

# Bassett Creek Watershed Management Commission

## Minutes of the Meeting of March 18, 2010

### 1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:30 a.m., Thursday, March 18, 2010, at Golden Valley City Hall by Chair Loomis. Ms. Herbert conducted roll call.

#### Roll Call

<i>Crystal</i>	Alternate Commissioner Stu Stockhaus	<i>Counsel</i>	Charlie LeFevere
<i>Golden Valley</i>	Commissioner Linda Loomis, Chair	<i>Engineer</i>	Len Kremer
<i>Medicine Lake</i>	Alternate Commissioner Ted Hoshal	<i>Recorder</i>	Amy Herbert
<i>Minneapolis</i>	Commissioner Michael Welch, Treasurer		
<i>Minnetonka</i>	Commissioner Bonnie Harper-Lore		
<i>New Hope</i>	Commissioner John Elder		
<i>Plymouth</i>	Commissioner Ginny Black, Vice Chair		
<i>Robbinsdale</i>	<i>Not represented</i>		
<i>St. Louis Park</i>	Commissioner Jim deLambert		

Also present: Laura Adler, BCWMC Technical Advisory Committee, City of St. Louis Park  
Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth  
Jack Frost, Metropolitan Council  
Lee Gustafson, BCWMC Technical Advisory Committee, City of Minnetonka  
Kathi Hemken, Alternate Commissioner, City of New Hope  
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal  
Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale  
Geoffrey Nash  
Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley  
Justin Riss, Alternate Commissioner, City of St. Louis Park  
Al Sarvi, Friends of Northwood Lake Association  
Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka  
Liz Thornton, Alternate Commissioner, City of Plymouth

### 2. Approval of Agenda and Consent Agenda

Mr. LeFevere requested the removal of the Counsel Communications from the Consent Agenda. Commissioner Welch requested the removal of the financial report from the Consent Agenda. Commissioner Black moved to approve the minutes from the February 18, 2010, BCWMC meeting. Commissioner Welch seconded the motion. The motion carried unanimously [City of Robbinsdale absent from the vote].

### 3. Citizen Input on Non-Agenda Items

No citizen input on non-agenda items.

### 4. Administration

- A. Presentation of the February 18, 2010, BCWMC meeting minutes. The minutes were approved as part of the Consent Agenda discussion.
- B. Presentation of the Financial Statement. Commissioner Welch reported that BCWMC Deputy Treasurer Sue Virnig is looking at ways to reduce the BCWMC's fees and increase interest rates.

Commissioner Welch said he is planning to follow up with her regarding the distinction between the BCWMC's funds that are in non-interest-bearing accounts, which means the funds do not need to be collateralized, and the funds that are in investments, which are backed by Fannie Mae or Freddie Mac. Acting Commissioner Stockhaus moved to receive and file the financial report. Commissioner Black seconded the motion. The motion carried unanimously [City of Robbinsdale absent from vote.]

The general and construction account balances reported in the March 2010 Financial Report are as follows:

<u>Checking Account Balance</u>	<u>729,504.63</u>
<b><i>TOTAL GENERAL FUND BALANCE</i></b>	<b><i>729,504.63</i></b>
Construction Account Cash Balance	2,063,881.55
Investment due 10/18/2010	533,957.50
Investment due 1/21/2015	500,000.00
<u><b><i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i></b></u>	<u><b><i>3,097,839.05</i></b></u>
<u>-Less: Reserved for CIP projects</u>	<u>2,781,269.07</u>
<i>Construction cash/ investments available for projects</i>	<i>316,569.98</i>

**C. Presentation of Invoices for Payment Approval.**

**Invoices:**

- i. Kennedy & Graven – Legal Services through January 31, 2010 - invoice for the amount of \$921.80.
- ii. Barr Engineering Company – February Engineering Services - invoice for the amount of \$37,758.47.
- iii. Amy Herbert – February Administrator Services - invoice for the amount of \$3,228.88.
- iv. D'amico Catering – March 2010 meeting catering – invoice for the amount of \$329.66.

Chair Loomis had a comment on the Barr Engineering Company invoice and removed it from the roll call vote. Commissioner Black moved to approve invoices i, iii, and iv. Commissioner Harper-Lore seconded the motion. By call of roll, the motion carried unanimously [City of Robbinsdale absent from vote].

Chair Loomis stated that on page 8 of Barr Engineering Company's invoice there is a \$5,085.50 item regarding the Sweeney Lake TMDL study. She said she spoke to the Commission Engineer about the charge. Chair Loomis reminded the Commission that there had been a meeting set up between the MPCA and the Sweeney Lake TMDL technical stakeholder group in which the MS4s were not invited to participate. Chair Loomis said that the charge on Barr's invoice is Barr's cost for preparing for that meeting. She reported that she has spoken with Brooke Asleson of the Minnesota Pollution Control Agency (MPCA), who stated that she had asked Barr to pull together the information because she felt 'out of the loop' on this TMDL and wanted to meet with the technical staff to get up to speed. Chair Loomis said she asked the Commission Engineer if this cost would be reimbursed to the Commission by the MPCA and that the Commission Engineer said it would not. Chair Loomis said she didn't know if the Commission should be bearing the cost to get the MPCA up to speed on the TMDL. Commissioner Welch commented that the MPCA doesn't direct Commission staff to conduct work; the Commission directs its staff to conduct work. Chair Loomis added that the Commission did

direct staff to set up a meeting between the MPCA and the Sweeney Lake TMDL MS4s and the MPCA seemed to usurp it.

Chair Loomis suggested that the Commission send a letter to the MPCA stating its concerns about the MPCA's direction to the BCWMC staff and the costs involved and requesting reimbursement. Commissioner Welch said he doesn't know if the Commission has a policy directly addressing this issue, but he thinks it should be made clear that the Commission directs its staff to undertake work and there is also a certain amount of discretion that staff needs to be able to conduct its work and be responsive since the Commission meets only once a month.

Commissioner Black said she supports writing a letter to the MPCA. She said the MPCA's request to Commission staff should have come back to the Commission for direction and approval. Commissioner Black said the Commission should draft a policy that regulates work by staff when the work would be over a certain dollar amount. Commissioner Welch said the policy is in the best interest of the staff, too, because in between meetings items come up that need to be addressed. He said in the case with the Sweeney Lake TMDL, the Commission's stated interest was in having the Sweeney Lake TMDL meeting go forward. Commissioner Welch recommended that the Commission pick a dollar amount or ask for staff to work with Counsel and the Recorder on what would be an appropriate structure and bring a proposed resolution back based on their experience that would give staff the flexibility they need that perhaps has an interim check place in such as an approval by the Chair. Commissioner Welch said he would be comfortable with authorizing such an interim approval for an expense of up to \$5,000 to \$10,000 for an ongoing project and thinks staff can work out a formula for the Commission review. Commissioner Welch moved for staff to prepare a draft policy for Commission review that structures the work taken on and invoiced by Commission staff between Commission meetings. Commissioner Black seconded the motion. The motion carried unanimously [City of Robbinsdale absent from vote].

Mr. Kremer explained that the MPCA asked Barr Engineering to pull together the information because the MPCA was trying to understand the relationship between the internal and external load as described in the Sweeney Lake TMDL. Mr. Kremer said the MPCA wanted to push toward a larger external load reduction and a smaller internal load reduction. He stated that the meeting materials needed to be assembled to explain how the recommendation was arrived at to implement BMPs that comprised the internal and external load reductions listed in the TMDL. Mr. Kremer said the MPCA claimed that the U.S. Environmental Protection Agency wouldn't approve the reduction recommendations listed in the TMDL and the MPCA wanted the Commission to increase the external load reduction and decrease the internal load reduction. Mr. Kremer said as a result, revisions were required on the TMDL text and modeling to arrive at the BMPs the MPCA wanted the TMDL to recommend. He said he understands that the TMDL that includes those revisions will be the TMDL submitted to the MS4s for review.

Commissioner Black asked if the Commission will see a similar bill from SEH, Inc. Mr. Kremer said SEH had to spend money to go through similar work to revise the TMDL per the MPCA's feedback but he doesn't know if SEH will ask for additional compensation for the work. He commented that SEH has had to attend meetings that were not part of the work plan and perhaps SEH will request payment for those meetings. Commissioner Welch stated that those costs should be reimbursed by the MPCA. Mr. Kremer said the Commission could justify requesting reimbursement from the MPCA but based on information he has heard about the limited amount of funds available to complete the TMDLs he thinks the Commission would receive a response stating that funds aren't available for the reimbursement. Chair Loomis moved that the Commission pay the Barr Engineering Company invoice. Commissioner Black seconded the motion. By call of roll, the motion carried unanimously [City of Robbinsdale absent from vote]. Chair Loomis volunteered to draft the letter to the MPCA.

- D. **City of Plymouth Reimbursement Request – West Medicine Lake Park Pond Project.** Mr. Kremer reported that the Commission Engineer has reviewed the materials that were submitted by the City of Plymouth for the reimbursement of approximately 46% of the total estimated cost of the project. He said the project is approximately 50% complete and the Commission Engineer recommends full payment of the reimbursement request in the amount of \$501,475.74. Commissioner Black moved to approve the reimbursement. Commissioner Harper-Lore seconded the motion. By call of roll, the motion carried unanimously [City of Robbinsdale absent from vote].
- E. **Review Format of BCWMC’s Annual Report.** Commissioner Welch asked for the format of the executive summary to change from the current newsletter-style to the style of the executive summaries of the Commission’s feasibility reports. He said it should highlight the information about the work completed in 2009 and the information currently listed in the sidebars is secondary information and should come after the 2009 work highlights. Commissioner Welch brought up the statutory requirement of a written communication by the watershed and suggested the Commission look at creating an annual newsletter piece that is sent to the taxpayers. Ms. Herbert commented that the Commission had done a few newsletters in the past. Chair Loomis asked Ms. Herbert to bring copies of the newsletter to the April BCWMC meeting. Commissioner Elder suggested that the BCWMC-member city Web sites have a link to the BCWMC Web site. Chair Loomis directed staff to move forward with preparing the annual report based on today’s feedback.
- F. **Commission- TAC Liaisons for Upcoming TAC Meetings.** Commissioner deLambert and Commissioner Welch volunteered to attend the April TAC meeting if their schedules allow it once the meeting time and date are set. Commissioner Harper-Lore and Commissioner deLambert volunteered to attend the May 6<sup>th</sup> TAC meeting.

## 5. New Business

No New Business

## 6. Old Business

- A. **Meet with Geoffrey Nash.** Chair Loomis reminded the Commission that at the February BCWMC meeting the Administrative Services Committee recommended Geoffrey Nash for the contracted role of Administrative Coordinator. She said that Mr. Nash is here today to introduce himself and to answer any questions. Commissioner Welch reminded the Commission that he has not participated in the discussions, interviewing process, or any other decision-making processes about the offering of the BCWMC’s contract to Mr. Nash because of the potential of an appearance of a conflict of interest. He said that in the same manner he will abstain from any discussion or votes today about the awarding of Mr. Nash the contract for Administrative Coordinator.

Mr. Nash introduced himself, explained that he is a geologist and has lived in Minnesota for 20 years, and let the Commission know that he is interested in becoming the Commission’s Administrative Coordinator so that the Commission can continue its well-recognized history of achievements. He said that from reading through the organizational analysis by Springsted, Inc. it was clear that the BCWMC feels that more communication needs to be occurring, there are roles and responsibilities that need to be clarified, and a long list of items that a part-time administrator would help facilitate. Mr. Nash said his interest and qualifications for this position are based on the following three items:

1. For the past 19 months he has been the groundwater specialist for Ramsey Soil and Water Conservation District. He said it is not County Government but is partially funded by the County

and agricultural fees. He completely revised a groundwater protection plan for the County, which is now in the County Managers hands. He said he is no longer working for that program as money for the program has run out and so he is doing other things.

2. He worked for the local environmental firm Wenck & Associates for 16 years. Mr. Nash said he did a lot of work for Minnehaha Creek and for Clearwater River Watershed District so he has had exposure to a lot of monitoring activities and surface water data analysis.
3. He is a manager, appointed by the Hennepin County Board of Commissioners, for the Nine Mile Creek Watershed District, which includes parts of the cities of Minnetonka, Edina, Bloomington, Eden Prairie, and several other communities. Mr. Nash said he has been a manager there for six years and before being appointed as manager he was the chairperson of the Citizens Advisory Committee. He said he resuscitated that committee, which is now up and running and is a functioning and necessary part of a watershed district.

He commented that as the BCWMC has been more and more successful, it has been asked to do more and more things and that is where he thinks he could help the Commission. Mr. Nash responded to questions from the Commission. The Commission thanked Mr. Nash and Mr. Nash stepped out of the meeting room for the Commission to discuss the contract.

Commissioner Black passed out a draft contract that had been put together by Mr. LeFevere and the Administrative Services Committee members Black, Loomis, and Sundberg. Mr. Elder moved for the Administrative Services Committee to negotiate a draft contract with Mr. Nash. Mr. Stockhaus seconded the motion. The motion carried unanimously [seven votes in favor, City of Minneapolis abstained from the vote, City of Robbinsdale absent from the vote].

## **B. TAC Recommendations.**

- i. **Scheduling More Frequent TAC Meetings.** Mr. Gustafson reported that the TAC recommends that the Commission direct the TAC to meet once a month in order to complete the work the Commission has been directing to the TAC. The Commission directed the TAC to meet once a month and directed Ms. Herbert to schedule the meetings.
- ii. **Accelerating CIP Projects.** Mr. Gustafson reported that the TAC recommends that the Commission approve a revised CIP that moves the North Branch Channel Restoration project to 2011 from 2012. Commissioner Black moved to approve revising the CIP to move the North Branch Channel Restoration Project to 2011 from 2012. Commissioner deLambert seconded the motion. The motion carried unanimously [City of Robbinsdale absent from vote].
- iii. **Adding Hidden Lake and Medicine Lake to the 2010 CAMP Program.** The TAC recommended against adding Hidden Lake to the CAMP program and recommended it add Medicine Lake only if an educational benefit could be achieved. Commissioner Welch moved to approve adding Medicine Lake to the BCWMC's participation in the 2010 CAMP program if a volunteer is found to monitor the small bay adjacent to the City of Medicine Lake as described by the TAC in its March 11, 2010, memo. Commissioner Black seconded the motion. The motion carried unanimously [City of Robbinsdale absent from vote].
- iv. **Maintenance of BCWMC Projects.** Mr. Gustafson encouraged the BCWMC to put together a policy manual, which could be organized or based on cities' policy manuals. Chair Loomis suggested adding the topic to a future meeting agenda. Mr. Gustafson discussed item by item the seven maintenance issues and recommendations listed in the

March 11, 2010, TAC memo included in the BCWMC's meeting packet. Commissioner Black moved to table the discussion until the April meeting so commissioners could review the information and discuss it with their TAC representative if needed. Commissioner Harper-Lore seconded the motion. Mr. LeFevere said the information may be more readable in a policy format. Mr. Gustafson suggested the Commission use the TAC's recommendations as a guide until it puts a policy in place. Commissioner Black withdrew her motion and Commissioner Harper-Lore approved to withdraw the motion. Commissioner Black asked that this topic be put on next month's meeting agenda. Chair Loomis directed staff to put the TAC's recommendations into policy format for the Commission's review and discussion.

- v. TMDLs. Mr. Gustafson reported that the TAC tabled indefinitely discussion of the E. coli TMDL. He stated that the Commission could direct the TAC to review the Sweeney Lake TMDL when the final draft is ready and when a technical presentation of the TMDL could be given to the TAC.

- C. **Joint and Cooperative Agreement for Stream Bank Restoration on the Main Stem of Bassett Creek.** Mr. LeFevere explained that last fall a cooperative agreement between the BCWMC and Golden Valley was drafted but was put on hold until the cities of Golden Valley and Crystal worked out their cooperative agreement. He reported that it has been worked out and now the Cooperative Agreement between the BCWMC and Golden Valley is ready for adoption. Commissioner Black moved to approve the Cooperative Agreement for the Bassett Creek Main Stem Restoration Project. Commissioner Welch seconded the motion. Chair Loomis asked the Commission to include in the motion that Vice Chair Black can sign the agreement on behalf of the Commission. She explained that since she signed it on behalf of the City of Golden Valley she would like the Vice Chair to sign on behalf of the Commission. Commissioner Black said she agreed to that as a friendly amendment to her motion. Commissioner Welch agreed. The motion carried unanimously [City of Robbinsdale absent from vote].
- D. **Draft Minor Plan Amendment.** Mr. Kremer reminded the Commission that it authorized staff at the February BCWMC meeting to prepare the draft minor plan amendment for adding projects to the BCWMC's CIP. Mr. Kremer said the draft includes adding three projects under the minor plan amendment: Bassett Creek Main Stem Channel Restoration in Golden Valley, North Branch Channel Restoration in Crystal, and the modification of the Wirth Lake outlet in the City of Golden Valley. He recommended that the Commission submit its minor plan amendment request to BWSR by early April.

Commissioner Welch commented that this draft minor plan amendment has the Commission moving ahead with putting the Wirth Lake outlet in the CIP that is expected to be part of an approved TMDL. He said the Commission hasn't yet made a decision on the Commission's role for funding projects under TMDL implementation plans. Chair Loomis commented that she didn't see how moving ahead with adding the Wirth project to the CIP locks the Commission in. Mr. Kremer added that previously the Commission authorized a project for Wirth Lake. He said the project described in the draft minor plan amendment was identified by the Commission as an alternative project to the second ponding project that has been on hold. Mr. Kremer said there is money left in the Wirth project fund to fund this project identified in the draft minor plan amendment.

[Commissioner Elder departs]

Commissioner Welch commented that this Wirth project is the first project with the TMDL tag being proposed to be added to the CIP. Commissioner Black commented that if the TMDL were removed then the Commission would likely highly recommend the project for funding.

Commissioner Welch asked Mr. Kremer that if the Commission did not advance the Wirth project this year, would the Commission have a hole in the CIP where there is the potential to levy without having projects to levy for. Mr. Kremer responded that the only thing that would happen is that the Commission would delay the project by a year. Commissioner Welch moved to approve a revised draft minor plan amendment that removes the Wirth Outlet project and just includes the two channel restoration projects in the minor plan amendment for submission to BWSR. Acting Commissioner Hoshal seconded the motion. Commissioner Black stated that she would not support the motion. The motion carried with six votes in favor, one vote against [City of Plymouth], and two votes absent [Cities of New Hope and Robbinsdale].

#### **E. TMDL Updates**

- i. Wirth Lake TMDL.** Mr. Kremer reported that the Wirth Lake TMDL is supposed to be available in mid April and the public meeting is supposed to be scheduled for late April or early May.
- ii. Sweeney Lake TMDL.** Mr. Kremer said the Sweeney Lake TMDL revisions were sent from SEH to the MPCA and that Brooke Asleson of the MPCA indicated it would have comments by the end of April.
- iii. Medicine Lake TMDL.** Mr. Kremer said the draft TMDL has been sent to the stakeholders. He said the Commission may want to direct the TAC to provide comments to the Commission on the TMDL. Chair Loomis directed the TAC to review the Medicine Lake TMDL at its April meeting and directed staff to provide its analysis to the Commission at the April meeting and to the TAC when the analysis is ready.
- iv. Bassett Creek Main Stem – E. Coli.** Mr. Kremer explained that the memo in the meeting packet discusses the conference call between the Commission Engineer and various Commission and TAC representatives and Brooke Asleson and Barb Peichel of the MPCA. He said that unless the Commission directs the MPCA to do otherwise the Bassett Creek E. coli TMDL will be included in the upper Mississippi River E. Coli TMDL. He reported that the draft TMDL is expected to be ready in 2012.

Mr. Kremer said the MPCA is requesting that future TMDLs be handled as watershed-wide TMDLs. Mr. Kremer stated that the remaining TMDLs in the Bassett Creek Watershed include the Northwood Lake nutrient TMDL, the Bassett Creek Main Stem biota TMDL, and the Bassett Creek Main Stem E. coli TMDL. He said the MPCA indicated that it is delaying the completion of additional TMDLs for biota impairments because they are reviewing their standards and the review will take a couple of years.

Mr. Kremer said there could be an alternative for the Northwood Lake TMDL. He said Northwood fits more into the classification for a wetland than a lake and the Commission could ask the MPCA to consider removing Northwood Lake from the impaired list on the grounds that it is a wetland.

Mr. Kremer said the issues in front of the Commission are whether it wants to withdraw the Main Stem E. coli TMDL from the upper Mississippi River E. coli TMDL, does the Commission want to proceed with a watershed-wide TMDL, and does the Commission want to get Northwood Lake classified as a wetland so that it is no longer considered an impaired lake. Chair Loomis said it sounds like the Commission doesn't need to take action at this time.

- F. Update on Cultural Resource Review Process for RMP.** Mr. Kremer said the draft protocols that were approved by the BCWMC were submitted to the U.S. Army Corps of Engineers for review. He reported that the Corps forwarded the protocols to staff members and the MPCA for review. Mr. Kremer said he expects the reviews to be completed in the next couple of weeks.
- G. 2009 Flood Control Features Inspection.** Mr. Kremer said there is a copy of the inspection report in the meeting packet. He said it is the Commission Engineer's recommendation that copies be forwarded to the DNR and the Corps and copies provided to Mn/DOT and the cities. Commissioner Black moved to approve the actions described by Mr. Kremer. Commissioner Welch seconded the motion. The motion carried unanimously [Cities of New Hope and Robbinsdale absent from vote].
- H. Review Robbinsdale Comments on BCWMC Review of Local Surface Water Management Plan and Resolution 10-04 Approving the Plan.** Deferred to later in agenda.
- I. Education Committee**
  - i. Education Grant Contract Extension – Meadowbrook Elementary.** Commissioner Black moved to approve an extension of the grant agreement with Meadowbrook Elementary to June 30, 2010. Commissioner Harper-Lore seconded the motion. The motion carried unanimously [Cities of New Hope and Robbinsdale absent from vote].
  - ii. Education Grant Reimbursement Request – Birchview Elementary.** Commissioner Harper-Lore moved to approve payment of \$180 for the education grant for Birchview Elementary. Commissioner Black seconded the motion. The motion carried unanimously [Cities of New Hope and Robbinsdale absent from vote].

[Commissioner Welch departs meeting]

- H. Review Robbinsdale Comments on BCWMC Review of Local Surface Water Management Plan and Resolution 10-04 Approving the Plan.** Mr. Kremer said the City of Robbinsdale responded favorably to the BCWMC's comments on the City's Local Surface Water Management Plan (Plan). He said the Commission Engineer recommends that the Commission approve the Plan and approve the Commission's Resolution 10-04 approving the City's Plan. Commissioner Black moves to approve Resolution 10-04. Commissioner deLambert seconded the motion. The motion carried unanimously [Cities of Minneapolis, New Hope, and Robbinsdale absent from vote].
- I. Education Committee**
  - iii. Seed Packets.** Commissioner Black reported that the Education Committee would like to purchase 300 seed packets to give away to residents at education events. She said the cost would not exceed \$235 and would come from the Education and Public Outreach budget. Commissioner Black moved to approve the purchase of the seed packets at a cost not to exceed \$235. Commissioner deLambert seconded the motion. The motion carried unanimously [Cities of Minneapolis, New Hope, and Robbinsdale absent from vote].

## 7. Communications

- A. Chair:**
  - i. Chair Loomis** reported that the Commission received a communication from the Minnesota Department of Natural Resources about an aquatic vegetative management program for Lost Lake. Mr. Kremer stated that in response to the communication, Jim Herbert of Barr Engineering forwarded to the DNR copies of the data that has been collected on Lost Lake, including some vegetation surveys. He said he thinks the DNR is asking whether the

Commission would like to participate in the development of the vegetative management plan. Mr. Kremer said he doesn't think the Commission needs to participate in the development of the plan. He stated that the DNR could ask the Commission to participate once the plan is developed. Chair Loomis said she would respond via e-mail to the DNR that the BCWMC doesn't plan to participate in the development of the plan but that the DNR could contact the City of Plymouth about the plan development.

- ii. Chair Loomis reported that at the February BCWMC meeting the Commission discussed a Theodore Wirth Golf Course bridge replacement. She said that at the meeting the Commission asked why DNR permission wasn't required for the project and the City of Golden Valley responded that the project wasn't located in a protected waterway. Chair Loomis explained that after the meeting the City of Golden Valley found out that DNR permission is needed for the project and the City has obtained it.

**B. Commissioners:**

- i. Commissioner Harper-Lore introduced herself as the new BCWMC Commissioner representing the City of Minnetonka. She stated that she has been a resident of Minnetonka for 20 years and has recently retired from her career and is eager to give back to her community. Commissioner Harper-Lore explained that she taught restoration and management of native plant communities at the University of Minnesota for nine years, worked for Mn/ DOT for four years, and worked for 16 years for the Federal Highway Administration as their only vegetation specialist for the United States. She explained that she has traveled the country working on policy issues, research projects, and the sharing of technical information between the 50 states to help them improve their corridors. Commissioner Harper-Lore stated that those corridors add up to 12 million acres of land that she was helping take care of during her 16 years with the Federal Highway Administration.

**C. Committees:**

- i. Commissioner Black highlighted that there were two communications from the Education Committee in the Commission meeting packet. She said one communication was regarding the upcoming rain garden workshops scheduled at locations in the watershed. Commissioner Black said the other communication was a summary of the Education Committee's teacher focus group.

**D. Counsel:**

- i. Mr. LeFevere reported that he met with the MN Board of Water and Soil Resources regarding ways to facilitate Plan amendments to have as much flexibility as possible to do projects without doing a Plan amendment or if a Plan amendment was necessary then making it a minor Plan amendment. Mr. LeFevere commented that there were representatives from Shingle Creek there as well as Michael Welch. He said some strategies were designed and the Shingle Creek / West Mississippi Watershed Commissions are in the process of implementing them. Mr. LeFevere said his recommendation is that he follow the process and keep the BCWMC posted.

**E. Engineer:**

- i. Mr. Kremer reported that he attended the BWSR listening sessions and that BWSR indicated that summaries of the listening sessions that took place around the state would be available in the next few weeks. He said he would have that information forwarded to the Commission when it is available. Mr. Kremer said the session he attended focused primarily on the water plan that is being developed for the state of Minnesota and is being conducted by the University of Minnesota. He said there is an online survey currently being conducted as part of the development process of that plan.

