



Bassett Creek Watershed Management Commission

October 5, 2018

Will Manchester
City of Minnetonka
14600 Minnetonka Blvd.
Minnetonka, MN 55345

Hello Will,

Thank you for the opportunity to comment on Minnetonka's Draft Water Resources Management Plan (WRMP) dated September 2018. I am providing our initial comments now so that we can complete the review, comment, revise, approve activities by the deadline of December 21st. I have yet to receive comments on the WRMP from the Metropolitan Council and those must be considered before the BCWMC can provide you with final comments. As such, I may be adding to these comments after I review the Met Council's comments. The following comments include changes required to be consistent with the 2015 Bassett Creek Watershed Management Plan as well as recommended revisions.

One important item to note: Per Minnesota Statutes 103B.235 Subp. 4, the City must amend its official controls (i.e., ordinances) within 180 days of local water management plan approval by the BCWMC. The draft Minnetonka WRMP states that ordinances will be updated in 2020. Obviously, this is well outside the requirements of the Statute if the BCWMC approves the WRMP on or before December 21, 2018 as planned. From my review, there appears to be two instances where current city ordinances are less strict than BCWMC requirements: wetland buffers and floodplain standards. Please include a statement in the WRMP indicating how the city will enforce the BCWMC requirements up until the point at which city ordinances are consistent with BCWMC requirements.

Required revisions to these or similarly appropriate sections:

Policy 2.1.17: This policy states that the city will continue to implement buffer requirements of the Minnetonka Wetland Protection ordinance. However, as noted below with comments on Appendix G, buffer requirements in the city's current wetland ordinance are less strict than BCWMC standards. This policy should be revised to note that the city ordinance will be updated.

Section 2.6: Please add a policy noting that the city will share groundwater elevation data, where available, with the BCWMC (per BCWMC Policy #50 in Section 4.2 of BCWMC Watershed Plan).

Table 3-19: Crane Lake is classified by the city as Manage 1 wetland. It is unclear how that classification corresponds with BCWMC classification of the lake as a Priority 2 shallow lake. BCWMC Policy #3 in Section 4.2.1 states that "cities shall classify waterbodies according to the BCWMC classification system and include this information in their Local water management plans." Please clarify how the city's classification system corresponds with the BCWMC's.

Section 5.2.2, second paragraph: "The BCWMC has adopted the MPCA ~~eutrophication~~ water quality standards applicable to lakes and streams." The BCWMC adopted the MPCA water quality standards for all pollutants, not only those causing eutrophication.

Section 5.7.1: Please add “starry stonewort” to the list of AIS in the BCWMC.

Section 6.10.2.1, last paragraph, last sentence: “Other capital projects are funded through fees the BCWMC collects from the member cities.” Capital projects are always funded through a county-levied tax. Other (non-capital) projects and programs are funded through member city contributions.

Appendix A Section 5.1.1: The procedural steps for permitting land altering activities should include a discussion of how and when the city refers applicants to the BCWMC for project review and how BCWMC approval of the project is required before the project can proceed. See BCWMC Policy #121 in Section 4.2.10 of BCWMC Watershed Plan.

Appendix G: The city’s Wetland Protection Ordinance (300.23) do not include wetland buffer requirements as stringent as the BCWMC’s wetland buffer requirements. The City’s wetland ordinance must be updated. (See Policy #68 in Section 4.2.6 of the BCWMC Watershed Plan.)

Appendix I: The city’s Floodplain District Ordinance (300.24) does not include or reference the BCWMC-delineated 100-year floodplain (based on BCWMC XP-SWMM modeling). (Policy #39 in Section 4.2.2 of BCWMC Watershed Plan) The BCWMC Requirements for Improvements and Development Proposals (2017) and 2015 BCWMC Plan include minimum building elevations applicable within the BCWMC-delineated floodplain along the BCWMC Trunk System. The City's floodplain ordinance must be updated to include or reference the BCWMC-delineated floodplain and applicable minimum building elevations within that area.

Recommended revisions:

Section 5.2.2, paragraph 3: Consider noting that chlorides are on the rise in Crane Lake and nearing the impairment level.

Section 5.4.2: There are many additional BCWMC requirements and recommendations regarding wetlands and wetland management than are listed in this section. Please see section 4.2.6 of the of BCWMC Watershed Plan and consider incorporating at least the requirements including buffer requirements and inspections for invasive species.

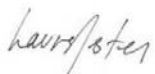
Section 5.5.1, paragraph 1: Consider adding “pollutants” to the list of issues affecting the creek from runoff originating in Minnetonka.

Section 5.7.1: Consider noting that in 2017 the BCWMC more formally identified its role in AIS and aquatic plant management and began implementing several committee-recommended actions as noted in this document: http://mail.bassettcreekwmo.org/application/files/1315/2157/7925/APM-AIS_Final_Recommendations_and_Approvals.pdf.

Section 6.0, page 6-1: The section title should be changed to “Implementation Program.”

Please feel free to contact me if you have any questions. The BCWMC will consider approval of your final Surface Water Management Plan upon completion of these revisions and upon review of comments from Metropolitan Council.

Sincerely,



Laura Jester
Administrator

CC: Jim de Lambert, BCWMC Chair
Mike Fruen, BCWMC Commissioner, Minnetonka
Bill Monk, BCWMC Alternate Commissioner, Minnetonka