



Bassett Creek Watershed Management Commission

**Minutes of Regular Meeting
Thursday, July 18, 2019
8:30 a.m.**

Golden Valley City Hall, Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On Thursday, July 18, 2019 at 8:30 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair Prom called the meeting of the Bassett Creek Watershed Management Commission (BCWMC) to order.

Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	<i>Vacant Position</i>	Mark Ray
Golden Valley	<i>Absent</i>	Jane McDonald Black	Eric Eckman
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch	<i>Vacant Position</i>	Lisa Goddard
Minnetonka	<i>Absent</i>	Bill Monk	Sarah Schweiger
New Hope	<i>Absent</i>	Pat Crough	Megan Hedstrom
Plymouth	Jim Prom	Catherine Cesnik	Ben Scharenbroich
Robbinsdale	<i>Absent</i>	<i>Absent</i>	<i>Absent</i>
St. Louis Park	Jim de Lambert	Patrick Noon	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler, Barr Engineering		
Recorder	None		
Legal Counsel	David Anderson, Kennedy & Graven		
Presenters/ Guests/Public	Rachael Crabb (Minneapolis Park and Rec Board), Elaine Hove (Plymouth resident), Chuck Schmidt (New Hope resident), Glenn Byers (Contech)		

2. CITIZEN FORUM ON NON-AGENDA ITEMS

Chuck Schmidt, a resident of New Hope, wondered whether the City of Crystal or the Commission had plans to address the buckthorn and other weeds on the south side of Winnetka Pond as part of the CIP project there. Mark Ray indicated there were no plans for that activity. Mr. Schmidt also commented on a walnut tree he planted many years ago near the outlet of the pond that is now being encroached by another tree. Mr. Ray indicated he would have the Crystal Forester look into that. Mr. Schmidt also wondered if the Hennepin County crews would be performing maintenance of the pond’s buffer. Mr. Ray noted that was likely a “Sentence to Serve” crew and that the city doesn’t have a contract for crew work. Chair Prom encouraged Mr. Schmidt to contact the county about it.

Elaine Hove, a resident of Plymouth, noted her concerns about flooding in a residential area near Medicine Lake (the same issue brought to the Commission by Terrie Christian in October 2018). She reported that runoff from Hwy. 169 and the adjacent industrial area floods yards in their neighborhood and that there was 8 inches of water on the road after the recent 2-inch rain. She noted rain is not being filtered before it runs directly into Medicine Lake.

Chair Prom indicated that some Plymouth City Council members have spoken to residents in the area about the issue. Ben Scharenbroich said there is some city property there and that redevelopment of the commercial property would be a good opportunity to address the issue. Ms. Hove noted that there is substantial unused property in the area that might be used as a holding pond. Mr. Scharenbroich noted he would follow up with residents. Commissioner Welch indicated he sympathized with Ms. Hove and residents in the area noting the localized flooding is a common problem in these times of high precipitation.

3. APPROVAL OF AGENDA

MOTION: Alternate Commissioner McDonald Black moved to approve the agenda. Commissioner Welch seconded the motion. Upon a vote, the motion carried 8-0 [City of Robbinsdale was absent from the vote].

4. CONSENT AGENDA

The following items were approved as part of the consent agenda: June 20, 2019 Commission meeting minutes, acceptance of the July 2019 financial report, payment of invoices, approval to set a public hearing on the 2020 capital improvement projects for September 19, 2019.

The general and construction account balances reported in the July 2019 Financial Report are as follows:

Checking Account Balance	\$ 657,203.29
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TOTAL GENERAL FUND BALANCE	\$ 657,203.29
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TOTAL CASH & INVESTMENTS ON-HAND (07/10/19)	\$ 4,298,149.14
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CIP Projects Levied – Budget Remaining	\$ (4,635,407.70)
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Closed Projects Remaining Balance	\$367,121.67
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2012-2017 Anticipated Tax Levy Revenue	\$7,330.29
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2018 Anticipated Tax Levy Revenue	\$8,770.47
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Anticipated Closed Project Balance	\$383,222.43
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MOTION: Alternate Commissioner McDonald Black moved to approve the consent agenda. Commissioner Carlson seconded the motion. Upon a vote, the motion carried 8-0 [City of Robbinsdale was absent from the vote].

5. BUSINESS

A. Consider Proposal to Prepare Feasibility Study for Project to Dredge Accumulated Sediment in the Main Stem of Bassett Creek in Wirth Park (2021 CIP Project BC-7)

Commission Engineer Chandler reviewed the proposal for the feasibility study preparation, first showing the location of the project area and reviewing the issues currently impacting the area. She reported that the lagoons in Theodore Wirth Park were built in the mid 1930's by the Civilian Conservation Corps but filled in with sediment over the years, particularly during the 1990's. She noted that the project area includes "Lagoons" D, E, and F, but that "Lagoon E" is particularly in need of dredging to improve the pond's capacity, improve water quality and improve habitat. She noted that the other two lagoons will also likely need some dredging but that the \$400,000 earmarked for this project in the Commission's CIP list is likely only enough to dredge one lagoon.

Commission Engineer Chandler noted that although quite a bit of study has already occurred in this area, more study is needed including bathymetric, topographic, tree, and utility surveys and a wetland delineation. She noted the lagoons would be treated like stormwater ponds when following MPCA guidance on sediment testing. She also noted that because the lagoons are public waters, only accumulated sediment can be removed.

There was discussion about the possibility of State or Federal funding being available to address issues within a historical site like this. Engineer Chandler reported that the historical significance of the site will likely require more and lengthy review by officials to get necessary permits for the project. Commissioner Welch volunteered to look into whether or not there is funding available.

Commissioner Welch reported he is often asked about the sediment accumulating in the lagoons, as it has created islands over time. He noted that public outreach on this project will be crucial and that it will be important to distinguish between the flood reduction benefits to the MPRB vs. the benefits to natural resources and water quality.

Alternate Commissioner McDonald Black noted that the Loppet Foundation should be included with project outreach. Jeff Oliver noted that the City of Golden Valley is working with the MPRB to resolve flooding issues on the trail.

MOTION: Commissioner Welch moved to approve the scope of work and authorize the Commission Engineer to complete the feasibility study as proposed; Commissioner Carlson seconded the motion. Upon a vote, the motion carried 8-0 [City of Robbinsdale was absent from the vote].

B. Consider Recommendations from Technical Advisory Committee

TAC chair Mark Ray, gave a brief overview of the TAC's recommendations noting that the TAC met on May 29th and July 8th to discuss how the Commission should review proprietary stormwater manufactured treatment devices (MTDs) proposed to be used in development or redevelopment projects. Mr. Ray walked through each of the four recommendations in the TAC's memo including:

1. The BCWMC require project applicants to provide verification that the proposed stormwater MTDs have achieved General Use Level Designation (GULD) certification from the State of Washington's Technology Assessment Protocol – Ecology (TAPE) program (Option 3). The BCWMC will then accept and apply 50% TP and 80% TSS removals for the MTDs, as long as the MTDs are designed in accordance with the manufacturer's recommendations/guidelines.
2. The BCWMC allow project applicants to seek acceptance of higher pollutant removal efficiencies by submitting data from the TAPE program for analysis by the Commission Engineer (Option 6) using the following protocol:
 - a. Commission will develop a new "MTD pre-approval" review application form for these situations.
 - b. City staff would encourage the applicant to coordinate with the Commission Engineers early in the process. This would avoid a possible scenario where a project is almost entirely through a city review process only to need considerable site revisions due to differing analyses of MTD pollutant removals by Commission Engineers and negotiations therein.

- c. Commission would require applicants to submit the “MTD pre-approval” form and a \$1,000 alternative BMP review fee. (The BCWMC already requires this \$1,000 review fee for projects involving review of alternative BMPs that are not in the MN Stormwater Manual.) The applicant would pay the remaining BMP review fees when they submit the full BCWMC application form.
3. The Commission Engineer will maintain a list of MTDs that have been approved through Option 6 for use by future applicants.
4. The BCWMC not allow the manufacturer of an MTD to apply for consideration through the Commission’s review process without it being part of an actual development/redevelopment project and submittal of a formal BCWMC application. Currently the BCWMC’s review process and fee structure is set up for development and redevelopment projects and not review of specific components of the projects.

Administrator Jester noted she recently asked other Metro watersheds if they were interested in signing a letter to the MPCA requesting that the MPCA take the lead on evaluating and verifying or certifying MTDs (a TAC recommendation approved at the June meeting). She and Engineer Chandler reported that they learned from the Capitol Region Watershed District that the Water Environment Federation is leading a nationwide program called Stormwater Testing and Evaluation for Products and Practices (STEPP). There was consensus that the letter to MPCA include participation in the STEPP as an alternative to developing a Minnesota verification program. Commissioner Welch asked the Administrator to also determine if the Center for Watershed Protection is involved in this or a similar program and noted this might be a good topic for a future Metro MAWD meeting. He also noted his appreciation for the TAC’s thoroughness on working through this issue. It was noted that the TAC’s recommendations set a defensible framework for reviewing MTDs in the short term.

MOTION: Alternate Commissioner McDonald Black moved approval of the TAC recommendations. Commissioner Carlson seconded the motion. Upon a vote the motion carried 7-1 [City of Minneapolis voted against the motion. City of Robbinsdale was absent for the vote.]

C. Discuss Request for Resolutions from Minnesota Association of Watershed Districts

Administrator Jester gave an overview of MAWD’s resolution process noting that possible resolutions could be developed by any member watershed and submitted by September 1st for consideration by the MAWD Resolutions Committee and then at MAWD’s Annual Meeting in December. Administrator Jester reviewed some additional MAWD communications and requests including ideas for sessions at the annual meeting and request for committee members (early next year). She also noted that the Commission will need to appoint two commissioners to represent the BCWMC at the annual meeting, if desired, so they could vote on MAWD business.

No commissioners nor staff had ideas for MAWD resolutions at this time. Administrator Jester was asked to put this on the August agenda and to make sure TAC members know they can also submit resolution ideas.

6. COMMUNICATIONS

A. Administrator’s Report

- i. Report on Outcomes of 50th Anniversary Event – Administrator Jester reported that the 50th event and tour came in under budget and that she had mailed the 50th booklet to city council members and county commissioners.
- ii. AIS Early Detection Training – Set for July 23rd, 6:00 p.m. at the Plymouth Library. Administrator Jester requested commissioners and TAC members to help recruit participants
- iii. Smart Salting for Property Managers – Set for September 24th at the Crystal Community Center. Administrator Jester requested commissioners and TAC members to help recruit participants or let her know how to get in touch with property managers. Alternate Commissioner McDonald Black suggested contacting the Building Owners and Managers Association

B. Chair

- i. Chair Prom thanked Commissioner Welch for emceeding the 50th event.

C. **Commissioners**

- i. Commissioner Welch reported that he attended the Metro MAWD meeting and recommended that other commissioners consider attending future meetings.

D. **TAC Members**

- i. Mr. Oliver reported that Golden Valley recently awarded the construction contract for the DeCola Ponds Project to Dahn Construction and that work would begin in September.
- ii. Mr. Scharenbroich reported that creek crossing signs for Plymouth Creek are being installed.

E. **Committees - none**

F. **Legal Counsel - none**

G. **Engineer - none**

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet

8. ADJOURNMENT

The meeting adjourned at 9:53 a.m.

Signature/Title

Date

Signature/Title

Date