000, and will be used for the Elm Creek Stream Restoration Phase IV project. Motion by Walraven, second by Jullie to approve the agreement. *Motion carried unanimously.*

[Note: An incorrect document was included in the meeting packet. Upon further research the correct grant agreement document was located and signed by the Chair on November 16. The information contained therein remains the same as in the first document. The correct document has also been uploaded to the Commission’s website.]

G. Hennepin County GIS User Agreement.* In 2015 the Commission authorized entering into a contract with Hennepin County to obtain access to detailed aerial imagery and pictometry resources. The County makes these available to local governments and their staff at no cost. Third parties performing services to the local government such as consulting engineers may, with authorization, also obtain access, but only for the performance of those services. These high-quality images are valuable in supplementing or even replacing some types of field work or site visits. Included in the meeting packet are a letter and information about the resources as well as the Agreement provided by Hennepin County. Staff recommends that the Commission authorize execution of the Agreement. Motion by Moore, second by Jullie to authorize the chair to sign the agreement on behalf of the Commission. *Motion carried unanimously.*

IV. Old Business.

V. New Business.

VI. Water Quality.

VII. Grant Opportunities and Updates.

A. FEMA Floodplain Mapping. Staff is working on background mapping and data generation for the hydrologic modeling on the project at this time. Staff shared a few maps of the GIS information at the meeting. Hydrologic modeling began in earnest this month.

B. Clean Water Fund Grants.

1. North Fork Rush Creek SWA Implementation: Staff applied for a Clean Water Fund grant from BWSR to implement the recently completed SWA. \$142,110.00 was requested from the state, with a required match of \$35,527.50. The Rural Conservationist will take the lead on recruiting and implementing projects if the grant is successful.

2. Diamond Creek SWA: Hennepin County added this as their recommendation for a SWA to the Metro Conservation District SWA grant and it was submitted. Staff expect to hear back on all BWSR grant proposals in early December 2018.

VIII. Education and Public Outreach - West Metro Water Alliance (WMWA).*

A. WaterLinks. Subscribe to *WaterLinks* at westmetrowateralliance.org/contact.html.

B. The fourth-grade educators are very busy with Watershed PREP classes. WMWA is fine-tuning the adult programs and enhancing the fourth-grade elements. WMWA will also develop a chloride-reduction element.

C. The **next WMWA meeting** is scheduled for 8:30 a.m., Tuesday, December 11, 2018, at Plymouth City Hall.

IX. Communications.

In the November 7, 2018 edition of the Minneapolis StarTribune an article* describes the **levy projects approved by the Hennepin County Board** for four metro watershed organizations, including \$462,500 for four Elm Creek Commission projects.

X. Other Business.

A. The following **projects** are discussed in the November 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. 2016-005W Ravinia Wetland Bank, Corcoran.
7. 2016-040 Kinghorn 4th Addition, Rogers.
8. 2016-047 Hy-Vee Maple Grove #1, Maple Grove.
9. 2016-052 The Woods at Rush Creek, Maple Grove.
10. 2017-014 Laurel Creek, Rogers.
11. 2017-016 Territorial Woods, Maple Grove.
12. 2017-017 Mary Queen of Peace Catholic Church, Rogers
13. 2017-019 Medina Senior Living Community, Medina.
14. 2017-021 Hindu Society of MN Staff Housing, Maple Grove.
15. 2017-029 Brayburn Trails, Dayton.
16. 2017-034 Plymouth Memory Care, Plymouth.

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17. 2017-037 L-80 Lift Station MCES, Corcoran.
18. 2017-038 Bass Lake Estates, Corcoran.
19. 2017-039 Rush Creek Apartments, Maple Grove.
20. 2017-050W Ernie Mayer Wetland/floodplain violation, Corcoran.
21. 2018-001 Rush Creek Commons, Maple Grove.
22. 2018-004 Rush Creek Restoration Project, Maple Grove.
23. 2018-005 Sundance Greens, Dayton.
24. 2018-014 Refuge at Rush Creek (Fehn Meadows Second Addition), Corcoran.
25. 2018-018 Summers Edge Phase III, Plymouth.
26. 2018-020 North 101 Storage, Rogers.
27. 2018-021 113th Lane Extension & Brockton Lane/CSAH 101 Intersection, Rogers.
28. 2018-026 Windrose, Maple Grove.
29. 2018-028 Tricare Third Addition, Maple Grove.
30. 2018-032 Encore Development, Corcoran.
31. 2018-033 Cloquet Island Estates, Dayton.
32. 2018-035 Edgewater East, Maple Grove.
33. 2018-037 Elm Creek Restoration Reach D, Plymouth.
34. 2018-038 Vincent Woods, Rogers.
35. 2018-039 Greenway North, Plymouth.
36. 2018-040 Rush Creek Commons Phase II, Maple Grove.
37. 2018-041W Homestead Trail Wetland Delineation, Corcoran.
38. 2018-042 Olstrom Hills, Maple Grove.
39. 2018-043 Bee Hive Homes, Maple Grove.
40. 2018-044 OSI Phase II, Medina.
41. 2018-045 Weinard Ditch Cleaning, Corcoran.
42. 2018-046 Graco Expansion, Rogers.
43. 2018-047W Old Settlers Road Wetland Delineation, Corcoran.
44. 2018-048 Faithbrook Church, Phase 2, Dayton.
45. 2018-049 Pheasant Ridge 2nd Addition, Corcoran.
46. 2018-050 Janice Little Bridge Replacement, Corcoran.
47. Cease and Desist Order, 9120 Train Haven Road, Corcoran.

B. Adjournment. There being no further business, the meeting was adjourned at 12:50 p.m.

Respectfully submitted,



Judie A. Anderson
Recording Secretary
JAA:tim

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