



Item 4A.
BCWMC 1-18-18

Bassett Creek Watershed Management Commission

DRFAT Minutes of Regular Meeting
Thursday, December 21, 2017
8:30 a.m.
Golden Valley City Hall, Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On Thursday, December 21, 2017 at 8:34 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken.

Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Guy Mueller	<i>Absent</i>	Mark Ray
Golden Valley	<i>Absent</i>	Jane McDonald Black	Jeff Oliver
Medicine Lake	Clint Carlson	<i>Absent</i>	<i>Absent</i>
Minneapolis	Michael Welch	<i>NA</i>	Liz Stout
Mnettonka	Mike Fruen	<i>Absent</i>	<i>Absent</i>
New Hope	<i>Absent</i>	Pat Crough	<i>Absent</i>
Plymouth	Jim Prom	John Byrnes	Derrick Asche
Robbinsdale	<i>Absent</i>	<i>Absent</i>	Marta Roser
St. Louis Park	Jim de Lambert	<i>Absent</i>	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler, Greg Wilson and Meg Rattei: Barr Engineering		
Recorder	Dawn Pape, Lawn Chair Gardener Creative Services		
Legal Counsel	Troy Gilchrist, Kennedy & Graven		
Presenters/ Guests/Public	Brian Vlach, Three Rivers Park District		

2. CITIZEN FORUM ON NON-AGENDA ITEMS

None

3. APPROVAL OF AGENDA

Chair de Lambert requested to add item 5F to consider approval to comment on Minneapolis Phase I of NPDES permit.

MOTION: Alternate Commissioner McDonald Black moved to approve the agenda with added item 5F. Commissioner Welch seconded the motion. Upon a vote, the motion carried 7-0. [Cities of Crystal and Robbinsdale absent from the vote]

4. CONSENT AGENDA

The following items were approved as part of the consent agenda: November 15, 2017 Commission meeting minutes, December 2017 financial report, payment of invoices, amendment to agreement with Metropolitan Council for reimbursement of BCWMC expenses related to Blue Line LRT project, direct Commission Engineer to submit Flood Control inspection report to cities, Minnesota DNR, and U.S. Army Corps of Engineers; reimburse Commissioner Scanlan for Road Salt Symposium registration costs, and resolution of appreciation for Alternate Commissioner Jacob Millner’s services.

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

Checking Account Balance	\$ 462,591.15
TOTAL GENERAL FUND BALANCE	\$ 462,591.15
TOTAL CASH & INVESTMENTS ON-HAND (12/13/17)	\$3,917,564.86
CIP Projects Levied – Budget Remaining	(4,363,587.60)
Closed Projects Remaining Balance	(446,022.74)
2012-2016 Anticipated Tax Levy Revenue	\$9,558.89
2017 Anticipated Tax Levy Revenue	23,977.12
Anticipated Closed Project Balance	(412,486.73)

MOTION: Alternate Commissioner McDonald Black moved to approve the consent agenda. Commissioner Prom seconded the motion. Upon a vote, the motion carried 7-0. [Cities of Crystal and Robbinsdale absent from the vote]

5. BUSINESS

A. Receive Presentation on Results of Stormwater Pond Maintenance Prioritization Analysis

Commission Engineer Chandler gave a PowerPoint presentation and started by reviewing the objectives of the Commission’s P8 model development including water quality modeling, tracking progress on TMDLs, and evaluating proposed projects. She stated the model can also be used to map pollutant “hotspots” and prioritize maintenance of best management practices (BMPs) such as stormwater ponds.

Commission Engineer Chandler provided examples of hotspot mapping including the Medicine Lake direct watershed. She noted the red on the map indicated highest phosphorus loading and the green indicated lowest phosphorus loading. She presented a second example for the watershed downstream from Medicine Lake. She noted that hotspot maps like these are available for all member cities and Administrator Jester will help distribute them.

Commissioner Welch asked if developers should use this map and Engineer Chandler said the P8 model would be more useful. Commissioner Welch further inquired whether developments can change the colors on the map (impact either negatively or positively.) Engineer Chandler confirmed that developments' BMPs can impact the map coloration.

Commissioner Carlson asked why the XP-SWMM model wasn't used. Engineer Chandler explained the models were used for different things: XP-SWMM models hydrology, flows, and flood levels while the P8 model is used to model pollutant loading and treatment.

Commissioner Carlson asked if both models needed to be maintained. Commission Engineers Chandler and Wilson confirmed that they both need to be maintained and that cities are interested in this because their MS4 permits require assessment procedures and schedules.

Commission Engineer Chandler noted that the MS4 permit includes pollution prevention and good housekeeping categories. She noted stormwater ponds can be ranked by water quality impact and how quickly the pond is filling due to sedimentation. She noted the ranking methodology includes effective removal, percentage filled per year, and dead storage volume (which means the water can't go anywhere other than evaporation or infiltration). She reported that the exercise independently ranks both parameters and then combines the independent ranking to form final rank. She reported there are 600+ ranked ponds in the watershed and that the data are available to cities.

There was some discussion on what information was used to determine the hotspots. Commission Engineer Wilson reported that BMPs reported to the Commission by cities for model updates were included in this exercise. It was noted that if a development came to the Commission for review, the Commission Engineer does not know if the BMPs proposed in the plans were actually constructed. Therefore, that information is not included in the Commission's model unless it was specifically submitted by the city with an as-built record or other record. Engineer Chandler noted that the Commission Engineers send out reminders to cities to provide the information to the Commission.

Commissioner Welch wondered if the pond prioritization information was something cities already had and wondered if the exercise was redundant. Mr. Oliver replied that he has some of the pond data but is looking forward to reviewing Barr's report. Commission Engineer Wilson noted that 30 of the 600 ponds were field-surveyed and that the data generated from this exercise will give cities knowledge on what ponds should be surveyed/assessed next.

Commissioner Welch asked that the flow of information between the cities and the Commission is appropriate and that activities among entities aren't being duplicated. Commissioner Carlson asked if Commission should use the XP-SWMM and P8 models together. Commission Engineer Chandler replied that the model results can, indeed, be overlaid and used together.

[Commissioner Mueller arrives.]

B. Receive Update on Zebra Mussels in Medicine Lake and Consider Recommendations for Next Steps

Commission Engineer Chandler reviewed the existing information regarding zebra mussels in Medicine Lake, noting they were discovered on November 1st and confirmed by the MnDNR the following day.

She noted that since no “veligers” (babies) were found, it is unclear whether there are three isolated clusters of adults brought in separately or whether it is, in fact, a widespread infestation as the MnDNR suspects. She noted that a rapid response of a chemical treatment would only be warranted if there were isolated pockets of adults and that a survey of the lake is needed to fully understand the extent of the infestation.

Commission Engineer Chandler reported on the negative impact of zebra mussels in a lake, including blooms of blue green algae, which are not the preferred diet of zebra mussels. She noted that at first zebra mussels make water quality seem better because they eat the green algae. She noted that the Minnesota Aquatic Invasive Species Research Center (MAISRC) considers zebra mussels to be one of the worst invaders because they completely alter the food chain.

Commission Engineer Chandler reviewed the recommended next steps developed after talks with the MnDNR, MAISRC, Three Rivers Park District (TRPD), Hennepin County and the Commission Administrator:

- Direct staff to discuss and work with TRPD and, if deemed appropriate, apply for a Hennepin County AIS Prevention Grant, to help fund either a) installing a CD3 (Clean, Drain, Dry, Dispose) unit at the French Regional Park boat launch, or b) additional inspection hours at the park boat launch; and to include up to \$5,000 of BCWMC AIS/APM 2018 funding as a grant match. It was noted that the grant application deadline is January 12, 2018 – before the January Commission meeting.
- Perform a “meandering” survey of zebra mussel adults to determine the extent of the infestation in the lake and use up to \$8,000 of 2018 APM/AIS funds for this work, if needed. including applying for an AIS Prevention Grant from Hennepin County, if appropriate.
- If the meandering survey finds zebra mussels in a few locations (i.e., isolated clusters), and the MnDNR and MAISRC staff agree that the lake is a candidate for a rapid response treatment, use up to \$1,500 of staff time to apply for a MnDNR treatment permit.
- If the MnDNR issues the treatment permit, apply for a Hennepin County Rapid Response Grant (different from the AIS Prevention Grant discussed in #1 above) to pay/help pay for quarantine and treatment costs.

Brian Vlach with TRPD explained a “CD3” waterless cleaning station that can be installed at the boat launch and used by boaters. He noted it’s connected to a database so staff can tell which tools are used and when. He said TRPD is currently doing a survey to monitor the tools’ use at Bryant Lake and are hesitant about recommending investing in a CD3 unit for Medicine Lake because they are still determining its effectiveness/usefulness.

There was discussion about closing boat launches and Commission Engineer Rattei reviewed the life cycle of zebra mussels. There was further discussion about the need for a whole-lake survey of the lake to determine the extent of the infestation. It was noted that TRPD and/or MnDNR staff can likely help with a survey and the Commission may not need to spend funds on a survey. However, if an outside contractor was needed, the rough estimate by Blue Water Science was \$16,000 to complete the entire survey.

Commissioner Welch stated that the Commission should give authority to Administrator Jester so time isn’t wasted. He noted that the largest water body in the watershed is affected and that not working on the issue is not acceptable. Administrator Jester recommended the Commission approve recommendations 2 -4 as noted above.

Commissioner Carlson noted he thought it appropriate to approve recommendations 1-4. Mr. Asche wondered if the zooplankton survey scheduled for Parkers Lake in 2018 could be done on Medicine Lake instead (Medicine Lake slated for 2019). Administrator Jester reported that may be a possibility.

MOTION: Commissioner Welch moved to authorize the Administrator to spend up to \$8,000 for a zebra mussel survey on Medicine Lake and to take other warranted actions that includes applying for grants (without a BCWMC match). Commissioner Prom seconded the motion. Upon a vote, the motion carried 8-0. [City of Robbinsdale was absent from the vote.]

C. Receive Update on BWSR's Watershed-Based Funding Pilot Program

Administrator Jester reported that BWSR's Clean Water Fund competitive grant fund will eventually be replaced with watershed-based funding and that a pilot program to distribute funds to watersheds and other eligible entities will begin in January. She reported that the BWSR Board approved just over \$1M in Clean Water Funds to be used in Hennepin County and that all watersheds, cities, and other eligible entities will either need to work together to determine county-wide priorities or entities can alternatively opt into a competitive grant program. She reported that the State is working on providing funds on a more consistent basis rather than hyper-competitive grant processes. She noted that in several areas in out-state Minnesota, large basins are already working together to develop a list of priorities but acknowledged that there will be more of a challenge in the Metro area.

Administrator Jester reported she will attend an informational meeting in January and will bring more information and/or a recommendation to the January meeting.

D. Consider Recommendations of Administrative Services Committee

Commissioner Mueller, Chair of the Administrative Services Committee, asked Administrator Jester to give an overview of the November 15th committee meeting.

Administrator Jester reported on records management activities and noted that she has been going through historic paper files dating back to 1969, retaining and organizing records according to the Commission's Record Retention Schedule, and preparing records for digitization by volunteers with the City of Plymouth. She noted the remaining records (about 3 file cabinets full) must be moved out of Plymouth City Hall. She noted the Committee originally recommended using a private offsite records storage company to house the files. However, upon further research she now recommends moving the files to the City of Crystal's Public Works Facility, which offers free storage and easier access.

Administrator Jester reported on the committee's discussion of the Commission's role in lobbying at the State Legislature, including reviewing Attorney Gilchrist's opinion. The Committee recommends that since the Commission's Joint Powers Agreement allows for expenditures necessary to implement its purposes and powers, that the Commission discuss and seek legal advice on any lobbying or related membership requests that come before the Commission on a case by case basis.

Administrator Jester reported that in 2019, the Commission will turn 50 years old and that the Commission should capitalize on the landmark year with special events and/or dissemination of information to the public. The Committee recommended that the Commission's Education Committee develop plans and budget recommendations for anniversary events.

Administrator Jester reported on the Committee's discussion on the future of stormwater management. She noted that Committee members agreed that better prioritization of the Commission's capital projects is needed in order to better evaluate what CIP projects should be implemented and when. It was noted that subwatershed analyses and water quality impairments should be used to target projects where the need is greatest. Administrator Jester pointed out that Riley Purgatory Bluff Creek Watershed District uses a comprehensive project prioritization process that was highlighted at the MAWD conference. She reported that the Committee recommends that the Technical Advisory Committee draft a process to evaluate and prioritize projects as a first step in refining the implementation of the Commission's Capital Improvement Program.

Commissioner Welch thought the recommendations were smart, but thought the Capital Improvement Program evaluation and prioritization process should be developed by the Commission and the TAC together.

[Commissioner Fruen departs.]

MOTION: Commissioner Welch moved to approve the recommendations of the Administrative Services Committee and to develop a committee of at least three TAC members, BCWMC staff, and three Commissioners to develop and refine the CIP prioritization process. Commissioner Mueller seconded the motion.

Discussion: Alt. Commissioner McDonald Black stated that TAC members are the experts, there should be a balance of efficiency and that another layer of project review should not be created. Mr. Oliver stated that in cities, staff typically discuss project priorities and make recommendations to the city council rather than involving council members in the process of choosing projects.

Chair de Lambert noted that more Commission involvement in the CIP process is important and thought the motion was appropriate. Commissioner Mueller stated that the Commission needs to help sort through priorities to determine which are most valuable.

Administrator Jester stated she thought there are two different activities: 1) developing the prioritization process, in which it's appropriate to include Commissioners; and 2) using the prioritization process (once it's developed) to determine the CIP list and schedule.

Commissioner Welch noted that the Riley Purgatory Bluff Creek Watershed District performed exhaustive resource assessments and BCWMC didn't do assessments during its Plan development. Commissioner Prom restated the discussion and added that from a common-sense approach, having the Commissioners initially involved was not micro-managing, rather helping to set up a framework.

Attorney Gilchrist agreed that whatever recommendation this new subgroup comes up with would have to come back to the Commission for approval.

Upon a vote the motion carried 7-0. [Cities of Minnetonka and Robbinsdale are absent from the vote.]

E. Review Feedback from Staff, Commissioners, TAC Members on Staff Performance and Commission Direction

Commissioner Mueller distributed copies of the responses submitted by TAC members (4) and Commissioners (5) and started by saying no contracts with consultants need to be reconsidered at this time and that the Administrative Services Committee decided not to use "Olympic-style" ranking of staff, but to gather general comments instead.

Administrator Jester and Commission Engineer Chandler distributed copies of their own responses to their self-evaluations. Administrator Jester noted that these items weren't included in the meeting packet because responses are considered private data and should not be widely distributed.

Commissioner Mueller briefly reviewed TAC and Commissioner responses noting there were no glaring issues to be addressed, there were interesting and diverse comments and that further discussion may be needed by the Administrative Services Committee or others after further review. It was noted that meeting efficiency should be improved, including bringing information to the Commission prior to when a decision is needed.

Administrator Jester and Engineer Chandler each briefly reviewed their responses to questions.

Commissioner Welch recommended making this an agenda item at the next meeting.

F. Consider Approval to Comment on Minneapolis Phase I NPDES Permit

Commission Engineer Chandler commented that there are some changes in the draft NPDES permit for Minneapolis that should be reviewed and may warrant comment. She noted that comments are due before the January Commission meeting and that she would work with the Commission Chair and Administrator to develop

and send a comment letter, as warranted.

MOTION: Commissioner Welch moved to authorize Engineer Chandler not to exceed \$1,500 at the direction of the Administrator Jester to review and provide comments on the draft Phase I NPDES permit for Minneapolis. Commissioner Carlson seconded the motion. Upon a vote, the motion carried 7-0. [Cities of Minnetonka and Robbinsdale are absent from the vote.]

6. COMMUNICATIONS

A. Administrator

- i. CIP update chart is now online which is a quick reference indicating the phases of CIP projects
- ii. Report on Minnesota Association of Watershed Districts Annual Meeting
 - a. Administrator Jester thanked the Commission for the opportunity to attend
- iii. 2018 Road Salt Symposium in early February—registration is open
- iv. Conflict of interest forms need to be returned for auditors

B. Chair

Nothing to report.

C. Commissioners

Commissioner Carlson asked whether or not landowner permission was needed to inspect docks around Medicine Lake for zebra mussels. Attorney Gilchrist indicated the Commission should be more conservative with regards to trespassing and recommended getting permission from landowners.

D. TAC Members

Nothing to report.

E. Committees

Nothing to report.

F. Legal Counsel

Commented that he enjoys working with Administrator Jester because she’s clear, organized, and efficient.

G. Engineer

Nothing to report.

7. INFORMATION ONLY (Information online only)

- A. CIP Project Update Chart
- B. Grant Tracking Summary and Spreadsheet
- C. New Fact Sheet on Updated Flood Elevations and XP-SWMM Modeling Effort
- D. BCWMC Winter Maintenance Workshop Evaluations
- E. West Metro Water Alliance Fall Newsletter
- F. Children’s Water Festival Thank You
- G. Harrison Neighborhood Project Article
- H. WCA Notice of Decision, Plymouth
- I. WCA Notice of Application, Plymouth

8. ADJOURNMENT The meeting adjourned at 11:18 a.m.

Signature/Title Date

Signature/Title Date