



Item 4A.  
BCWMC 10-15-20

## Bassett Creek Watershed Management Commission

**DRAFT Minutes of Regular Meeting**  
**Thursday, September 17, 2020**  
**8:30 a.m.**

**Via video conference due to the COVID-19 global pandemic**

**1. CALL TO ORDER and ROLL CALL**

On Thursday, September 17, 2020 at 8:30 a.m. via video conference, 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	Stacy Harwell	Jane McDonald Black	Jeff Oliver, Eric Eckman
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	<i>Absent</i>	<i>Vacant Position</i>	<i>Absent</i>
Minnetonka	Mike Fruen	<i>Vacant Position</i>	Leslie Yetka
New Hope	<i>Absent</i>	Patrick Crough	Megan Hedstrom
Plymouth	James Prom (Chair)	Catherine Cesnik	Ben Scharenbroich
Robbinsdale	<i>Vacant Position</i>	Wayne Sicora	Richard McCoy, Marta Roser
St. Louis Park	Jim de Lambert (Secretary)	Patrick Noon	Erick Francis
<b>Administrator</b>	Laura Jester, Keystone Waters		
<b>Engineer</b>	Karen Chandler, Barr Engineering Greg Wilson, Barr Engineering Josh Phillips, Barr Engineering		
<b>Recorder</b>	Dawn Pape, Lawn Chair Gardener		
<b>Legal Counsel</b>	Dave Anderson, Kennedy & Graven		
<b>Presenters/ Guests/Public</b>			

**2. PUBLIC FORUM ON NON-AGENDA ITEMS**

No members of the public were present.

**3. APPROVAL OF AGENDA**

[Commissioner de Lambert’s connection to the meeting dropped.]

**MOTION:** Alternate Commissioner Harwell moved to approve the agenda. Commissioner de Lambert seconded the motion. Upon a rollcall vote, the motion carried 7-0 with the Cities of Minneapolis, Robbinsdale, and St. Louis Park absent.

[Commissioner Carlson and Alternate Commissioner Sicora join the meeting.]

**4. CONSENT AGENDA**

The following items were approved as part of the consent agenda: August commission meeting minutes, September financial report, payment of invoices, approval to direct commission staff to finalize bid package and advertise for bids for Sweeney Lake alum treatment.

The general and construction account balances reported in the September 2020 Financial Report are as follows:

Checking Account Balance	\$ 650,049.57
<b>TOTAL GENERAL FUND BALANCE</b>	<b>\$ 650,049.57</b>
<b>TOTAL CASH &amp; INVESTMENTS ON-HAND (9/9/20)</b>	<b>\$4,015,388.47</b>
CIP Projects Levied – Budget Remaining	\$(4,496,790.65)
Closed Projects Remaining Balance	\$1,587,439.52
2015-2018 Anticipated Tax Levy Revenue	\$2,288.14
2019 Anticipated Tax Levy Revenue	\$4,953.76
Anticipated Closed Project Balance	\$1,594,681.42

**MOTION:** Alternate Commissioner Crough moved to approve the consent agenda. Commissioner Fruen seconded the motion. Upon a rollcall vote, the motion carried 7-0, with the Cities of Minneapolis and St. Louis Park absent from the vote.

[Commissioner de Lambert rejoined the meeting.]

**5. PUBLIC HEARING**

**A. Receive Comments on Proposed 2021 CIP Projects**

- i. Mt. Olivet Stream Restoration Project (ML-20)
- ii. Parkers Lake Drainage Improvement Project (PL-7)
- iii. Cost Share Purchase of High Efficiency Street Sweeper (ML-23)
- iv. Dredging Accumulated Sediment in Main Stem Bassett Creek, Theodore Wirth Regional Park Project (BC-7)

The public hearing was opened at 8:40 a.m. No members of the public were present. Administrator Jester reported the public hearing was noticed according to requirements in two newspapers with information on

how to attend the meeting; and no one had contacted her with comments or concerns regarding the issues. The public hearing was closed at 8:43 a.m.

**6. BUSINESS**

**A. Consider Approval of Resolution 20-06 Ordering 2021 Improvements**

- i. Ordering 2021 Improvements
- ii. Making Findings Pursuant to Minnesota Statutes Section 103B.251
- iii. Certifying Costs to Hennepin County
- iv. Approving Agreement with City of Plymouth for Construction of Mt. Olivet Stream Restoration Project (ML-20)
- v. Approving Agreement with City of Plymouth for Construction of Parkers Lake Drainage Improvement Project (PL-7)
- vi. Approving Agreement with City of Plymouth for Implementation of Cost Share Purchase of High Efficiency Street Sweeper (ML-23)

Administrator Jester noted that since there were no comments from the public, staff recommends approving the resolution containing the six items listed above including designating members responsible for construction, making findings pursuant to MN Statutes 103B.25, certifying the costs of the 2021 projects to Hennepin County, and approving agreements with the City of Plymouth for implementation of the three projects in their city.

There was a discussion about the street sweeper equipment purchase policy, maintenance, and equipment operation. Administrator Jester reviewed the equipment purchase policy approved by the Commission earlier in the year. Alternate Commissioner Crough wondered who operated and maintained the equipment. Plymouth TAC member Ben Scharenbroich answered that the city would operate and maintain the equipment. Commissioner Carlson asked whether the city of Plymouth would allow other cities, such as Medicine Lake, to use the street sweeper. Ben Scharenbroich stated that although that wasn't the intention, if both cities had cooperative agreements, it might be possible. Crystal TAC member Mark Ray stated that Plymouth is very committed to sweeping all year which may make it difficult to share equipment. Mr. Scharenbroich echoed Mr. Ray's points and stated that Plymouth intends to sweep early in the spring and even in the winter to capture excess salt. He explained that they will be collecting data and compiling it into an annual report that will break data into sub-watersheds.

There was discussion about priority sweeping areas and the sweeping zone map was reviewed. Mr. Scharenbroich noted that priority areas included those with direct drainage to a waterbody that doesn't already have treatment. It was also noted that since Plymouth is furthest upstream in the watershed, sweeping here would benefit the whole watershed. Commissioner Carlson noted his intent to encourage the Medicine Lake city council to consider a cooperative agreement with Plymouth on sweeper use.

**MOTION:** Commissioner Carlson moved to approve Resolution 20-06 Ordering 2021 Improvements. Alternate Commissioner Sicora seconded the motion. Upon a rollcall vote, the motion carried 7-0, with the Cities of Minneapolis and St. Louis Park absent from the vote. [Although present, Commissioner de Lambert's audio was not working in order to vote.]

**B. Review Final Report for Winnetka Pond Dredging Project**

Mark Ray, Crystal TAC member, reviewed the final report and project outcomes and noted that construction of the Winnetka Pond Dredging Project is complete. He reported that before the dredging, the ducks were "walking on water" because there was so much sediment built up and the pond was very shallow; now there is an average 6-foot depth. He reported that contaminated sediment was found during dredging which added about \$100,000 to the project's cost.

Mr. Ray reported that the native buffer around the pond is still being established and that there is a maintenance agreement with the owner of the apartment complex adjacent to the pond to share in ongoing

vegetation maintenance costs. He also noted an animal control officer is collecting goose eggs to keep the population down and that the buffer itself will serve as a goose deterrent.

Alternate Commissioner Cesnik asked what kind of contaminants were found in the sediment. Commission Engineer Chandler said Diesel Range Organics (DRO) were found and noted that there was a plume near the pond outlet that looked like it was old fill material dumped on the bank that migrated into the pond over time. Commissioner Harwell noted that it is good that contaminants were found and removed. Engineer Chandler said it was good to work with a contractor who worked diligently to find the edge of the contaminants, so not all of the sediment had to be disposed of as hazardous waste.

Alternate Commissioner Crough thanked the City of Crystal for implementing the project.

Administrator Jester noted that establishment of the buffer will continue through 2023. An addendum to the report will be added after buffer restoration is complete.

**MOTION:** Commissioner Anderson moved to approve the final report. Alternate Commissioner Crough seconded the motion. Upon a rollcall vote, the motion carried 8-0, with the City of Minneapolis absent from the vote.

**C. Consider Approval of Reimbursement Request for Winnetka Pond Dredging Project**

Administrator Jester noted that the majority of the funding for construction was paid through previous reimbursements to the city and that she recommends approval of this request. There was no discussion.

**MOTION:** Commissioner Anderson moved to approve the Reimbursement Request for Winnetka Pond Dredging Project. Commissioner Carlson seconded the motion. Upon a rollcall vote, the motion carried 8-0, with the City of Minneapolis absent from the vote.

**D. Review Impacts of Old vs. New Linear Project Requirements**

Commission Engineer Chandler reviewed this item. She noted that at the May 18, 2017 meeting, the Commission approved revisions to the BCWMC's Requirements document that revised the BCWMC's water quality performance standards for linear projects. The Commission has requested periodic analysis comparing the revised (new) linear project standards with the previous (old) standards on linear projects reviewed by the BCWMC. Engineer Chandler presented the findings.

The previous (2015) standards required MIDS treatment for linear projects when the project would result in 1 acre of new/fully reconstructed impervious: capture and retain the larger of 1.1 inches off the net increase in impervious – or – 0.55 inches off the new/fully reconstructed impervious (acre-feet). Follow flexible treatment options if volume reduction BMPs are not feasible or not allowed.

The revised/current (2017) standards require treatment for linear projects when the project will result in 1 acre of net **new** impervious: capture & retain 1.1 inches off the net new impervious area (acre-feet). Follow flexible treatment options if volume reduction BMPs are not feasible or not allowed.

Commission Engineer Chandler reviewed a table that included the first analysis presented to the Commission in September 2018 with the addition of the analysis of several more recent projects. She compared the old requirements with the current requirements for the 25 linear projects that triggered BCWMC review since May 2017. Only 1 of the 25 linear projects reviewed by the BCWMC triggered water quality treatment per the

current requirements. In contrast, 19 of the 25 projects would have triggered water quality treatment using the old requirements.

For the 19 projects that would have triggered water quality treatment under the previous requirements, it is noteworthy to consider that many projects in the Bassett Creek watershed are unable to meet volume reduction requirements due to poor (low infiltrating) soils. It is not known if the project proposers could have provided that treatment volume.

Since the May 2017 Commission meeting, the 25 linear projects requiring BCWMC review have created nearly 91 acres of new/fully reconstructed impervious surfaces resulting in an estimated total phosphorus (TP) loading of 162.0 pounds per year. The previous requirements would have required 60-100% TP removal—or an estimated 97.2 - 162.0 pounds of TP per year.

However, of the 91 acres of new/fully reconstructed impervious surfaces, only approximately 6% (5.39 acres) was *new* impervious surface. Therefore, the projects requiring BCWMC review created an additional TP loading of 9.6 pounds per year compared to pre-project conditions.

The extent of the reduced water quality treatment for projects was evaluated by comparing the estimated TP loading from the projects to the total TP loading for the entire watershed. It is estimated that the linear projects since May 2017 are contributing up to 3.0% - 5.1% additional TP loading to Bassett Creek more than if the previous requirements were still in place.

Another way to look at this is based on the change in impervious only (i.e., 5.39 acres of net new impervious). In this case, the projects since May 2017 are contributing approximately 0.3% additional TP loading to Bassett Creek, compared to pre-project conditions. In addition, TP removal may be provided by onsite or downstream treatment before discharging to Bassett Creek, so the estimated TP loading increases should be viewed as a maximum.

Also, some of the reviewed linear projects may provide some level of water quality treatment, but the data was not provided to the BCWMC because it was not required as part of the review. A more detailed analysis of the specific effects of these linear projects could be performed using the P8 model and the Commission expects cities to annually submit any new water quality improvement structures to the Commission Engineer so the P8 model can be updated appropriately.

Commissioner Harwell reiterated the difficulty in improving water quality with linear projects—especially with difficult soils and groundwater constraints. Commissioner Harwell mentioned the benefits of street sweeping and that a P8 model update would be interesting.

There was discussion about the difference between projects where the new or reconstructed impervious surface is disconnected and doesn't run off directly into storm sewer systems, but into vegetation. Commissioner Harwell indicated that further analysis would be interesting to understand what treatment could have been provided in these projects, given the constraints. She wondered where water quality improvements truly were not feasible. Would it have been feasible to provide infiltration in some areas? She also wanted to quantify the amount of phosphorus that has been removed with other projects. Engineer Chandler noted that BCWMC is due for a P8 model update. She also stated that there isn't great soil survey data available for much of the watershed so determining specific site constraints could be difficult.

Plymouth TAC member Ben Scharenbroich pointed out that just because cities aren't required to do these BMPs—like street sweeping—doesn't mean cities aren't doing those activities.

Commissioner Carlson said the Commission should reward cities who are doing the right thing and wondered about the cost of the further analysis. He also stated that he felt Commissioner Welch should weigh in on this matter.

Alternate Commissioner McDonald Black stated that she appreciated seeing the analysis and seeing what “we’re leaving on the table.”

**MOTION:** Commissioner Harwell moved to direct the Commission Engineer to take the analysis a step further to understand true impacts of projects where water quality improvements were feasible vs. projects where site constraints made water quality improvements infeasible. Alternate Commissioner Crough seconded the motion.

Commissioner de Lambert stated he would vote against this further analysis because it’s not urgent, he would like Commissioner Welch involved in the discussion, and would like to get a cost estimate from Barr Engineering to do this further analysis.

Alternate Commissioner Sicora asked for clarification on the motion. He acknowledged this is a slippery slope and wanted to better understand what Commissioner Harwell was requesting Barr Engineering to do. He suggested a scope of work be developed first.

Engineer Chandler replied that further analysis is a significant effort because it will necessitate gathering much information from cities about each project. She estimated a full week’s worth of effort by an engineer. Commission Engineer Phillips mentioned that doing a GIS desktop analysis looking at soils, space, high groundwater and other site constraints could be done in a day or two.

It was noted in the “chat section” of the online meeting platform by Engineer Phillips that he believes Shingle Creek WMO, Rice Creek WD, Riley Purgatory Bluff Creek WD, Nine Mile WD, Minnehaha Creek WD, and Elm Creek WMO all utilize the same or similar requirements to the current BCWMC requirement for linear projects.

Golden Valley TAC member, Eric Eckman, stated that the additional analysis requested through the motion is more complicated because it also needs to consider sanitary sewer, contaminated soils, and utilities. This is the reason BCWMC adopted the current standards. He noted the Commission Engineer won’t easily be able to determine feasibility.

A \$2,000 limit was suggested to limit on the engineers’ initial work to review site constraints and a cost estimate for even further analysis. Commissioner Harwell agreed that the level of effort should be defined.

**MOTION:** Commissioner Harwell moved to amend the motion on the floor to direct the Commission Engineer to spend up to \$2,000 to provide more detail on feasibility based on a desktop analysis of site constraints and to bring a cost estimate for further analysis to a future meeting. Alternate Commissioner Crough seconded the motion. Upon a rollcall vote, the motion carried 7-1, with the City of Minneapolis absent from the vote and the City of St. Louis Park voting against.

## 7. COMMUNICATIONS

### A. Administrator’s Report

- i. Commission engineers and the Administrator met with Minneapolis staff about the Bryn Mawr Meadows Park water quality improvement project. The project spans two different entities so the Administrator is proposing that the Commission Engineer design the entire project. Administrator Jester asked whether the Commission Engineer should develop a proposal for this work, or if there should be a discussion at a future Commission meeting first. Chair Prom indicated that an RFP for the work might be appropriate. Administrator Jester noted she would bring this item to a future meeting.
- ii. ERF grant for Lagoon Dredging Project is being prepared
- iii. A kick off meeting was held for the Medley Park feasibility study. The next step is to design the resident engagement process.

### B. Chair

- i. Chair Prom suggested moving to the Zoom platform for the next Commission meeting since there were so

many technical challenges during the meeting.

**C. Commissioners**

- i. Commissioner Harwell received an email from a resident wondering whether a plant was a desirable species or a weed; the plant grew from seeds in the seed packets the Commission hands out.

**D. TAC Members**

- i. Upcoming Meeting: Thursday, October 1st

**E. Committees**

**F. Education Consultant**

Latest video has had about 700 views and several shares. ["Importance of Pollinators"](#) The next video will be on BCWMC's volunteer programs.

**G. Legal Counsel**

- i. Nothing to report

**H. Engineer**

- i. Update on Deep Tunnel Inspection
  - a. Engineer Herbert noted that October 6 is the date slated for the inspection, and explained the complexity of the inspection due to the high number of stakeholders and the environmental conditions that need to be in place to complete the inspection. He explained how the tunnel works and what would be included in the inspection. The plan is to have a 3-person inspection team. The inspection will show whether the accumulated sediment at the outlet from 12 years ago is still in place or if it washed away. The last time the Mississippi River was drawn down in this area was 12 years ago, so it's a neat opportunity to see the middle pool. There will be video and photos of the inspection that will be shared with the Commission. Three days of drawdown will need to take place, so this is highly weather-dependent. Administrator Jester will send information about the timing of the river drawdown to commissioners.

**8. INFORMATION ONLY (Information online only)**

- A. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- B. CIP Project Updates
- C. Grant Tracking Summary and Spreadsheet
- D. 2020 BCWMC Administrative Calendar
- E. Letter to Residents for Medley Park Feasibility Study

**9. ADJOURNMENT**

Chair Prom adjourned the meeting at 10:44 a.m.

**Upcoming Meetings & Events**

- MAISRC Showcase: Afternoons of September 22 – 24, <https://www.maisrc.umn.edu/showcase>
- BCWMC TAC Meeting: Thursday, October 1, 2020, 10:30 – 12:00 via Zoom
- Bassett Creek Watershed Mgmt Commission Meeting: Thursday October 15th, 8:30 a.m. via WebEx
- Minnesota Water Resources Conference: October 20 – 21; Online <https://ccaps.umn.edu/minnesotawater-resources-conference>

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Signature/Title                      Date

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Signature/Title                      Date