

MINNEHAHA CREEK WATERSHED DISTRICT

Rulemaking Task Force

June 28th, 2007

6:30 pm

City of Minnetonka Community Center

14600 Minnetonka Blvd

Minnetonka, MN 55345

(952) 939-8390

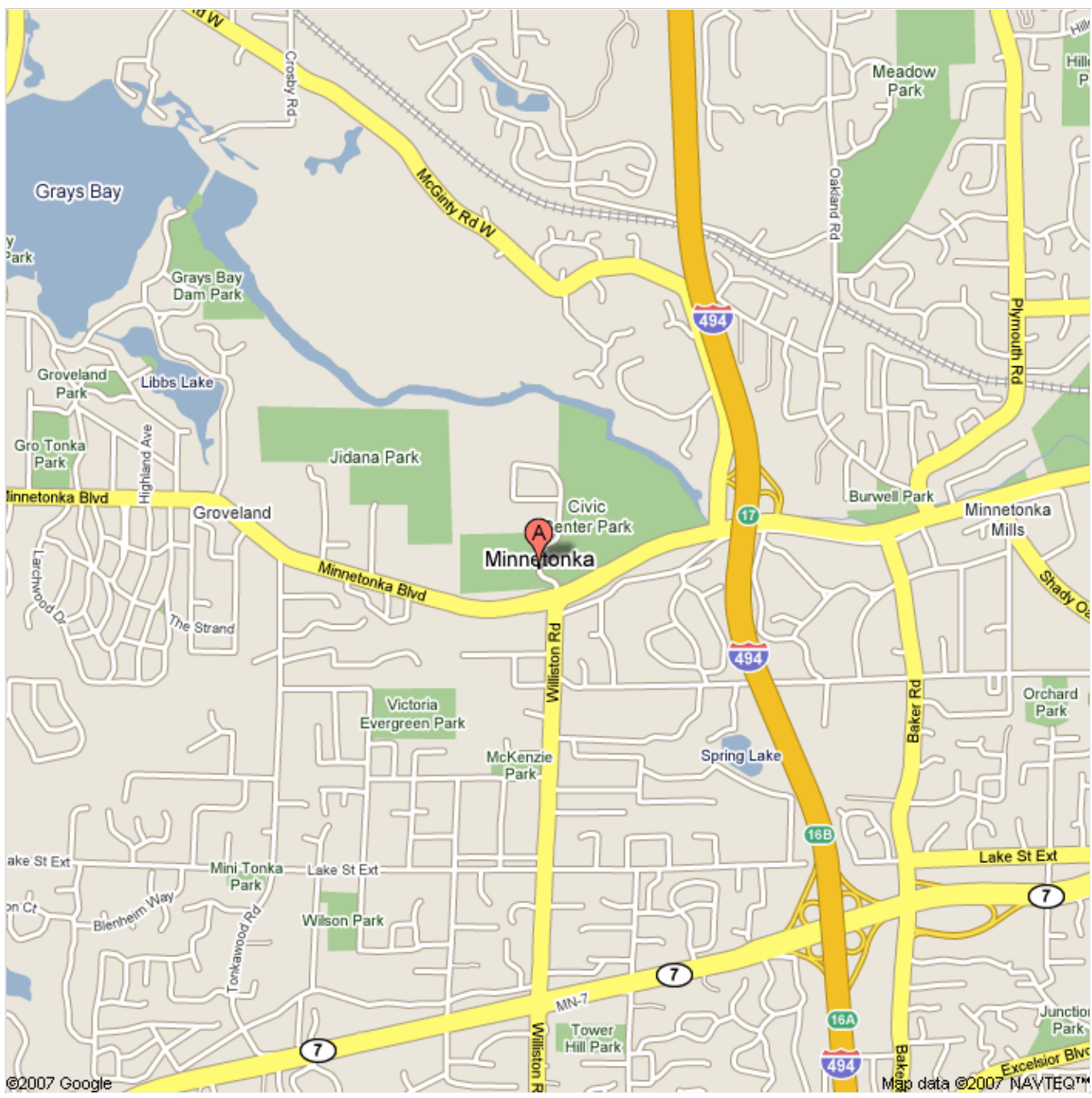
Shady Oak Room

AGENDA

- | | |
|---|-----------------|
| 1. Recap of Rule B recommendations from 5-24-07 (Louis Smith) | 10 minutes |
| 2. Outline Existing Rule C: Floodplain Alteration | 5 minutes |
| 3. Review WRMP Goal for Floodplain Alteration | 5 minutes |
| 4. Discussion | 30 - 60 minutes |
| 5. Review of Discussion Points | 10 minutes |



Results 1-1 of about 1 for community center near Minnetonka, MN



A. Minnetonka **Community Center**
14600 Minnetonka Blvd, Minnetonka, MN
(952) 939-8390

Rulemaking Task Force
6-28-07

Meeting Location and Date/Time

The Rulemaking Task Force will meet June 28th, 2007 between 6:30pm and 8:30pm.
The meeting will be located at:

City of Minnetonka Community Center
14600 Minnetonka Blvd
Minnetonka, MN 55345
(952) 939-8390
(Shady Oak Room) *upstairs

Floodplain Alteration: Problem as Defined by the Water Resource Management Plan

Reduction of floodplain volume as a result of development and/or improper management contribute to increasingly higher critical water levels as well as risk to property and public safety; floodplains serve to reduce the frequency and severity of high water periods within the watershed.

Goal as Defined in the Water Resource Management Plan

The Plan identifies the following as a Goal/Policy necessary to control the problem of floodplain alteration.

Floodplains. Reduce the severity and frequency of flooding and high water by preserving and increasing the existing water storage capacity below 100 year flood elevations on all waterbodies within MCWD.

- 1) Preserve existing water storage capacity below 100 year high water elevations on all waterbodies in the watershed to minimize the frequency and severity of high water.
- 2) Minimize development below 100 year high water elevations that will unduly restrict flood flows or aggravate known high water problems.
- 3) Mitigate historical losses in floodplain volume and promote the conservation and restoration of floodplain habitat where feasible.
- 4) Promote uniform and consistent application of floodplain regulation throughout the watershed.
- 5) Promote the natural functions and benefits of floodplains

**MINNEHAHA CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**REVISIONS
PURSUANT TO MINNESOTA STATUTES §103D.341**

Adopted January 13, 2005

RULE C: FLOODPLAIN ALTERATION

1. POLICY. It is the policy of the [Board of Managers](#) to:

(a) Preserve existing water storage capacity below 100-year high water elevations on all waterbodies in the watershed to minimize the frequency and severity of high water;

(b) Minimize development below projected 100-year high water elevations that will unduly restrict flood flows or aggravate known high water problems.

2. REGULATION. No person shall alter or fill land below the projected 100-year high water elevation of a waterbody without a permit from the District. A Fast Track permit may be issued for 1" or less of fill in preparation for sodding or seeding.

3. CRITERIA.

(a) The filling shall not cause a net decrease in storage capacity below the projected 100-year high water elevation unless it is shown that the proposed filling, together with the filling of all other properties on the affected reach of the waterbody to the same degree of encroachment as proposed by the applicant, will not cause high water or aggravate flooding on other properties and will not unduly restrict flood flows. The allowable fill area shall be calculated by a professional engineer registered in the State of Minnesota. Creation of floodplain storage capacity to offset fill shall occur within the original permit term. If offsetting storage capacity will be off-site, it shall be created before floodplain filling.

(b) Ice ridge regrading within the floodplain must conform to the original cross-section of the lakebed. Approval for ice ridge regrading or removal of ice ridge material from the floodplain requires the applicant to demonstrate that the ice ridge resulted from ice action during the previous winter. No additional material may be placed within the floodplain except in accordance with this Rule.

(c) All new residential, commercial, industrial and institutional structures shall be constructed such that all door and window openings are at a minimum of two feet above the 100-year high water elevation.

4. REQUIRED EXHIBITS. The following exhibits shall accompany the permit application. One set - full size; one set - reduced to maximum size of 11"x17".

(a) Site plan showing property lines, delineation of the work area, existing elevation contours of the work area, ordinary high water elevation (OHW), and regional flood elevation. All elevations must be reduced to NGVD (1929 datum).

(b) Grading plan showing any proposed elevation changes.

(c) Preliminary plat of any proposed land development.

(d) Determination by a professional engineer of the 100-year high water elevation before and after the project.

(e) Computation by a professional engineer of cut, fill and change in water storage capacity resulting from proposed grading.

(f) Soil boring results if available.

(g) If not otherwise subject to District Rule B (Erosion Control), an erosion control plan conforming to paragraphs 5(b) through (f) and section 9 of Rule B.

5. EXCEPTION.

If the 100-year elevation of a waterbasin is entirely within a municipality, the waterbasin does not outlet during the 100-year event, and the municipality has adopted a floodplain ordinance prescribing an allowable degree of floodplain encroachment, the ordinance governs the allowable degree of encroachment and no permit is required under this rule.

Rulemaking Task Force
6-28-07

Defining the Problem: Rule C – Floodplain Alteration

The current Rule C: Floodplain Alteration requires that any land alteration within the 100 year floodplain shall not result in a net loss of flood storage volume.

Applicants who wish to undertake work within the 100 year floodplain must submit engineering analysis to document the volume of proposed fill and excavation to ensure that there will be no decrease in storage volume within the floodplain.

The existing floodplain rule meets the intent of the policy outlined within the Plan. However, there are three identifiable problems which need to be addressing through the revision process..

1. Demonstrate no Increase in Flood Stage:

Problem: Circumstances exist in which an applicant may meet the Rule by providing no net loss of floodplain storage, but increase the elevation of the flood stage.

Solution: Require applicants to submit the documentation necessary to demonstrate that the proposal will not cause an increase in the flood stage elevation. The required volume of compensatory storage must be provided in a location demonstrated to not increase the stage elevation.

2. Timing of Compensatory Storage Creation:

Problem: If compensatory storage is not constructed until the completion of the project, there exists a potential for downstream flooding during high rain events.

Solution: Compensatory storage required to offset floodplain fill should be created before the project begins and should be available throughout the construction period.

3. Demonstration of Post Project Conditions:

Problem: The District does not require applicants to demonstrate the required storage was created.

Solution: Require applicants to submit an as-built survey which demonstrates that the required volume of storage has been created on site in order to ensure no net loss.