



Bassett Creek Watershed Management Commission

MEMO

To: Bassett Creek Watershed Management Commissioners
From: BCWMC Technical Advisory Committee
Date: October 11, 2016

RE: TAC Recommendations

The BCWMC Technical Advisory Committee met on October 6th and discussed a variety of topics. They forward the following recommendations for the Commission's consideration.

TAC Members and Others at 10/6/16 TAC Meeting:

Liz Stout, Minneapolis	Megan Albert, New Hope
Jeff Oliver, Golden Valley	Mark Ray, Crystal
Derek Asche, Plymouth	Susan Wiese, Medicine Lake
Erick Francis, St. Louis Park	Laura Jester, Administrator
Richard McCoy, Robbinsdale	Karen Chandler, Engineer

1. Minnesota Water Quality Buffer Initiative Map

In June 2015 Governor Dayton signed a Water Quality Buffer Initiative into law. This law requires a perennial vegetative buffer—50 feet wide along public waters and 16.5 feet wide on public ditches. In July of this year, the official buffer map was published by the DNR which shows the waters and drainageways subject to the buffer law. The map includes all of the BCWMC's priority waterbodies plus 12 additional DNR public waters. The map is online here: www.dnr.state.mn.us/buffers.

The Law recognizes that "other watercourses" (such as streams or ditches; not lakes or wetlands) which are not found on the DNR Buffer Protection Map may benefit from installation of buffers or alternative practices to protect and improve water quality. Hennepin County is seeking input from watershed organizations regarding whether or not "other watercourses" should be included on the map. http://www.bwsr.state.mn.us/buffers/policy/Approved/6_Other_Watercourses%20.pdf

Recommendation: The TAC reviewed the map and recommends that the Commission provide input to the County stating that there are no additional watercourses within the BCWMC that should be included on the buffer map.

2. Checklist for BCWMC Policy Implementation by Cities

Policy #107 in the 2015 BCWMC Watershed Plan (Section 4.2.10) states: *The BCWMC will annually evaluate member cities' compliance with the goals and policies of this Plan (see Section 5.1.1.6). The BCWMC will take appropriate administrative or legal action in response to non-compliance.*

Staff developed the attached checklist, which was reviewed and discussed by the TAC. TAC members acknowledged that use of the checklist was likely the easiest way to gather the information and noted much of the information requested is already compiled for other city reports. The TAC noted that although the "optional items" should remain on the checklist, that cities shouldn't be required to address those items.

Recommendation: The TAC recommends that the BCWMC use the checklist to gather input from the cities on the implementation of BCWMC policies, without requiring cities to complete the "optional items" section of the list. The TAC further recommended that the checklist be sent to cities in early December of each year for feedback on that calendar year's activities such that data could be compiled in the first quarter of the following year and used in the BCWMC annual report.

In a related discussion, the TAC recommended that the Commission Engineer develop a list of items for member cities that are required to be included in local water management plans.

3. Request for Proposal Guidance

At their meeting on August 18th, the Commission approved the Budget Committee's recommendation to get input and recommendations from the TAC on a process and/or policy related to when and how to go through an RFP process.

The TAC discussed various aspects of Commission activities and the RFP process including the benefit of the historical perspective of the Commission Engineer and the cost savings that might be realized by using different firms. The TAC noted how new and different projects could warrant using a RFP process. Regarding water monitoring activities, Mr. Oliver noted the benefit of the continuity of service of the Commission Engineer while Mr. Asche noted that the Commission already uses data collected by other organizations (such as Three Rivers Park District) indicating that using other firms to perform routine monitoring shouldn't pose a problem. There was discussion about how the monitoring data are used and the fact that an annual detailed monitoring report may not be necessary as long as trends over time are being analyzed on a regular basis.

The TAC forwards the following recommendations to the Commission:

Recommendations:

- a. The following projects, programs, or activities should ONLY be performed by the Commission Engineer:
 - Flood Control Project inspections
 - Development reviews
 - CIP project reviews (50% plans, 90% plans, final plans)
 - XP-SWMM model maintenance and updates
 - P8 model maintenance and updates

- Watershed-wide total maximum daily load study (TMDL)
- Local water management plan reviews- except when Barr Engineering develops the local water management plan for the city. In this case, the TAC recommended using a different firm to review the city's plan but does not recommend using an RFP process for this simple task.

b. The types of projects that could warrant seeking proposals from others include:

- Routine lake monitoring
- Routine stream monitoring
- WOMP sample collection & equipment maintenance
- WOMP flow analysis and data analysis
- Specific studies (such as localized TMDLs, CIP effectiveness monitoring, AIS pathways analysis, subwatershed analysis, resource management plans, etc.)

The TAC further recommends using a multi-year contract for routine monitoring and to consider refining water monitoring reports.

- c. Consider using a multi-year or automatically renewing contract for routine, annual work.
- d. Consider refining water monitoring report format so that it's more succinct and useful.
- e. Do not use a project cost threshold to determine when to use the RFP process but instead consider each project individually.
- f. Direct BCWMC Administrator to draft RFPs with assistance from city staff and others, as needed.
- g. Allow the TAC to review and help refine the RFP before it's distributed (for technical projects).
- h. Allow the TAC to review and make recommendations on responses to RFPs (for technical projects).

4. Engineering Pool

The TAC considered and discussed the use of the Commission's Engineering Pool (which currently consists of Wenck Associates, WSB & Associates, SEH & Associates, and Barr Engineering). TAC members noted that different firms have strength in different areas which is generally known by TAC members and they expressed a desire for more flexibility in helping choose firms from which to seek proposals.

Recommendation:

The TAC recommends that the Commission end its use of an engineering pool and instead seek proposals from qualified firms on a project by project basis with input from the TAC.

5. Schaper Pond Effectiveness Monitoring

At the June 28th TAC meeting, the TAC recommended using the Commission Engineer to perform the Schaper Pond effectiveness monitoring in 2017 and to use the project's remaining CIP funds. At their August 18th meeting, the Commission approved the use of CIP funds for the study but did not assign an engineering firm nor specify a funding amount for the project.

Recommendation:

The TAC reiterates its recommendation to use the Commission Engineer for the Schaper Pond Effectiveness Monitoring Project and recommends a funding amount (not to exceed) \$44,000 to match the estimated project cost in the [Commission Engineer's original proposal](#).