

## Recommended BCWMC Plan Revisions Addressing BCWMC-MWMO-Minneapolis Joint and Cooperative Agreement

### **Summary**

Following the construction of the new Bassett Creek tunnel, the BCWMC, Mississippi Watershed Management Organization (MWMO), and the City of Minneapolis entered into a joint and cooperative agreement (JCA) in 2000 defining obligations related to the old and new tunnels. The obligations in the JCA ensure that the old and new tunnels provide adequate hydraulic capacity during storm events and require BCWMC approval for modifications (e.g., additional tributary area, altered connections) that will affect the flows in the new tunnel.

Section 2.8.1 of the 90-day Plan describes the BCWMC Flood Control Project and mentions the JCA, including a reference to Appendix I. The 90-day Plan, however, does not describe the obligations included in the JCA, nor is the complete JCA included in Appendix I (only the summary of the boundary change is included). Also, Section 5.1.1.3 of the 90-day Plan describes the Flood Control Project, which is a major responsibility of the BCWMC, but does not include information about the JCA; a description of the JCA and obligations should be included in this section. Because the JCA defines conditions where projects must be approved by the BCWMC, the JCA should also be referenced in the BCWMC Requirements document (Appendix H).

### **Recommended Revisions to the Plan**

Staff recommends the following edits to the Plan to address this issue, according to Plan section (new text shown in underline):

- Section 2.8.1 – BCWMC Flood Control Project – Text will be revised to read:

With the BCWMC Flood Control Project in place, runoff from the watershed area tributary to the old tunnel no longer flows to Bassett Creek. In 2000, the BCWMC, the City of Minneapolis, and the Mississippi WMO entered into a joint and cooperative agreement for a boundary change to reflect these changed drainage conditions (see Appendix I). The boundary change transferred 1,002 acres from the BCWMC to the Mississippi WMO. The City of Minneapolis is currently responsible for maintenance of the old tunnel. The joint and cooperative agreement includes obligations related to the old and new tunnels, and generally requires BCWMC approval for any modifications affecting peak flows or hydraulic capacity in the new tunnel (see Appendix I).

*Staff also recommends moving this paragraph so it is located after the paragraph that discusses the new tunnel, rather than before.*

- Section 5.1.1.3 – Management of the BCWMC Trunk System and Flood Control Project – The following new text will be added to the end of the section:

A joint and cooperative agreement (JCA, see Appendix I) between the BCWMC, Mississippi Watershed Management Organization (Mississippi WMO), and the City of Minneapolis defines additional management obligations for the old tunnel and new tunnel, both of which are part of the BCWMC Flood Control Project. Section 5.1 of the JCA requires the City of Minneapolis to



maintain 50 cfs capacity in the old tunnel during the 100-year storm event to accommodate the overflow of stormwater that cannot be accommodated in the new tunnel. Section 6 of the JCA includes obligations relating to the new tunnel, which require BCWMC approval prior to increasing the drainage area tributary to the new tunnel, adding connections or outlets to the new tunnel, and altering the runoff to the new tunnel for the 10-, 50-, or 100-year rainfall event (see Appendix I).

- Appendix I – Boundary Change and Related Legal Documentation – The complete text of the JCA will be included in Appendix I.
- Appendix H – Requirements for Improvements and Development Proposals – A new heading (Section 2.12) will be added to Section 2.0, which describes the types of projects to be submitted for BCWMC Review. The following text will be added:

2.12 Modifications to the BCWMC Tunnel

Proposals located within the BCWMC or the Mississippi Watershed Management Organization shall be submitted for BCWMC review if the proposal will increase the area tributary to the new tunnel, add connections or outlets to the new tunnel, or change the rate of runoff in the new tunnel for the 10 year, 50 year, or 100 year event.