



Item 4A.  
BCWMC 11-15-17

## Bassett Creek Watershed Management Commission

**DRAFT Minutes of Regular Meeting**  
**Thursday, October 19, 2017**  
**8:30 a.m.**  
**Golden Valley City Hall, Golden Valley MN**

**Commissioners and city staff present:**

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Guy Mueller	Tim Wodarski	Mark Ray
Golden Valley	Stacy Harwell		Jeff Oliver
Medicine Lake	<i>Absent</i>	<i>Absent</i>	
Minneapolis	Michael Welch		Liz Stout
Minnetonka	<i>Absent</i>	<i>Absent</i>	
New Hope	<i>Absent</i>	Pat Crough	Megan Albert
Plymouth	<i>Absent</i>	John Byrnes	Ben Scharenbroich
Robbinsdale	Michael Scanlan	<i>Absent</i>	Richard McCoy, Marta Roser
St. Louis Park	<i>Absent</i>	<i>Absent</i>	Erick Francis
<b>Administrator</b>	Laura Jester, Keystone Waters		
<b>Engineer</b>	Karen Chandler, Barr Engineering Jeff Weiss, Barr Engineering		
<b>Recorder</b>	Dawn Pape, Lawn Chair Gardener Creative Services		
<b>Legal Counsel</b>	Troy Gilchrist, Kennedy & Graven		
<b>Presenters/ Guests/Public</b>	Hugh Morris, Minneapolis resident		

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

On Thursday, October 19, 2017 at 8:31 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Vice Chair Mueller called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken.

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

Mr. Hugh Morris introduced himself as a Minneapolis resident and riprap expert who lives near Bassett Creek. He was invited by Commissioner Welch to attend this meeting.

**3. APPROVAL OF AGENDA**

MOTION: Commissioner Welch moved to approve the agenda. Alternate Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 6-0. [Cities of Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

**4. CONSENT AGENDA**

The following items were approved as part of the consent agenda: the September 21, 2017 Commission Meeting Minutes, the October 2017 Financial Report, the payment of invoices, approval to reimburse the City of Crystal for North Branch Bassett Creek Channel Maintenance Project, approval of Metro Transit C Line Bus Rapid Transit Project, Minneapolis.

The general and construction account balances reported in the October 2017 Financial Report are as follows:

Checking Account Balance	\$537,086.83
<b>TOTAL GENERAL FUND BALANCE</b>	<b>\$537,086.83</b>
<b>TOTAL CASH &amp; INVESTMENTS ON-HAND (10/11/17)</b>	<b>\$3,358,531.12</b>
CIP Projects Levied – Budget Remaining	(4,373,577.47)
Closed Projects Remaining Balance	(1,015,046.35)
2012-2016 Anticipated Tax Levy Revenue	\$10,014.74
2017 Anticipated Tax Levy Revenue	643,220.55
Anticipated Closed Project Balance	(361,811.06)

MOTION: Alternate Commissioner Crough moved to approve the consent agenda. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 6-0. [Cities of Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

## 5. BUSINESS

### A. Consider Approval of 90% Plans for Main Stem Erosion Repair Project (CIP: 2017CR-M), Minneapolis

Engineer Chandler reminded the Commission that at their meeting in August, the Commission approved the 50% design plans for this project.

Jeff Weiss of Barr Engineering (the city's design consultant) gave an overview of the 90% plans, described where more specificity was added since the 50% plans, and described an open house of the project held at the Harrison Community Center. He reported that eleven people attended the open house plus city staff and Minneapolis Park and Recreation Board staff. Mr. Weiss noted that area residents would like to see this project coincide with the master plan for the Bassett Creek Valley. Administrator Jester brought up a few other concerns that were raised: a desire that the footpath across from Fruen Mill be improved to be less muddy and wet, and navigability of the stream.

Mr. Weiss reviewed how the footpath would be stabilized with class 5 rock which would require minimal maintenance. Commissioner Welch asked how the rock will be contained and not fall into creek. Mr. Weiss replied that the rock will be compacted and that the velocity over the trail isn't high so it should stay in place. He noted there will be stone toe protection in this area and that geo-cells have been tried in other projects, but haven't held up well because the cells scoured. TAC member Liz Stout pointed out that the trail will be relocated away from the creek by the Minneapolis Park and Recreation Board within 5-10 years, so class 5 rock seems appropriate.

Mr. Weiss covered hydraulic modeling, permitting, plans and specifications (minor edits to 50% design), and the construction cost estimate. He noted that to-date, this project is expected to come in under budget unless the bids don't come in as expected. Construction is scheduled to start in February of 2018.

Administrator Jester asked who has been working with property owners along the creek regarding access, etc. Mr. Weiss replied that Barr Engineering has been working on getting access from property owners and hope to get all signatures needed soon. Commissioner Welch asked about MPCA approvals and Mr. Weiss responded that the MPCA approved the Response Action Plan.

**MOTION:** Commissioner Welch moved to approve the 90% design plans for Main Stem Erosion Repair Project (CIP: 2017CR-M). Alternate Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 6-0. [Cities of Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

### B. Consider Approval of Agreement with Wenck Associates for Assistance with Review of Local Water Management Plans

Administrator Jester reminded the Commission that at their July meeting Commissioners were informed that the Cities of Minnetonka and Golden Valley hired Barr Engineering to develop the cities' local water management plans (LWMP). She noted the Commission is required to review LWMPs for consistency with the Watershed Plan and that this activity is typically performed by the Commission Engineer. She noted that commissioners expressed concern that in the case of reviewing the Minnetonka and Golden Valley LWMPs, the Commission Engineer (Barr) would be reviewing a plan prepared by Barr and that in July, Commissioners seemed to like the suggestion that she review the bulk of these cities' plans and hire an outside consultant to assist with review of the technical aspects of the plans. Administrator Jester reviewed the agreement between the Commission and Wenck Associates to perform this technical review, noting it was reviewed by the Commission Legal Counsel and Wenck's contract office. She recommended approval of the agreement at a cost not to exceed \$6,000.

**MOTION:** Commissioner Welch moved to approve the agreement with Wenck Associates for assistance with review of Local Water Management Plans for Golden Valley and Minnetonka. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 6-0. [Cities of Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

### C. Consider Revision to Feasibility Study Scope and Budget for DeCola Ponds B & C Improvement Project (BC-2, 3, 8)

Commission Engineer Chandler reminded commissioners that at last month's meeting, the Commission approved a proposal to complete a feasibility study for the DeCola Ponds B & C Improvement Project, with amendments, and that one of the amendments was to remove soil testing from the study due to liability concerns at the time. She noted that it was

determined that the city is already enrolled in the Voluntary Investigation Clean Up (VIC) program. She noted that after discussions with city staff and Commissioner Welch, staff recommends revising the scope of the study to include soil testing and the development of a soil testing work plan for submittal to the MPCA. Engineer Chandler also recommended amending the feasibility study budget from \$72,000 (approved in September) to \$86,000 to accommodate this added task.

**MOTION:** Commissioner Harwell moved to accept the revision to the feasibility study scope and budget for the DeCola Ponds B & C Improvement Project. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 6-0. [Cities of Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

Commissioner Welch added that this was a good approach.

#### **D. Consider Approval of Recommendations of the Aquatic Plant Management/Aquatic Invasive Species Committee**

Administrator Jester reminded commissioners that at the July meeting, the Commission began reviewing and discussing recommendations by the APM/AIS committee. She noted that at that meeting, recommendations 1-5 were approved. She proceeded to walk through recommendations 6-16.

Recommendation #6 was about AIS prevention at boat launches, including inspections of boats entering/leaving lake for AIS; installation and management of washing stations and/or compost bins at launches; regulation of launch closures/open hours. Recommendation: The committee believes that boat launch owners (including private owners, cities, Three Rivers Park District, and Minneapolis Park and Rec Board) should be responsible for monitoring and managing launches. However, the committee recommends the Commission begin an AIS Prevention Grant Program beginning with the 2019 BCWMC Budget to assist boat launch owners with inspections, equipment purchase, educational signage, staff training, etc. Commissioner Mueller asked what type of budget might be needed for such a grant program. Administrator Jester noted a specific amount was not included in the committee's recommendation. She noted that the 2018 AIS budget is \$32,000. Administrator Jester also mentioned that zebra mussel sampler plates were recently purchased by the BCWMC and will be distributed to volunteers in the spring. There was some discussion about current inspections being performed by Three Rivers Park District on Medicine Lake. Alt. Commissioner Byrnes noted that a good role for the Commission is to be the catalyst but not necessarily the doer.

Recommendation #7 pertained to AIS prevention through education. The committee recommended that the Commission add materials and activities regarding AIS to its education and outreach program including 1) providing printed educational materials during events (using existing materials rather than developing new materials); 2) distributing newsletter articles to cities about AIS; 3) adding AIS information to news items on BCWMC website home page; and 4) considering ideas or requests from cities/lake groups for tailored educational materials through Education Committee's annual work and budget planning.

Recommendation #8 pertained to prevention through policy development and advocacy. Administrator Jester noted that committee members had requested the Commission become a member of the Minnesota Lakes and Rivers Association but that the Commission Legal Counsel had indicated the Commission could not be a member due to the Association's lobbying activities. There were questions about whether or not the Commission could be a member of the Minnesota Association of Watershed Districts due to their lobbying activities.

This recommendation was tabled and forwarded to the Administrative Services Committee because it was determined to be a separate policy issue regarding the lobbying abilities of the Commission and their desire to actively lobby.

Recommendation #9 dealt with monitoring current infestations. BCWMC's current routine monitoring program includes monitoring AIS infestations with the exception of fish. The committee recommends that the Commission gather and review existing information on fish surveys during routine lake monitoring to determine if a survey is needed and/or if there are ways to partner with others on surveys. The AIS committee also recommended that the Commission request a presentation from the DNR and others performing fish surveys (such as Three Rivers Park District and the City of Plymouth) on fish populations in BCWMC water bodies.

The question about whether carp are a problem in Medicine Lake was raised. It was noted that, as recommended, fish data wouldn't be assessed for Medicine Lake until 2019 when the Commission is scheduled to routinely monitor the lake. Commissioner Welch suggested that existing information on carp in Medicine Lake be gathered now rather than waiting until 2019. Commissioners agreed with that approach.

Recommendation #10 pertained to herbicide spot treatments in lakes with an approved plan. The committee recommends that the Commission perform herbicide spot treatments of aquatic invasive plants where the following conditions are met: 1) treatment of the plant is considered a management tool for improving water or habitat quality according to an approved management plan such as a TMDL; and 2) another entity or organization is sharing the cost of the treatment. Administrator Jester noted this is consistent with the committee's recommendation and Commission approval of curly-leaf pondweed control on Medicine Lake in January 2017.

Recommendation #11 pertained to herbicide spot treatments without an approved plan. The committee recommends that the Commission consider requests for spot treatments on lakes without an approved plan on a case by case basis.

Recommendation #12 pertained to whole lake herbicide treatments. The committee recommends that the Commission consider requests for whole lake herbicide treatments and that the Commission Engineer continue to engage with the DNR regarding this as well as other new treatment methods and technologies.

Recommendation #13 dealt with carp harvesting and fish barriers. The committee recommends that the Commission consider the need for managing carp populations in Priority 1 lakes if fish surveys and other data indicate that carp are a significant problem.

Recommendation #14 pertained to managing water levels to consolidate sediments, encourage native plant growth, and reduce invasive plants, e.g. curly-leaf pondweed. The committee recommends that the Commission consider water level management on a case by case basis if recommended in an approved management plan.

[Commissioner Harwell departs.]

Recommendation #15 covered using biological treatment (i.e. insects) to control invasive species. The committee recommends that the Commission consider biological control on a case by case basis as a possible future control method and to stay informed on new biological control agents.

Recommendation #16 pertained to convening lake groups to understand options for organizing. Administrator Jester noted that during the discussion of many of the prevention and management options, the committee noted that formal lake improvement districts may be the best type of organization to implement many of the AIS prevention and management tools and that BCWMC lake groups might need more information about the pros and cons of forming a lake improvement district. The committee recommends that the Commission convene a meeting of lake groups and other interested groups/individuals in the BCWMC and request a presentation from the DNR and other experts to learn about lake improvement districts vs. lake associations and other less formal lake groups. There was some discussion about the work of the existing lake groups, including AMLAC on Medicine Lake. Commissioner Welch noted that the Freshwater Society might be able to help facilitate this discussion as they do that work with other organizations.

**MOTION:** Commissioner Scanlan moved to approve APM/AIC Committee recommendations #6, 7, and 10-16. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 5-0. [Cities of Golden Valley, Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

**MOTION:** Commissioner Welch moved to approve APM/AIS Committee recommendation #9, amended to include gathering data on Medicine Lake carp populations now rather than waiting until 2019. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 5-0. [Cities of Golden Valley, Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

#### **E. Consider Approval of Technical Advisory Committee Recommendations**

TAC Chair, Erick Francis, reminded commissioners that at last month's meeting, the Commission approved TAC recommendations #1 and #2, but did not have time to address recommendations #3 and #4. He reported that the TAC recommends that the Commission develop a one-page explanation of why there are two different numbers for floodplain elevations and a description of the modeling effort (#3). Regarding the timing and process for BCWMC model updates, (#4), he reported that the TAC recommends that the Commission direct member cities to submit all pertinent information from

the calendar year to the Commission Engineer no later than March 1st of the following year; and that the Commission direct the Commission Engineer to finalize model updates no later than June 1st of each year.

**MOTION:** Commissioner Scanlan moved to approve Technical Advisory Committee Recommendations #3 and #4. Alternate Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 5-0. [Cities of Golden Valley, Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

**F. Consider Approval of Administrator’s Attendance at Minnesota Association of Watershed Districts Annual Meeting**

Administrator Jester sought approval to attend the MAWD conference Nov 30 – Dec 1, 2017 in Alexandria, MN. She noted the costs would include conference registration (\$200), one night’s lodging (\$98), mileage (\$143), and time attending sessions (up to 16 hours or \$1,120) for a total of \$1,561. She reported these costs would fit within the “Administrator” budget line.

Commissioner Welch also recommended that Commissioners attend the conference, if possible.

**MOTION:** Commissioner Scanlan moved to approve the administrator’s attendance at the Minnesota Association of Watershed Districts Annual Meeting. Commissioner Welch seconded the motion. Upon a vote, the motion carried 5-0. [Cities of Golden Valley, Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

**6. COMMUNICATIONS**

**A. Administrator’s Report**

- i. Report on Winter Maintenance Workshop – Administrator Jester reported that 26 people attended the workshop and that Channel 12 did a segment on the workshop. She noted she will send a link to the news coverage.
- ii. Reminder of November’s WEDNESDAY Commission Meeting

Administrator Jester also noted that the Bassett Creek road signs (designed by Dawn Pape) were delivered and will be installed at three crossings in Golden Valley, including on Douglas Drive. She also noted that she’s been working to update the BCWMC CIP webpages. Administrator Jester also distributed the revised Watershed Management Plan on CDs and noted the revised plan is also on the website.

**B. Chair** - Nothing to report

**C. Commissioners** - Commissioner Scanlan attended the Water Resources Conference and said it was very interesting; he learned a lot.

**D. TAC Members** - Nothing to report

**E. Committees** - Administrator Jester noted the Administrative Services Committee will convene soon. Additionally, Dawn Pape reported that she attended a Watershed Partners Meeting about social media and suggested doing Facebook posts highlighting FAQs about BCWMC, e.g. what is BCWMC, who serves on the Commission, why have they volunteered their time to do so, etc. Ms. Pape will be following up with Commission members.

**F. Legal Counsel**

Attorney Gilchrist reported that a letter from the Starrs’ lawyer was received by the Commission, raising concerns about the Plymouth Creek Restoration Project. He noted he had discussed the letter with the City of Plymouth’s attorney and that they were in agreement that the Commission and the City are not violating laws with their plans to restore the creek adjacent to the Starr’s property. He noted it is the City of Plymouth’s decision as to how to proceed.

**G. Engineer** - Nothing to report

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

- A. CIP Project Updates: Available Online <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. Letter to Commission Regarding Plymouth Creek Restoration Project
- D. Minnesota Association of Watershed Districts Annual Meeting
- E. Hennepin County Level II Performance Review Results
- F. WCA Notice of Decision, Golden Valley

**8. ADJOURNMENT**

The meeting was adjourned at 10:03 a.m.

**MOTION:** Commissioner Welch moved to adjourn. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 5-0. [Cities of Golden Valley, Medicine Lake, Minnetonka, and St. Louis Park were absent from the vote.]

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Signature/Title

Date

Signature/Title

Date