



Item 5Aiv.
BCWMC 9-17-15

August 27, 2015

Board of Commissioners
Bassett Creek Watershed Management Commission
c/o Laura Jester, Administrator
Keystone Waters, LLC
16145 Hillcrest Lane, Eden Prairie, MN 55346

Dear Chair and Managers:

I am pleased to inform you that the Minnesota Board of Water and Soil Resources (Board) has approved the Bassett Creek Watershed Management Commission (BCWMC) revised Watershed Management Plan (Plan) at its regular meeting held on August 27, 2015. For your records I have enclosed a copy of the signed Board Order that documents approval of the Plan. Please be advised that the BCWMC must adopt and implement the Plan within 120 days of the date of the Order, in accordance with MN Statutes 103B.231, Subd. 10.

The managers, staff, consultants, advisory committee members, and all others involved in the planning process are to be commended for developing a plan that clearly presents water management goals, actions, and priorities of the watershed. With continued implementation of your Plan, the protection and management of the water resources within the watershed will be greatly enhanced to the benefit of the residents. The Board looks forward to working with you as you implement this Plan and document its outcomes.

Please contact Steve Christopher of our staff at 651-296-2633, or at the central office address for further assistance in this matter.

Sincerely,

Brian Napstad
Chair

Enclosure

cc's on next page

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Minnesota Board of Water and Soil Resources

520 Lafayette Road North
Saint Paul, Minnesota 55155

In the Matter of the review of the Watershed Management Plan for the **Bassett Creek Watershed Management Commission**, pursuant to Minnesota Statutes Section 103B.231, Subdivision 9.

**ORDER
APPROVING
WATERSHED
MANAGEMENT PLAN**

Whereas, the Board of Commissioners of the Bassett Creek Watershed Management Commission (Commission) submitted a Watershed Management Plan (Plan) to the Minnesota Board of Water and Soil Resources (Board) pursuant to Minnesota Statutes Section 103B.231, Subd. 9, and;

Whereas, the Board has completed its review of the Plan;

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions and Order:

FINDINGS OF FACT

1. **WMO Establishment.** The Bassett Creek Flood Control Commission was formed in 1968 primarily to study flooding issues in the watershed and adopted a watershed management plan in 1972. In 1984, the Bassett Creek Watershed Management Commission was created after revising the Flood Control Commission's joint powers agreement. The Commission prepared its first generation watershed management plan that the Board approved in July 1989.
2. **Authority to Plan.** The Metropolitan Surface Water Management Act requires the preparation of a watershed management plan for the subject watershed area which meets the requirements of Minnesota Statutes Sections 103B.201 to 103B.251. The watershed management plan may be amended according to Minnesota Statutes Section 103B.231, subd. 11. The second generation plan was approved by the Board in August 2004. Subsequently, the Commission completed five major and four minor amendments between 2005 and 2015.
3. **Nature of the Watershed.** The Commission is located in the heart of Hennepin County. It is bound by the Mississippi River WMO to the east, on the south and west by the Minnehaha Creek Watershed District, on the northwest by the Elm Creek WMO, and on the north by Shingle Creek WMO. The watershed encompasses all or part of the following nine cities: Plymouth, Medicine Lake, Golden Valley, Robbinsdale, Crystal, New Hope, Minnetonka, St. Louis Park, and Minneapolis. Bassett Creek discharges into

the Mississippi River in downtown Minneapolis below St. Anthony Falls. The watershed contains five major lakes and three creek branches. The Bassett Creek watershed covers 39.6 square miles and is predominantly fully developed.

4. **Plan Development and Review.** The Commission began the Plan development process in late 2012 with early input from the agencies and stakeholders. They followed that with an extensive public participation process called the Watershed Assessment and Visioning Exercise (WAVE) which included input from member cities, the Commission, TAC members and technical partners. The Commission created a Plan Steering Committee to review and discuss Plan elements and make recommendations to the Commission. The draft revised Plan was submitted to the Board, other state agencies, and local governments for the 60-day review on December 2, 2014. A public hearing was held on May 21, 2015. On June 1, 2015, the final draft of the revised Plan was received by the Board and other state agencies for the final 90-day period.
5. **Local Review.** The Commission circulated a copy of the draft Plan to local units of government for their review pursuant to Minnesota Statutes Section 103B.231, subd. 7. The City of Minneapolis, Minneapolis Park and Recreation Board, Association of Medicine Lake Area Citizens and Hennepin County all provided comments which were addressed by the Commission.
6. **Metropolitan Council Review.** The Metropolitan Council commended the Commission on their efforts and offered assistance where available in the implementation of the Plan.
7. **Department of Agriculture Review.** The MDA provided several references to be included in the Plan which have been included.
8. **Department of Health Review.** The MDH did not comment on the Plan.
9. **Department of Natural Resources Review.** The DNR provided comments on Rare Species and project design.
10. **Pollution Control Agency Review.** The PCA requested corrections to several tables which have been made.
11. **Department of Transportation Review.** The DOT comments focused largely on the Standards. The Commission has held separate meetings with the DOT to address these.
12. **Board Review.** Board staff requested additional clarifications within the CIP, which have been addressed.
13. **Plan Summary.** The Plan development utilized an extensive public participation process which included input from member cities, the Commission, TAC members and technical

partners to establish numerous goals. The goals include, but are not limited to, the following:

- Manage the surface water resources of the watershed to meet or exceed state standards and Commission water quality goals for wetlands, lakes, and streams.
- Improve the quality of stormwater runoff reaching the Mississippi River by reducing nonpoint source pollution.
- Reduce stormwater runoff volume for the purposes of improving water quality.
- Protect human life, property, and surface water systems that could be damaged by flood events.
- Reduce stormwater runoff rates and volumes to minimize flood problems, flood damages, and the future costs of stormwater management systems.
- Provide leadership and assist member cities with coordination of intercommunity stormwater runoff issues.
- Protect the quantity and quality of groundwater resources.
- Raise awareness of the Commission's existence and its role in protecting and improving water quality, minimizing flooding, and preserving the watershed's ecological functions and aesthetics.
- Minimize the spread and manage the adverse impacts of harmful aquatic invasive species.
- Develop a greater understanding of climate change and its impact on water resources, including stormwater infrastructure capacity and flooding, and develop strategies to appropriately manage future impacts.

The Commission will continue its success in the implementation of Capital Improvement Projects through financing from an ad valorem tax levied by Hennepin County under MN Stat. § 103B.251 as well as city contributions and grant funding, as available.

The Commission will continue to provide review of improvements and developments as well as providing standards and requirements for member city ordinances. The Commission holds the member cities accountable and depends on local leadership through the following roles:

- Commissioner and Alternate Commissioner appointment
- Technical Advisory Committee participation
- Project Review & Permitting
- Local Water Management Plan
- Official Controls (Ordinances)
- Capital Improvement Projects
- Land Acquisition
- Finances

14. **Metro Region Committee Meeting.** On August 4, 2015, the Board's Metro Region Committee and staff met in St. Paul to review and discuss the Plan. Those in attendance from the Board's Committee were Jill Crafton, Jack Ditmore, Rebecca Flood, Faye Sleeper and Joe Collins, chair. Board staff in attendance were Metro Region Supervisor Jim Haertel and Board Conservationist Steve Christopher. The Commission representatives included Administrator Laura Jester, Chair Jim de Lambert, Vice Chair Guy Mueller and Commission Engineers Karen Chandler and Greg Williams. Following a presentation by the Commission, Board staff recommended approval of the Plan. After discussion, the Committee unanimously voted to recommend approval of the Plan to the full Board.

CONCLUSIONS

1. All relevant substantive and procedural requirements of law and rule have been fulfilled.
2. The Board has proper jurisdiction in the matter of approving a Watershed Management Plan for the Bassett Creek Watershed Management Commission pursuant to Minnesota Statutes § 103B.231, Subd. 9.
3. The Bassett Creek Watershed Management Commission Watershed Management Plan attached to this Order defines water and water-related problems within the Commission's boundaries, possible solutions thereto, and an implementation program.
4. The attached Watershed Management Plan is in conformance with the requirements of Minnesota Statutes §§ 103B.201 to 103B.251.

ORDER

The Board hereby approves the attached Watershed Management Plan dated May 2015, as the Watershed Management Plan for the Bassett Creek Watershed Management Commission.

Dated at Red Wing, Minnesota this 27th day of August 2015.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES


BY: Brian Napstad, Chair