

## Policy Advisory Group

### Minutes of May 21, 2001

**Members present:** Chair Lee Gustafson, Dan Donahue, Ginny Black, Bill Joynes, Anne Norris, Jodi Polzin, and Bill Deblon for Dennis Kraft.

The meeting was convened by Chair Gustafson at 8:35 a.m. at Minnetonka City Hall.

Chair Gustafson noted that the Funding Recommendations list included in the packet is intended to be a summary of the committee's recommendations. The blanks included on the form need to be completed. The first two paragraphs were discussed and it was noted that they referred to the same funding basis as the original flood control project. If this document is to be distributed to city councils, it should include information regarding how the original flood control project was funded. Mr. Gustafson asked Mr. Kremer to prepare a one-page summary for the next PAG meeting.

The group reviewed a map prepared by Mr. Kremer illustrating areas of the main stem and north branch of the creek where erosion of the banks has occurred or where significant deposits of sediment are affecting flow in the channel. Mr. Kremer indicated that the map was only intended to illustrate the problem and that it was not a comprehensive inventory of problem areas along the channel. Several of the sites were discussed in detail. A reach of the main stem upstream of Highway 100 is meandering extensively. The site was part of the Commission's tour in the summer of 2000. Meandering occurs at this location because the creek's gradient (slope of the bottom) changes from steep upstream to flat at this location. The energy in the volume of water flowing in the channel is dissipated by bank erosion. There is no reduction in ability of the channel to convey flow caused by the meandering (i.e., no increase in flood levels) therefore the group concluded that the problem was more of an aesthetic "non-volume" than a "volume" issue. The group concluded that the responsibility for maintenance is a local responsibility in cases where the capacity of the channel ("volume") is not being affected. Mr. Kremer pointed out that the potential for the creek to meander becomes greater as development occurs and runoff volumes increase.

The group then discussed the area downstream of Highway 100. Much of the bank material that is eroded away upstream of Highway 100 is deposited in the channel between Highway 100 and Regent Avenue. In this area, the channel is very flat and velocities are very low. Sediment being carried by the stream settles out, eventually filling the low flow channel. Because there is flood damage to structures in this area, any loss of capacity ("volume") increases flood damage slightly. The group concluded that in cases where channel capacity ("volume") is reduced and flood damage increases, that the Commission should be responsible for the project as it relates to restoring the capacity of the channel. Other areas discussed included the north branch upstream and downstream of 36<sup>th</sup> Avenue, north branch upstream of Brunswick, main stem upstream of St. Croix, main stem in Wirth Park at Plymouth Avenue, and main stem at Fruen Mill.

The cases where other public property was affected, threatened, or damaged was also discussed. It was concluded that the project should be looked at with respect to the benefits derived from the project. Two examples were discussed, the erosion upstream of Medicine Lake and situations where utilities or other public structures are threatened. It was concluded that if a regional public benefit can be demonstrated that that portion of the project should be funded by the Commission and the remainder of the project funded by the property owner or city where the project is located. The test for evaluating if the Commission should be involved in funding channel maintenance or sediment removal would be based on

the benefits of the project, i.e., reduced potential for flooding, mitigation of water quality impairment, or minimizing potential for water quality impairment.

Chair Gustafson noted that the Commission budgeted \$10,000 for demonstration projects in 2002. It could potentially be used for projects such as the Rice Lake project. Criteria will need to be developed by the Commission for the process that will be used to allocate funds and select projects. It was suggested that the community where the project is taking place should be the applicant or co-applicant.

It was suggested that the Commission set up a similar fund on an annual basis for maintenance projects similar to the maintenance funds set up by watershed districts. The fund could be used to fund the Commission's share of maintenance projects that have a regional benefit, or be used to partially fund smaller, localized projects that cities wish to undertake.

Chair Gustafson then requested that the PAG conceptually approve a possible change to the Commission's Bylaws that would allow cities to appoint a technical advisor to the Commission. A similar bylaw change was adopted by the Shingle Creek Water Management Organization. The purpose of the bylaw change is to maintain continuity on the Commission as the technical members with a long-standing history of Commission operations change to citizen members with minimum background regarding Commission operations. The proposed bylaw would allow the technical member to ask questions regarding projects and express a position, but the technical member would not be allowed to vote. Some of the members of the PAG suggested that the technical members should have a more defined role and that the Commission should be able to assign issues to the technical members for study and recommendations. The group agreed that the bylaw change should be approved by the Commission, but that a policy to create a permanent TAC with a more defined role and responsibilities should be considered at a later date.

Chair Gustafson then referred the PAG members to a priority list of water quality improvement projects and indicated that this would be the topic of the next PAG meeting on June 11. Mr. Kremer distributed background material that outlined the process that the Commission used to develop the priority list.