



Bassett Creek Watershed Management Commission

Regular Meeting
Thursday, December 19, 2019
8:30 – 11:00 a.m.

Council Conference Room, Golden Valley City Hall, Golden Valley, MN

AGENDA

1. CALL TO ORDER and ROLL CALL

2. **CITIZEN FORUM ON NON-AGENDA ITEMS** - *Citizens may address the Commission about any item not contained on the regular agenda. A maximum of 15 minutes is allowed for the Forum. If the full 15 minutes are not needed for the Forum, the Commission will continue with the agenda. The Commission will take no official action on items discussed at the Forum, with the exception of referral to staff or a Commissions Committee for a recommendation to be brought back to the Commission for discussion/action.*

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

- A. Approval of Minutes – November 20, 2019 Commission Meeting
- B. Acceptance of December 2019 Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – November 2019 Administrative Services
 - ii. Keystone Waters, LLC – November 2019 Expenses
 - iii. Barr Engineering – November 2019 Engineering Services
 - iv. Triple D Espresso – December 2019 Meeting Refreshments
 - v. Wenck – November 2019 WOMP Monitoring
 - vi. Lawn Chair Gardener – November 2019 Administrative and Education Services
 - vii. Kennedy & Graven – October 2019 Legal Services
 - viii. Metro Blooms – Harrison Neighborhood Commercial Projects
- D. Approval of City of Plymouth Reimbursement Request for Plymouth Creek Restoration Project (PC-2017)
- E. Approval of Grant Agreement with MPCA for Sweeney Lake Water Quality Improvement Project
- F. Approval to Amend Educational Services Contract with Lawn Chair Gardener
- G. Approval of Single-Family Home Redevelopment, Medicine Lake
- H. Approval to Direct Commission Engineer to Submit Flood Control Inspection Report to Cities, Minnesota DNR, U.S. Army Corps of Engineers

5. BUSINESS

- A. Consider Approval of Final Bassett Creek Valley Study Report (30 min)
- B. Receive Presentation and Discuss Dominion Project Plans and Agreements for Four Seasons Area Mall Redevelopment_(45 min)
- C. Receive Report on MN Association of Watershed District (MAWD) Annual Meeting (10 min)
- D. Receive Update on October/November TAC Meetings and Assign January TAC Meeting Liaison (5 min)

6. COMMUNICATIONS (10 minutes)

- A. Administrator's Report
 - i. Update on BWSR Watershed Based Funding
 - ii. Update on MTDs Discussions
- B. Chair
 - i. Update on Staff Evaluations
- C. Commissioners
- D. TAC Members
 - i. Upcoming Meeting 1/10
- E. Committees
- F. Education Consultant
 - i. Volunteers Needed: Lions Conference January 10 & 11
- G. Legal Counsel
- H. Engineer
 - i. Update on Sewer Line Crossing Bassett Creek and WOMP Station

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. WMWA November Meeting Minutes
- E. Hennepin Co. AIS Prevention Grant Report
- F. WCA Notices of Decision, Plymouth
- G. WCA Notices of Application and Decision, Medicine Lake
- H. WCA Notice of Application and Decision, Luce Line Trail

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Technical Advisory Committee Meeting: January 10, 9:00 a.m., Golden Valley City Hall
- Bassett Creek Watershed Management Commission Regular Meeting: Thursday January 16, 8:30 a.m., Golden Valley City Hall



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: December 11, 2019

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 12/19/19 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
 - A. Approval of Minutes – November 20, 2019 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of December Financial Report - **ACTION ITEM with attachment (more details online)**
 - C. Approval of Payment of Invoices - **ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend approval of payment.**
 - i. Keystone Waters, LLC – November 2019 Administrative Services
 - ii. Keystone Waters, LLC – November 2019 Expenses
 - iii. Barr Engineering – November 2019 Engineering Services
 - iv. Triple D Espresso – December 2019 Meeting Refreshments
 - v. Wenck – November 2019 WOMP Monitoring
 - vi. Lawn Chair Gardener – November 2019 Administrative and Education Services
 - vii. Kennedy & Graven – October 2019 Legal Services
 - viii. Metro Blooms – Harrison Neighborhood Commercial Projects
 - D. Approval of City of Plymouth Reimbursement Request for Plymouth Creek Restoration Project (PC-2017) – **ACTION ITEM with attachment (more detail online) – At their meeting in September 2016, the Commission approved an agreement with the City of Plymouth to design and construct this project. This is the 4th reimbursement request. The construction was completed in 2018 and vegetation was established and maintained with year along with some minor repairs. The city is requesting reimbursement for construction costs, vegetation management, and construction-related expenses (July 2018 – present). Staff recommends approval.**
 - E. Approval of Grant Agreement with MPCA for Sweeney Lake Water Quality Improvement Project – **ACTION ITEM with attachment (additional documents online) - As previously reported, the BCWMC was awarded a \$330,000 Federal grant through the MN Pollution Control Agency for carp management in Sweeney Lake and Schaper Pond and an alum treatment in Sweeney Lake. Staff recommends approval of the attached grant agreement, allowing the project to get underway early next year.**
 - F. Approval to Amend Educational Services Contract with Lawn Chair Gardener – **ACTION ITEM with attachment – The Commission’s Education Consultant, Dawn Pape, continues to make strides on chloride education and is connecting with collaborators across the metro to work collectively on salt education and consistent messaging. She is requesting an amendment to her contract to increase the total compensation by \$2,500 to continue this work through the term of her contract (March 31, 2020). This amendment would fit within the Commission’s approved Education and Outreach Budget due to lower than expected costs for the 50th Anniversary event and reimbursement from Hennepin County for AIS education. Staff recommends approval.**

- G. Approval of Single-Family Home Redevelopment, Medicine Lake – **ACTION ITEM with attachment** – *The proposed project includes demolition and reconstruction of a single-family home resulting in 0.36 acres of grading and a decrease of 540 ft² of impervious surfaces. The project lies within the Bassett Creek floodplain but results in a net increase in floodplain storage of approximately 1 yd³. Staff recommends approval.*
- H. Approval to Direct Commission Engineer to Submit Flood Control Inspection Report to Cities, Minnesota DNR, U.S. Army Corps of Engineers – **ACTION ITEM with attachment (additional details online)** - *In accordance to the Operation and Maintenance Manual for the Bassett Creek Flood Control Project (FCP), an annual inspection of the FCP features was recently completed by the Commission Engineers. Staff requests approval to submit the inspection report to the appropriate entities. The municipalities are responsible for routine maintenance and repair of the FCP features located within their city and are responsible for submitting the completed FCP Maintenance Record from the previous year's inspection.*

5. BUSINESS

- A. Consider Approval of Final Bassett Creek Valley Study Report (30 min) – **ACTION ITEM with attachment (full report online)** – *At last month's meeting, the Commission received a presentation from Wenck Associates on the draft Bassett Creek Valley Study Report and commissioners discussed the study. At this meeting, the Commission should consider approving the final report which incorporates BCWMC and Minneapolis comments. Wenck will provide an overview of changes from the draft report at the meeting. Wenck also produced a summary document (brochure), outlining the outcomes of the study. It is included online and with printed meeting materials.*
- B. Receive Presentation and Discuss Dominion Project Plans and Agreements for Four Seasons Area Mall Redevelopment (45 min) – **DISCUSSION ACTION ITEM with attachment** – *A local developer, Dominion, plans to redevelop the Four Seasons Mall Site in Plymouth and incorporate water quality treatment above and beyond the Commission's redevelopment requirements. BCWMC staff have been working with Dominion staff on structuring an agreement to reimburse Dominion up to \$824,000 in CIP funds for the "extra" stormwater treatment, and to review the stormwater analyses for both the redevelopment site and the CIP project. The attached memo from the Commission Engineer provides background on the project and an overview of the water management components already known. At the time of this writing, pollutant load reductions are still be analyzed and discussed by Dominion and BCWMC Engineers. At this meeting Dominion staff and consultants will give a presentation on the project and the stormwater management components. And, the Commission attorney will present possible structures for the agreement with Dominion and a separate maintenance agreement with the City of Plymouth.*
- C. Receive Report on MN Association of Watershed District (MAWD) Annual Meeting (10 min) – **INFORMATION ITEM no attachment** – *Chair Prom and Vice Chair Welch attended the MAWD meeting as delegates of the BCWMC. At this meeting they will report on the discussions and outcomes of the MAWD business meeting and provide their recommendations on the Commission's future involvement with the organization.*
- D. Receive Update on October/November TAC Meetings and Assign January TAC Meeting Liaison (10 min) – **INFORMATION ITEM with attachment** – *The TAC met on October 4th and November 25th to discuss a variety of topics, but mostly to review the BCWMC water monitoring program. The attached memo reports on those discussions. A TAC recommendation regarding the water monitoring program is expected at the January Commission meeting. The Commission should appoint a liaison for the January 10th TAC meeting.*

E.

6. COMMUNICATIONS (10 minutes)

- A. Administrator's Report - **INFORMATION ITEM with attachment**
 - i. Update on BWSR Watershed Based Funding
 - ii. Update on MTDs Discussion
- B. Chair
 - i. Update on Staff Evaluations
- C. Commissioners
- D. TAC Members
 - i. Upcoming Meeting 1/10
- E. Committees
- F. Education Consultant
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- H. Engineer
 - i. Update on Sewer Line Crossing Bassett Creek and WOMP Station

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8. ADJOURNMENT

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- Bassett Creek Watershed Management Commission Regular Meeting: Thursday January 16, 8:30 a.m., Golden Valley City Hall



Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Wednesday, November 20, 2019
8:30 a.m.
Golden Valley City Hall, Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On Wednesday, November 20, 2019 at 8:32 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair Prom called the meeting of the Bassett Creek Watershed Management Commission (BCWMC) to order.

Commissioners and city staff present:

| City | Commissioner | Alternate Commissioner | Technical Advisory Committee Members (City Staff) |
|--------------------------------------|--------------------------------------------------|------------------------|---------------------------------------------------|
| Crystal | Dave Anderson | <i>Vacant Position</i> | <i>Absent</i> |
| Golden Valley | Stacy Harwell (Treasurer) | <i>Absent</i> | Drew Chirpich |
| Medicine Lake | Clint Carlson | Gary Holter | <i>Absent</i> |
| Minneapolis | Michael Welch (Vice Chair) | <i>Vacant Position</i> | Shahram Missaghi, Liz Stout, Lisa Goddard |
| Minnetonka | <i>Absent</i> | <i>Absent</i> | Sarah Schweiger |
| New Hope | <i>Absent</i> | <i>Absent</i> | Megan Hedstrom |
| Plymouth | Jim Prom (Chair) | <i>Absent</i> | Ben Scharenbroich |
| Robbinsdale | <i>Vacant Position</i> | Wayne Sicora | Marta Roser |
| St. Louis Park | <i>Absent</i> | <i>Absent</i> | Erick Francis |
| Administrator | Laura Jester, Keystone Waters | | |
| Engineer | Karen Chandler, Barr Engineering | | |
| Recorder | Dawn Pape, Lawn Chair Gardener | | |
| Legal Counsel | Sarah Sonsalla, Kennedy & Graven | | |
| Presenters/ Guests/Public | Chris Meehan and Eileen Weigel, Wenck Associates | | |

2. CITIZEN FORUM ON NON-AGENDA ITEMS

None.

3. APPROVAL OF AGENDA

Administrator Jester requested an amendment to the agenda to move 6Aii from the communications part of the agenda to 5E in the business section of the agenda.

MOTION: Commissioner Carlson moved to approve the agenda as amended. Commissioner Harwell seconded the motion. Upon a vote, the motion carried 6-0. [Cities of Minnetonka, New Hope and St. Louis Park absent from the vote.]

4. CONSENT AGENDA

The following items were approved as part of the consent agenda: October 17, 2019 Commission meeting minutes, acceptance of the November 2019 financial report, and payment of invoices, approval of City of Plymouth reimbursement request for Plymouth Creek Restoration Project (PC-2017), Approval of Amendment to Extend Term of Clean Water Fund Grant Agreement for Harrison Neighborhood Project.

The general and construction account balances reported in the November 2019 Financial Report are as follows:

| | |
|---------------------------------------------|-------------------|
| Checking Account Balance | \$486,915.14 |
| <hr/> | |
| TOTAL GENERAL FUND BALANCE | \$ 486,915.14 |
| <hr/> | |
| TOTAL CASH & INVESTMENTS ON-HAND (11/13/19) | \$ 4,253,577.40 |
| <hr/> | |
| CIP Projects Levied – Budget Remaining | \$ (6,811,161.35) |
| <hr/> | |
| Closed Projects Remaining Balance | \$ (353,203.72) |
| <hr/> | |
| 2012-2017 Anticipated Tax Levy Revenue | \$ 7,330.29 |
| <hr/> | |
| 2018 Anticipated Tax Levy Revenue | \$ 8,770.47 |
| <hr/> | |
| Anticipated Closed Project Balance | \$ (337,102.96) |
| <hr/> | |

MOTION: Commissioner Welch moved to approve the consent agenda. Commissioner Anderson seconded the motion. Upon a vote, the motion carried 6-0. [Cities of Minnetonka, New Hope and St. Louis Park absent from the vote.]

5. BUSINESS

A. Receive Presentation of Draft Bassett Creek Valley Floodplain and Stormwater Study Report

Administrator Jester noted that the Commission contracted with Wenck Associates to complete a study to evaluate options to investigate unlocking the potential in natural resources, recreation, and redevelopment by integrating floodplain and stormwater management into a regional solution for the Bassett Creek Valley. She noted the project is being conducted largely on behalf of the City of Minneapolis; the city is reimbursing the Commission for this study and all but \$2,000 of the Commission Engineers’ time related to the study. She reported that she and the Commission Engineer had participated in a design charrette and other meetings to review the draft project outcomes and options.

Administrator Jester introduced Chris Meehan, with Wenck Associates. He opened by thanking the Commission for the opportunity to work on this interesting project that has great partners. He further added that since there is a lot happening in the Bassett Creek Valley, it is important to have a good plan in place so that parcel by parcel floodplain mitigation and water quality treatment isn’t needed. Mr. Meehan walked through the development requirements (i.e. floodplain, stormwater runoff) and constraints (i.e. floodplain, contaminated soils, groundwater, geotechnical

challenges, and land ownership) of the project. He then gave an overview of the goals and objectives of plans and future projects including: light rail, Luce Line Trail realignment, redevelopment, etc. In this overview, he showed many examples of projects elsewhere with similar constraints. He noted the overall goal of creating and improving outdoor amenities while optimizing available floodplain storage and improving water quality.

Through the scenario development process, two areas within Bassett Creek Valley became the focus of large-scale flood mitigation projects: underground and above ground storage in Bryn Mawr Meadows Park and widening the Bassett Creek floodplain corridor between Cedar Lake Rd and Van White Blvd. Each area was reviewed to determine specific impacts to the flood elevation, flooding of the region, and ability to provide regional amenities. A cost range of each option was also presented. Mr. Meehan commented that appropriately mitigating floodplain increases land value which justifies the high cost of the mitigation projects. It was noted that the Commission is not necessarily part of the funding scenario for these future projects.

Commissioner Harwell wondered about soil and groundwater contamination as well as engineering for the freeze/thaw cycle of cold climates. Ms. Goddard confirmed that these issues were investigated and modeled and that all roads and buildings will be supported on significant pilings. Alternate Commissioner Sicora noted that the floodplain would need to be remapped if it is changed.

Commissioner Welch noted that BCWMC has a big decision to make about floodplain management. He commended Wenck on the report that sorts out a lot of complicated issues and asked Ms. Stout how this impacts the Bassett Creek restoration project. Minneapolis TAC member, Liz Stout commented that the erosion repair project is very limited in scope, and uses more temporary solutions such as vegetation and a rock toe. Commissioner Welch asked if the erosion repair project would ultimately be “torn up” and irrelevant. Administrator Jester said the timing of redevelopment and floodplain mitigation construction is unclear, that it could be several years in the future so it may not be prudent to put the erosion repair project on hold. She also mentioned it’s possible the Commission will need to consider tradeoffs between floodplain management and water quality requirements and mentioned perhaps a more important pollutant to manage here would be chloride.

Engineer Chandler noted her concern about how this study ties into the Bryn Mawr CIP project and also noted the creek’s floodplain would be larger and the elevation would be lower. She also noted that she didn’t think the proposed underground storage would be able to provide the water quality treatment discussed in the report because poor soils and high groundwater will prevent infiltration and that the storage is likely too far away from where the treatment is needed. Mr. Meehan acknowledged the challenges, noted that many details are yet to come, and reiterated that it’s important to have a path forward. It was noted the Commission’s Bryn Mawr CIP project could be impacted by the potential above ground and underground storage proposed for the park.

Commissioner Harwell asked about adding language regarding the potential for better chloride management in this area. It was noted that this is not an action item and that a final report will be brought to a future meeting, likely in December.

B. Make Determination on Contracting Entity for Four Seasons Redevelopment Project

Administrator Jester explained that earlier in the year there was a question about whether the Commission could enter into an agreement with a private entity to implement a capital improvement project. Commission Attorney, David Anderson, reviewed the BCWMC Joint Powers Agreement and state law regarding this matter and included his conclusions in the memo in the meeting packet. Although Mr. Anderson could not attend the meeting, his colleague (Sarah Sonsalla) was present to answer questions. Administrator Jester said she is looking for explicit direction from the Commission confirming that an agreement directly with Dominion for the Four Seasons Redevelopment Project is how the Commission wants to proceed.

Commissioner Welch expressed approval of entering into an agreement directly with Dominion and suggested including maintenance requirements into the agreement as explicit assurances on maintenance are needed.

Chair Prom added that he hoped this project might also treat pollutant runoff coming from the “big woods” area across Lancaster Lane. Mr. Scharenbroich added that the City of Plymouth is already working to treat that flow.

MOTION: Commissioner Welch moved to contract directly with Dominion in coordination with the City of Plymouth for the Four Seasons Redevelopment Project. Commissioner Carlson seconded the motion.

Discussion: There was a brief discussion on how the various city and commission agreements might overlap but that they will enforce identical standards.

VOTE: Upon a vote, the motion carried 6-0. [Cities of Minnetonka, New Hope and St. Louis Park absent from the vote.]

C. Receive Report on Ordinance Updates by Member Cities

Administrator Jester reported that she recently polled the member cities regarding the status of ordinances and enforcement of stream and wetland buffers required by the 2015 Bassett Creek Watershed Management Plan. She noted the results are varied and are included in a memo in the meeting materials. She noted most cities have adopted appropriate ordinances or are in the process of doing so but that they might need assistance with the wetland protection ordinance.

Commissioner Welch noted the cities should be asked how the Commission can help get the appropriate ordinances and controls adopted. He noted this issue is crucial to the organizational arrangement of a joint powers agreement; that cities must implement and be in compliance with the watershed management plan. Administrator Jester will ask TAC members at the next meeting how the Commission can help with ordinances.

D. Assign TAC Meeting Liaison

The following commission members may attend the upcoming November 25th TAC meeting (10:00 – 12:00, Golden Valley City Hall): Chair Prom, Alt. Commissioners Cesnik, Commissioner de Lambert, and/or Commissioner Welch. The agenda will include a review of the water monitoring goals developed at the last TAC meeting, a discussion on how the Commission is achieving those goals; and development of recommendations on any needed changes to the water monitoring programs.

E. Update on Sochacki Park/Rice Ponds

Administrator Jester reported the Commission Engineer has been helping Three Rivers Park District (TRPD) develop a scope of work for a subwatershed analysis for the area. She noted the Commission last monitored the ponds in 2013, but no longer monitors them because they are not priority waterbodies for the Commission. Administrator Jester noted that, initially, Commission staff thought the TRPD would contract with BCWMC to perform the sub-watershed analysis, but recently learned that the TRPD would like to contract directly with Barr Engineering to perform the work. She noted this seems like a good scenario for project efficiency, while still allowing the Commission a seat at the table throughout the study. Engineer Chandler wanted to ensure there isn't a perceived conflict of interest if Barr Engineering performs the study. Administrator Jester noted the study is similar to a feasibility study; Engineer Chandler said it is more water quality focused. It was noted that if any CIP projects were slated for this area in the future, an actual feasibility study would be needed. Commissioner Welch expressed that it makes sense for TRPD to contract directly with Barr Engineering for this work and appreciated that it was brought to the Commission for a discussion.

6. COMMUNICATIONS

A. Administrator's Report

- i. Update on BSWR Watershed-Based Funding. Compared to the last round of watershed based funding, the boundaries have been redefined and now the BCWMC will be collaborating with other watersheds that drain to the Mississippi River from the west (Mississippi West). BWSR allocated \$874,000 to go towards projects in the Mississippi West watershed. As a group, it needs to be decided how this money will be spent including developing a mechanism to rank projects to target funding to the best projects. An informational meeting will be held on December 17th at the Ramsey County Public Works facility from 9:30-11:00 a.m. Chair Prom asked the administrator to send meeting information to all commissioners.
- ii. Update on Revised Requirements Documents

All requirements documents have been updated with new requirements for manufactured treatment devices and posted on the website.

- iii. Administrator Jester asked how the Administrative Services Committee would like to evaluate staff this year. There was direction to send an evaluation form to all commissioners, alternate commissioners, and TAC members and the committee will review responses and hold a meeting.
- iv. Administrator Jester will email commissioners confirming their preference for meeting packets – printed vs. electronic.

B. Chair

- i. The chair is looking forward to attending the MAWD meeting with Commissioner Welch.

C. Commissioners

- i. Commissioner Welch complimented Administrator Jester and the Commission Engineers for their work on AIS issues and noted other watersheds are looking at it.

D. TAC Members

- i. Upcoming meeting 11/25
- ii. Ben Scharenbroich is bringing approval to closeout the Plymouth Creek Restoration Project to a December city council meeting.

E. Committees

- i. Administrative Services committee in December or January

F. Education Consultant

- i. The AIS cards were developed for 6 specific lakes and will be distributed soon. Commissioner Harwell asked if these cards could be changed into signs for boat landings.
- ii. The salt smart cards have been completed and ordered. They will be distributed to TAC members for use at city halls.
- iii. An “Aquatic Invasive Species and You” forum will be held at Ramsey County Public Works 11/21/19 from 6:30-8:30 p.m.

G. Legal Counsel

- i. No report

H. Engineer

- i. The deep tunnel inspection will happen next summer or next fall.

7. INFORMATION ONLY (Information online only)

- A. Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. WMWA October Meeting Minutes
- E. AIS Education Cards for Lake Residents
- F. Children’s Water Festival Thank You
- G. WCA Notice of Application, Golden Valley
- H. WCA Notice of Applications (3), Plymouth Hollydale Development Project
- I. WCA Notice of Application, Plymouth
- J. WCA Notice of Decision, Crystal

8. ADJOURNMENT

The meeting adjourned at 10:13 a.m.

Bassett Creek Watershed Commission
 General Fund (Administration) Financial Report
 Fiscal Year: February 1, 2019 through January 31, 2020
 MEETING DATE: December 19, 2019

Item 4B.
 BCWMC 12-19-19
 Full document
 online

(UNAUDITED)

| | | | |
|----------------------------------|----------------------------|---------------------------------------|-------------------|
| BEGINNING BALANCE | 13-Nov-19 | | 486,915.14 |
| ADD: | | | |
| General Fund Revenue: | | | |
| Interest less Bank Fees | | | (0.32) |
| Permits: | | | |
| Dominium Development | BCWMC 2019-25 | | 4,500.00 |
| Sathre-Bergquist | BCWMC 2019-26 | | 500.00 |
| Other: | | | |
| Met Council | WOMP SG-10379 Final | | 1,000.00 |
| Reimbursed Construction Costs | | | 68,567.54 |
| | | Total Revenue and Transfers In | 74,567.22 |
| DEDUCT: | | | |
| Checks: | | | |
| 3253 Barr Engineering | Nov Engineering | | 63,391.26 |
| 3254 Kennedy & Graven | Oct Legal | | 1,154.20 |
| 3255 Keystone Waters | Nov Admin | | 6,513.86 |
| 3256 Lawn Chair Gardener | Nov Admin/Outreach | | 1,709.16 |
| 3257 Triple D Espresso | Dec Meeting | | 111.75 |
| 3258 Wenck Associates | WOMP | | 518.90 |
| 3259 Metro Blooms | Harrison Neighborhood | | 25,364.10 |
| 3260 City of Plymouth | Plymouth Creek Restoration | | 18,254.80 |
| | | Total Checks/Deductions | 117,018.03 |
| Outstanding from previous month: | | | |
| 3249 Hennepin Cty Environment | River Watch Program | | 1,000.00 |
| ENDING BALANCE | 13-Nov-19 | | 444,464.33 |

Bassett Creek Watershed Commission
 General Fund (Administration) Financial Report

(UNAUDITED)

Fiscal Year: February 1, 2019 through January 31, 2020

MEETING DATE: December 19, 2019

| | 2019/2020 BUDGET | CURRENT MONTH | YTD 2019/2020 | BALANCE |
|----------------------------------------------|---------------------|------------------|-------------------|--------------------|
| OTHER GENERAL FUND REVENUE | | | | |
| ASSESSMENTS TO CITIES | 529,850 | | 529,850.00 | 0.00 |
| PROJECT REVIEW FEES | 60,000 | 5,000.00 | 47,596.50 | 12,403.50 |
| WOMP REIMBURSEMENT | 5,000 | 1,000.00 | 5,500.00 | (500.00) |
| METROPOLITAN COUNCIL - LRT | | | 10,399.50 | |
| METRO BLOOMS - MET COUNCIL GRANT | | | 1,000.00 | |
| THREE RIVERS PARK DISTRICT - CURLY LEAF POND | | | 1,694.22 | |
| CITY OF MINNEAPOLIS-BASSETT CREEK STUDY | | | 51,398.11 | |
| TRANSFERS FROM LONG TERM FUND & CIP | 76,000 | | 0.00 | 76,000.00 |
| REVENUE TOTAL | 670,850 | 6,000.00 | 647,438.33 | 87,903.50 |
| EXPENDITURES | | | | |
| ENGINEERING & MONITORING | | | | |
| TECHNICAL SERVICES | 130,000 | 19,559.21 | 133,992.81 | (3,992.81) |
| DEV/PROJECT REVIEWS | 80,000 | 4,967.00 | 48,885.20 | 31,114.80 |
| NON-FEE/PRELIM REVIEWS | 15,000 | 5,282.18 | 28,616.98 | (13,616.98) |
| COMMISSION AND TAC MEETINGS | 12,000 | 1,343.12 | 11,636.86 | 363.14 |
| SURVEYS & STUDIES | 20,000 | 0.00 | 16,315.96 | 3,684.04 |
| WATER QUALITY/MONITORING | 78,000 | 1,337.25 | 53,631.72 | 24,368.28 |
| WATER QUANTITY | 10,000 | 0.00 | 9,998.36 | 1.64 |
| WATERSHED INSPECTIONS -EROSION CONTROL | 0 | 0.00 | 771.50 | (771.50) |
| ANNUAL FLOOD CONTROL INSPECTIONS | 48,000 | 3,601.18 | 22,750.18 | 25,249.82 |
| REVIEW MUNICIPAL PLANS | 4,000 | 1,347.50 | 4,986.00 | (986.00) |
| WOMP | 20,500 | 1,524.08 | 16,224.92 | 4,275.08 |
| XP-SWMM MODEL UPDATES/REVIEWS | 0 | 0.00 | 0.00 | 0.00 |
| APM / AIS WORK | 32,000 | 0.00 | 16,246.12 | 15,753.88 |
| ENGINEERING & MONITORING TOTAL | 449,500 | 38,961.52 | 364,056.61 | 85,443.39 |
| PLANNING | | | | |
| Next Generation Plan Development | 12,000 | 0.00 | 0.00 | 12,000.00 |
| MAINTENANCE FUNDS TOTAL | 12,000 | 0.00 | 0.00 | 12,000.00 |
| ADMINISTRATION | | | | |
| ADMINISTRATOR | 69,200 | 5,454.00 | 54,846.00 | 14,354.00 |
| LEGAL COSTS | 17,000 | 1,154.20 | 9,661.95 | 7,338.05 |
| AUDIT, INSURANCE & BONDING | 18,000 | 0.00 | 15,892.00 | 2,108.00 |
| FINANCIAL MANAGEMENT | 3,500 | 0.00 | 0.00 | 3,500.00 |
| MEETING EXPENSES | 1,500 | 111.75 | 1,229.25 | 270.75 |
| ADMINISTRATIVE SERVICES | 15,000 | 1,660.56 | 11,136.85 | 3,863.15 |
| ADMINISTRATION TOTAL | 124,200 | 8,380.51 | 92,766.05 | 31,433.95 |
| OUTREACH & EDUCATION | | | | |
| PUBLICATIONS/ANNUAL REPORT | 1,300 | 0.00 | 1,263.00 | 37.00 |
| WEBSITE | 3,000 | 0.00 | 1,617.48 | 1,382.52 |
| PUBLIC COMMUNICATIONS | 1,000 | 0.00 | 877.72 | 122.28 |
| EDUCATION AND PUBLIC OUTREACH | 25,000 | 1,108.46 | 22,585.41 | 2,414.59 |
| WATERSHED EDUCATION PARTNERSHIPS | 15,850 | 0.00 | 13,810.00 | 2,040.00 |
| OUTREACH & EDUCATION TOTAL | 46,150 | 1,108.46 | 40,153.61 | 5,996.39 |
| MAINTENANCE FUNDS | | | | |
| EROSION/SEDIMENT (CHANNEL MAINT) | 25,000 | 0.00 | 0.00 | 25,000.00 |
| LONG TERM MAINTENANCE (moved to CF) | 25,000 | 0.00 | 0.00 | 25,000.00 |
| MAINTENANCE FUNDS TOTAL | 50,000 | 0.00 | 0.00 | 50,000.00 |
| TMDL WORK | | | | |
| TMDL IMPLEMENTATION REPORTING | 10,000 | 0.00 | 214.50 | 9,785.50 |
| TMDL WORK TOTAL | 10,000 | 0.00 | 214.50 | 9,785.50 |
| DUE FROM OTHER GOVERNMENTS | | | | |
| Due from City of Minneapolis | 0 | 0.00 | 91,681.96 | (91,681.96) |
| | 0 | 0.00 | 91,681.96 | (91,681.96) |
| TOTAL EXPENSES | 691,850 | 48,450.49 | 588,872.73 | 102,977.27 |

| | | | | |
|-----------------------|--------------------------------------------------------------------------|------------------------------------------------------|----------------|----------------------------|
| Cash Balance 11/13/19 | | | | |
| Cash | | | 1,674,534.97 | 1,674,534.97 |
| | | Total Cash | | |
| Investments: | | | | |
| | Minnesota Municipal Money Market (4M Fund) | | 2,500,000.00 | |
| | 2018-19 Dividends | | 44,653.88 | |
| | 2019-20 Dividends | | 34,388.55 | |
| | Dividends-Current | | 3,098.29 | |
| | | Total Investments | | <u>2,582,140.72</u> |
| | | Total Cash & Investments | | 4,256,675.69 |
| Add: | | | | |
| | Interest Revenue (Bank Charges) | | (1.82) | |
| | Hennepin County - Tax Settlement | | 686,400.22 | |
| | | Total Revenue | | 686,398.40 |
| Less: | | | | |
| | CIP Projects Levied - Current Expenses - TABLE A | | (19,193.20) | |
| | Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B | | (23,487.74) | |
| | | Total Current Expenses | | (42,680.94) |
| | | Total Cash & Investments On Hand 12/19/19 | | <u><u>4,900,393.15</u></u> |
| | Total Cash & Investments On Hand | | 4,900,393.15 | |
| | Current Anticipated Levy -2019 (July 19/Dec 19/Jan 20) | | 14,671.88 | |
| | Current Anticipated Levy -2020 (July 20/Dec 20/Jan 21) | | 1,500,000.00 | |
| | CIP Projects Levied - Budget Remaining - TABLE A | | (6,791,968.15) | |
| | Closed Projects Remaining Balance | | (376,903.12) | |
| | 2012 - 2017 Anticipated Tax Levy Revenue - TABLE C | | 8,547.78 | |
| | 2018 Anticipated Tax Levy Revenue - TABLE C | | 10,861.11 | |
| | Anticipated Closed Project Balance | | (357,494.23) | |
| | Proposed & Future CIP Project Amount to be Levied - TABLE B | | 0.00 | |

TABLE A - CIP PROJECTS LEVIED

| | Approved Budget | Current Expenses | 2019 YTD Expenses | INCEPTION To Date Expenses | Remaining Budget | Grant Funds Received | |
|--------------------------------------------------------------|-------------------|------------------|-------------------|----------------------------|---------------------|----------------------|---------|
| Lakeview Park Pond (ML-8) (2013) | 11,590 | 0.00 | 0.00 | 11,589.50 | 0.00 | | |
| Four Seasons Mall Area Water Quality Proj (NL-2) | 990,000 | 261.00 | 3,331.72 | 166,239.06 | 823,760.94 | | |
| 2014 | | | | | | | |
| Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3) | 612,000 | 677.40 | 51,616.59 | 427,671.45 | 184,328.55 | | |
| Briarwood / Dawnview Nature Area (BC-7) | 250,000 | 0.00 | 0.00 | 250,000.00 | 0.00 | | |
| Twin Lake Alum Treatment Project (TW-2) | 163,000 | 0.00 | 0.00 | 91,037.82 | 71,962.18 | | |
| 2015 | | | | | | | |
| Main Stem 10th to Duluth (CR2015) Close Project | 1,503,000 | 0.00 | 114,601.05 | 1,118,347.29 | | | |
| 2016 | | | | | | | |
| Northwood Lake Pond (NL-1) ² | 822,140 | | | | | | |
| Budget Amendment | 611,600 | 1,433,740 | 0.00 | 0.00 | 1,447,143.38 | (13,403.38) | 700,000 |
| 2017 | | | | | | | |
| Main Stem Cedar Lk Rd-Dupont (2017CR-M) | 400,000 | 1,064,472 | 0.00 | 0.00 | 132,029.25 | 932,442.75 | |
| | 664,472 | | | | | | |
| Plymouth Creek Restoration (2017 CR-P) | 580,930 | 863,573 | 18,254.80 | 32,638.94 | 627,329.10 | 236,243.90 | 200,000 |
| | 282,643 | | | | | | |
| 2018 | | | | | | | |
| Bassett Creek Park & Winnetka Ponds Dredging (BCP-2) | 1,000,000 | 0.00 | 179.10 | 132,991.90 | 867,008.10 | | |
| 2019 | | | | | | | |
| Decola Ponds B&C Improvement(BC-2,BC-3,BC-8) | 1,031,500 | 0.00 | 157.50 | 85,967.56 | 945,532.44 | 34,287 | |
| Westwood Lake Water Quality Improvement Project(Feasibility) | 404,500 | 0.00 | 0.00 | 41,064.20 | 363,435.80 | | |
| 2020 | | | | | | | |
| Bryn Mawr Meadows (BC-5) | 904,900 | 0.00 | 2,183.47 | 97,687.03 | 807,212.97 | | |
| Jevne Park Stormwater Mgmt Feasibility (ML-21) | 500,000 | 0.00 | 15,936.46 | 46,390.75 | 453,609.25 | | |
| Crane Lake Improvement Proj (CL-3) | 582,837 | 0.00 | 6,838.50 | 12,000.85 | 570,836.15 | | |
| Sweeney Lake WQ Improvement Project (SL-8) | 550,000 | 0.00 | 1,001.50 | 1,001.50 | 548,998.50 | | |
| | | | | | | | |
| | <u>11,865,112</u> | <u>19,193.20</u> | <u>228,484.83</u> | <u>4,688,490.64</u> | <u>6,791,968.15</u> | | |

TABLE B - PROPOSED & FUTURE CIP PROJECTS TO BE LEVIED

| | Approved Budget - To Be Levied | Current Expenses | 2019 YTD Expenses | INCEPTION To Date Expenses | Remaining Budget |
|--------------------------------------------------------------|--------------------------------|------------------|-------------------|----------------------------|--------------------|
| 2021 | | | | | |
| Main Stem Dredging Project (BC-7) | 0 | 9,406.50 | 26,992.12 | 35,982.88 | (35,982.88) |
| Mt Olivet Stream Restoration (MN-20) | 0 | 6,953.62 | 10,740.12 | 12,006.12 | (12,006.12) |
| Parkers Lake Stream Restoration (PL-7) | 0 | 7,127.62 | 14,525.08 | 16,183.08 | (16,183.08) |
| 2021 Project Totals | 0 | 23,487.74 | 52,257.32 | 64,172.08 | (64,172.08) |
| Total Proposed & Future CIP Projects to be Levied | 0 | 23,487.74 | 52,257.32 | 64,172.08 | (64,172.08) |

TABLE C - TAX LEVY REVENUES

| | County Levy | Abatements / Adjustments | Adjusted Levy | Current Received | Year to Date Received | Inception to Date Received | Balance to be Collected | BCWMO Levy |
|---------------|--------------|--------------------------|---------------|-------------------|-----------------------|----------------------------|-------------------------|--------------|
| 2020 Tax Levy | 1,500,000.00 | | 1,500,000.00 | | | | 1,500,000.00 | 1,500,000.00 |
| 2019 Tax Levy | 1,436,000.00 | | 1,436,000.00 | 689708.35 | 1,421,328.12 | 1,421,328.12 | 14,671.88 | 1,436,000.00 |
| 2018 Tax Levy | 1,346,815.00 | | 1,346,815.00 | (2090.64) | (544.54) | 1,335,953.89 | 10,861.11 | 947,115.00 |
| 2017 Tax Levy | 1,303,600.00 | (10,691.48) | 1,292,908.52 | (1322.90) | (2,077.64) | 1,287,681.99 | 5,226.53 | 1,303,600.00 |
| 2016 Tax Levy | 1,222,000.00 | (9,526.79) | 1,212,473.21 | 53.39 | 235.12 | 1,210,059.79 | 2,413.42 | 1,222,000.00 |
| 2015 Tax Levy | 1,000,000.00 | 32.19 | 1,000,032.19 | 12.98 | 112.43 | 999,350.47 | 681.72 | 1,000,000.00 |
| 2014 Tax Levy | 895,000.00 | (8,533.75) | 886,466.25 | 39.04 | 451.48 | 886,240.14 | 226.11 | 895,000.00 |
| | | | | 686,400.22 | | | 34,080.77 | |

OTHER PROJECTS:

| | Approved Budget | Current Expenses / (Revenue) | 2019 YTD Expenses / (Revenue) | INCEPTION To Date Expenses / (Revenue) | Remaining Budget |
|-------------------------------------------------------------|---------------------|------------------------------|-------------------------------|----------------------------------------|---------------------|
| TMDL Studies | | | | | |
| TMDL Studies | 135,000.00 | 0.00 | 0.00 | 107,765.15 | 27,234.85 |
| TOTAL TMDL Studies | 135,000.00 | 0.00 | 0.00 | 107,765.15 | 27,234.85 |
| Flood Control Long-Term | | | | | |
| Flood Control Long-Term Maintenance | 694,573.00 | 522.50 | 46,572.50 | 388,022.91 | |
| Less: State of MN - DNR Grants | | 0.00 | (44,304.90) | (141,846.90) | |
| | 694,573.00 | 522.50 | 2,267.60 | 246,176.01 | 448,396.99 |
| Annual Flood Control Projects: | | | | | |
| Flood Control Emergency Maintenance | 500,000.00 | 0.00 | 0.00 | 0.00 | 500,000.00 |
| Annual Water Quality | | | | | |
| Channel Maintenance Fund | 400,000.00 | 0.00 | 0.00 | 255,619.60 | 144,380.40 |
| Metro Blooms Harrison Neighborhood CWF Grant Project | | | | | |
| BWSR Grant | 134,595.00 | 25,364.10 | 62,110.05 | 85,986.89 | 48,608.11 |
| | 134,595.00 | 25,364.10 | 62,110.05 | (67,298.00) | (67,298.00) |
| | 134,595.00 | 25,364.10 | 62,110.05 | 18,688.89 | |
| Total Other Projects | 1,864,168.00 | 25,886.60 | 64,377.65 | 560,951.65 | 1,101,322.35 |

| | |
|-------------------------------------|---------------------|
| Cash Balance 11/13/19 | 1,020,219.00 |
| Add: | |
| Transfer from GF | 0.00 |
| Less: | |
| Current (Expenses)/Revenue | (25,886.60) |
| Ending Cash Balance 12/19/19 | 994,332.40 |
| Additional Capital Needed | (106,990) |



Adding Quality to Life

Item 4D.
BCWMC 12-19-19
Full Document
online

December 9, 2019

Laura Jester, Administrator
Bassett Creek Watershed Management Commission
16145 Hillcrest Lane
Eden Prairie MN 55346

SUBJECT: Plymouth Creek Stream Restoration Project
City Project No. 16007

Dear Ms. Jester,

Enclosed/attached you will find payment documentation totaling \$18,254.80 for construction of the Plymouth Creek Stream Restoration Project in Plymouth. Per the Cooperative Agreement for the Plymouth Creek Stream Restoration Project between the City of Plymouth and the Bassett Creek Watershed Management Commission, the City is requesting reimbursement of \$18,254.80 and close out of this project.

Budget Impact

The overall budget of \$863,573.00 was included with Bassett Creek levy requests in 2016/2017 and 2017/2018. With this request, total expenditures including feasibility, legal, administration, design, and construction total \$614,198.96.

The City is grateful for the partnership with the Bassett Creek Watershed Management Commission on water quality improvements and protections.

Sincerely,

A handwritten signature in blue ink that reads 'Ben Scharenbroich'.

Ben Scharenbroich
Interim Water Resources Manager

enc



Table 1. Design, Construction, and Monitoring Costs through December 11, 2019**Design Costs**

| <u>Date</u> | <u>Vendor</u> | <u>Description</u> | <u>Amount</u> |
|-------------|------------------|------------------------------|---------------|
| 3/3/2017 | Wenck Associates | Professional Design Services | \$6,309.60 |
| 4/4/2017 | Wenck Associates | Professional Design Services | \$21,560.50 |
| 5/3/2017 | Wenck Associates | Professional Design Services | \$14,397.90 |
| 6/7/2017 | Wenck Associates | Professional Design Services | \$7,618.05 |
| 7/10/2017 | Wenck Associates | Professional Design Services | \$7,880.40 |
| 8/3/2017 | Wenck Associates | Professional Design Services | \$6,634.50 |
| 9/6/2017 | Wenck Associates | Professional Design Services | \$2,890.85 |
| 9/21/2017 | ECM Publishers | Advertisement for Bids | \$540.50 |
| 10/3/2017 | Wenck Associates | Professional Design Services | \$2,290.70 |
| 12/6/2017 | Wenck Associates | Professional Design Services | \$1,461.90 |

Total Design Costs:**\$71,584.90****Construction Costs**

| <u>Date</u> | <u>Vendor</u> | <u>Description</u> | <u>Amount</u> |
|-------------|----------------------|-----------------------|-------------------------|
| 1/3/2018 | Wenck Associates | Construction Services | \$8,673.60 |
| 1/3/2018 | Standard Contracting | Construction | \$66,016.00 |
| 2/5/2018 | Wenck Associates | Construction Services | \$2,798.28 |
| 2/5/2018 | Standard Contracting | Construction | \$4,150.45 |
| 3/6/2018 | Wenck Associates | Construction Services | \$3,470.72 |
| 3/7/2018 | Standard Contracting | Construction | \$51,666.55 |
| 4/3/2018 | Standard Contracting | Construction | \$62,957.45 |
| 4/6/2018 | Wenck Associates | Construction Services | \$8,363.60 |
| 5/7/2018 | Standard Contracting | Construction | \$78,850.61 |
| 5/7/2018 | Wenck Associates | Construction Services | \$4,986.40 |
| 6/5/2018 | Wenck Associates | Construction Services | \$5,290.04 |
| 6/14/2018 | Standard Contracting | Construction | \$118,431.33 |
| 7/5/2018 | Wenck Associates | Construction Services | \$7,028.46 |
| 8/8/2019 | Wenck Associates | Construction Services | \$986.40 |
| 9/10/2019 | Standard Contracting | Construction | \$13,164.94 |
| 10/7/2019 | Wenck Associates | Construction Services | \$232.80 |
| 12/10/2019 | Standard Contracting | Construction | \$18,254.80 * Req Reimb |
| 11/17/2019 | Wenck Associates | Construction Services | \$159.30 *Req Reimb |

Total Construction Costs:**\$455,481.73****Grand Total:****\$527,066.63**



Grant Agreement

MPCA Outgoing Grants
State of Minnesota

Doc Type: Contract/Grant Reference

SWIFT Contract Number: 169806
Purchase Order Number: 3000025500
Agency Interest ID: 190445
Activity ID: PRO20190001

This Grant Agreement is between the state of Minnesota, acting through its Commissioner of the **Minnesota Pollution Control Agency**, 520 Lafayette Road North, St. Paul, MN 55155-4194 (“MPCA” or “State”), and **Bassett Creek Watershed Management Commission**, 16145 Hillcrest Lane, Eden Prairie, MN 55346 (“Grantee”)

Recitals

1. Under Minn. Stat. § 116.03, subd. 2, the State is empowered to enter into this grant.
2. The State is in need of the **Sweeney Lake Water Quality Improvement Project**.
3. Grantee will comply with required grants management policies and procedures set forth through [Minn. Stat. § 16B.97](#), subd. 4(a)(1).
4. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant agreement to the satisfaction of the State. Pursuant to [Minn. Stat. § 16B.98](#), subd. 1, the Grantee agrees to minimize administrative costs as a condition of this grant.

Grant Agreement

1. Term of Grant Agreement

- 1.1 **Effective date: December 20, 2019**, or the date the State obtains all required signatures under [Minn. Stat. § 16B.98](#), subd. 5, whichever is later. Per [Minn. Stat. § 16B.98](#), subd. 7, no payments will be made to the Grantee until this grant agreement is fully executed. **The Grantee must not begin work under this grant agreement until this agreement is fully executed and the Grantee has been notified by the State’s Authorized Representative to begin the work.**
- 1.2 **Expiration date: August 31, 2023** or until all obligations have been satisfactorily fulfilled, whichever occurs first.
- 1.3 **Survival of terms.** The following clauses survive the expiration or cancellation of this grant agreement: Indemnification; State Audits; Government Data Practices and Intellectual Property; Publicity and Endorsement; Governing Law, Jurisdiction, and Venue; and Data Disclosure.

2. Grantee’s Duties

The Grantee, who is not a state employee, will perform the duties specified in **Attachment A**, which is attached and incorporated into this grant agreement.

3. Time

The Grantee must comply with all the time requirements described in this grant agreement. In the performance of this grant agreement, time is of the essence.

4. Consideration and Payment

4.1 **Consideration.** The State will pay for all services performed by the Grantee under this grant agreement as follows:

(a) Compensation. The Grantee will be paid according to the breakdown of costs contained in **Attachment A** which is attached and incorporated into this grant agreement. Grantee certifies they will provide no less than 40% (forty percent) of the total project cash as cash match or in-kind services, using non-federal funds and/or resources.

(b) Travel expenses. Reimbursement for travel and subsistence expenses actually and necessarily incurred by the Grantee as a result of this grant agreement will not exceed \$0.00; provided that the Grantee will be reimbursed for travel and subsistence expenses in the same manner and in no greater amount than provided in the current "Commissioner's Plan" promulgated by the Commissioner of Minnesota Management and Budget (MMB). The Grantee will not be reimbursed for travel and subsistence expenses incurred outside Minnesota unless it has received the State's prior written approval for out of state travel. Minnesota will be considered the home state for determining whether travel is out of state.

(c) Total obligation. The total obligation of the State for all compensation and reimbursements to the Grantee under this grant agreement will not exceed **\$330,000.00 (Three Hundred Thirty Thousand Dollars and Zero Cents)**.

4.2 Payment

(a) Invoices. The State will promptly pay the Grantee after the Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted timely and according to the following schedule: **at least quarterly, along with the updated workplan budget showing current expenditures and budget balances**, and be received within 30 (thirty) days from the end of each quarter.

Invoices must be emailed to mpca.ap@state.mn.us, and contain the following information:

- Name of Grantee
- Grantee project manager
- Grant amount
- Grant amount available to date
- Invoice number
- Invoice date
- MPCA project manager
- SWIFT Contract No.
- Purchase Order No.
- Invoicing period (actual working period)
- Subcontractors invoices, if applicable
- Itemized labor, equipment, lab fees, shipping expenses, mileage and subcontractor charges, etc.

- Time and material breakdown of invoice. Amount billed to date for work, including this invoice
- Receipts for supplies, shipping, lab fees and any other subcontractor invoices must be attached
- Per diem expenses submitted on travel expense forms and receipts may be requested to be submitted with invoice
- Matching fund summary

If there is a problem with submitting an invoice electronically, please contact the Accounts Payable Unit at 651-757-2491.

The Grantee shall submit an invoice for the final payment upon submittal of the final progress and financial report within 30 (thirty) days of the original or amended end date of this grant agreement. The State reserves the right to review submitted invoices after 30 (thirty) days and make a determination as to payment.

(b) Federal funds. Payments under this grant agreement will be made from federal funds obtained by the State through Section 319 (h), CFDA number 66.460 of the Federal Clean Water Act. The Grantee is responsible for compliance with all federal requirements imposed on these funds and accepts full financial responsibility for any requirements imposed by the Grantee's failure to comply with federal requirements.

Federal terms and conditions are as identified in **Attachment B** which is attached and incorporated into this grant agreement.

(c) Unexpended Funds. The Grantee must promptly return to the State any unexpended funds that have not been accounted for annually in a financial report to the State due at grant closeout.

4.3 **Contracting and Bidding Requirements**

Per [Minn. Stat. §471.345](#), grantees that are municipalities as defined in Subd. 1 must follow the law.

(a) For projects that include construction work of \$25,000 or more, prevailing wage rules apply per [Minn. Stat. §§177.41](#) through [177.44](#). These rules require that the wages of laborers and workers should be comparable to wages paid for similar work in the community as a whole.

The grantee must not contract with vendors who are suspended or debarred in MN: <http://www.mmd.admin.state.mn.us/debarreport.asp>

5. **Conditions of Payment**

All services provided by the Grantee under this grant agreement must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative/MPCA's Project Manager and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

6. Authorized Representative

The State's Authorized Representative/Project Manager is **Timothy Schwarz**, 520 Lafayette Road North, St. Paul, MN 55155, (651) 757-2426, timothy.schwarz@state.mn.us, or their successor, and has the authority to monitor the Grantee's performance and to accept the services provided under this agreement. If the services are satisfactory, the MPCA's Project Manager will certify acceptance of each invoice submitted for payment.

The Grantee's Authorized Representative is **Laura Jester**, 16145 Hillcrest Lane, Eden Prairie, MN 55346, (952) 270-1990, Laura.jester@keystonewaters.com, or their successor. If the Grantee's Authorized Representative changes at any time during this grant agreement, the Grantee must immediately notify the State.

7. Assignment, Amendments, Change Orders, Waiver, and Grant Agreement Complete

7.1 **Assignment.** The Grantee shall neither assign nor transfer any rights or obligations under this grant agreement without the prior written consent of the State, approved by the same parties who executed and approved this grant agreement, or their successors in office.

7.2 **Amendments.** Any amendments to this grant agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant agreement, or their successors in office.

7.3 **Change orders.** If the State's Project Manager or the Grantee's Authorized Representative identifies a change needed in the workplan and/or budget, either party may initiate a Change Order using the Change Order Form provided by the MPCA. Change Orders may not delay or jeopardize the success of the Project, alter the overall scope of the Project, increase or decrease the overall amount of the Contract/Agreement, or cause an extension of the term of this Agreement. Major changes require an Amendment rather than a Change Order.

The Change Order Form must be approved and signed by the State's Project Manager and the Grantee's Authorized Representative **in advance of doing the work**. Documented changes will then become an integral and enforceable part of the Agreement. The MPCA has the sole discretion on the determination of whether a requested change is a Change Order or an Amendment. The state reserves the right to refuse any Change Order requests.

7.4 **Waiver.** If the State fails to enforce any provision of this grant agreement, that failure does not waive the provision or the State's right to enforce it.

7.5 **Grant agreement complete.** This grant agreement contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant agreement, whether written or oral, may be used to bind either party.

8. Indemnification

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this grant agreement by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this grant agreement.

9. State Audits

Under [Minn. Stat. § 16B.98](#), subd.8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this grant agreement or transaction are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

10. Government Data Practices and Intellectual Property

10.1 **Government data practices.** The Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant agreement. The civil remedies of [Minn. Stat. § 13.08](#) apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released. The Grantee's response to the request shall comply with applicable law.

10.2 *Intellectual property rights*

(a) Intellectual property rights. The State owns all rights, title and interest in all of the intellectual property rights, including copyrights, patents, trade secrets, trademarks, and service marks in the Works and Documents created and paid for under this grant agreement. Works means all inventions, improvements, discoveries (whether or not patentable), databases, computer programs, reports, notes, studies, photographs, negatives, designs, drawings specifications, materials, tapes, and disks conceived, reduced to practice, created or originated by the Grantee, its employees, agents, and subcontractors, either individually or jointly with others in the performance of this grant agreement. Works includes "Documents." Documents are the originals of any databases, computer programs, reports, notes studies, photographs, negatives, designs, drawings, specifications, materials, tapes, disks, or other materials, whether in tangible or electronic forms, prepared by the Grantee, its employees, agents, or subcontractors, in the performance of this grant agreement. The Documents shall be the exclusive property of the State and all such Documents must be immediately returned to the State by the Grantee, at the Grantee's expense, upon the written request of the State, or upon completion, termination, or cancellation of this grant agreement. To the extent possible, those Works eligible for copyright protection under the United States' Copyright Act will be deemed to be "works made for hire." The Grantee assigns all right, title, and interest it may have in the Works and the Documents to the State. The Grantee must, at the request of the State, execute all papers and perform all other acts necessary to transfer or record the State's ownership interest in the Works and Documents.

(b) Obligations.

(1) **Notification.** Whenever any invention, improvement, or discovery (whether or not patentable) is made or conceived for the first time or actually or constructively reduced to practice by the Grantee, including its employees and subcontractors, in the performance of this grant agreement, the Grantee shall immediately give the State's

Authorized Representative written notice thereof, and must promptly furnish the Authorized Representative with complete information and/or disclosure therein.

- (2) **Representation.** The Grantee must perform all acts, and take all steps necessary to ensure that all intellectual property rights in the Works and Documents are the sole property of the State, and that neither Grantee nor its employees, agents, or subcontractors retain any interest in and to the Works and Documents. The Grantee represents and warrants that the Works and Documents do not and will not infringe upon any intellectual property rights of other persons or entities. Notwithstanding Clause Liability, the Grantee shall indemnify, defend, to the extent permitted by the Attorney General, and hold harmless the State, at the Grantee's expense, from any action or claim brought against the State to the extent that it is based on a claim that all or part of the Works or Documents infringe upon the intellectual property rights of others. The Grantee will be responsible for payment of any and all such claims, demands, obligations, liabilities, costs, and damages, including, but not limited to, attorney fees. If such a claim or action arises or in Grantee's or the State's opinion is likely to arise, the Grantee must, at the State's discretion, either procure for the State the right or license to use the intellectual property rights at issue or replace or modify the allegedly infringing Works or Documents as necessary and appropriate to obviate the infringement claim. This remedy of the State will be in addition to and not exclusive of other remedies provided by law.
- (3) **License.** The State hereby grants a limited, no-fee, noncommercial license to the Grantee to enable the Grantee's employees engaged in research and scholarly pursuits to make, have made, reproduce, modify, distribute, perform, and otherwise use the Works, including Documents, for research activities or to publish in scholarly or professional journals, provided that any existing or future intellectual property rights in the Works or Documents (including patents, licenses, trade or service marks, trade secrets, or copyrights) are not prejudiced or infringed upon, that the Minnesota Data Practices Act is complied with, and that individual rights to privacy are not violated. The Grantee shall indemnify and hold harmless the State for any claim or action based on the Grantee's use of the Works or Documents under the provisions of Clause 10.2(b)(2). Said license is subject to the State's publicity and acknowledgement requirements set forth in this grant agreement. The Grantee may reproduce and retain a copy of the Documents for research and academic use. The Grantee is responsible for security of the Grantee's copy of the Documents. A copy of any articles, materials or documents produced by the Grantee's employees, in any form, using or derived from the subject matter of this license, shall be promptly delivered without cost to the State.]

11. Workers' Compensation

The Grantee certifies that it is in compliance with [Minn. Stat. § 176.181](#), subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

12. Publicity and Endorsement

12.1 **Publicity.** Any publicity regarding the subject matter of this grant agreement must identify the State as the sponsoring agency and must not be released without prior written approval from the State's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this grant agreement.

12.2 **Endorsement.** The Grantee must not claim that the State endorses its products or services.

13. Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this grant agreement. Venue for all legal proceedings out of this grant agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

14. Termination

14.1 **Termination by the State.** The State may immediately terminate this grant agreement with or without cause, upon 30-days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

14.2 **Termination for cause.** The State may immediately terminate this grant agreement if the State finds that there has been a failure to comply with the provisions of this grant agreement, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the state of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

14.3 **Termination for insufficient funding.** The State may immediately terminate this grant agreement if:

- (a) Funding for Grant No. C9 97593519 is withdrawn by the United States Environmental Protection Agency
- (b) It does not obtain funding from the Minnesota Legislature.
- (c) Or, if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

15. Data Disclosure

Under [Minn. Stat. § 270C.65](#), subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax

identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

To protect Grantee's personal data, Grantee is strongly encouraged to obtain and use a Minnesota tax identification number.

16. Health And Safety

The Grantee is responsible for taking all acts necessary to ensure the health and safety of personnel performing tasks associated with work funded under this grant agreement. Grantee shall be responsible for providing insurance to cover risks associated with work performed by subcontractors and volunteers.

17. Reporting Requirements

The Grantee shall submit to the State for review and approval Semi-Annual reports in a format prescribed by the State. These reports shall be due to the State each **February 1** and **August 1** throughout the life of this grant agreement.

If water quality monitoring is applicable, all monitoring data collected during the project must be submitted annually and reported in EQUIS (MPCA's monitoring database) each **November 1** throughout the life of this grant agreement. The MPCA has developed an EQUIS format for an Electronic Data Deliverable (EDD). This format is called the MPCA LAB_MN and is available at the following: <http://www.earthsoft.com/products/edp/edp-format-for-mnpca/>. Analytical data must be provided in the MPCA LAB_MN format within the first year of the grant agreement.

If Best Management Practices (BMPs) are installed, a summary of the reporting year's BMPs and pollutant load reductions must be entered annually into the eLINK (supported by the Minnesota Board of Water and Soil Resources) database each **February 1** throughout the life of the grant agreement.

No later than thirty days after the end date of this grant agreement, the Grantee shall provide the State with one electronic copy of all final products produced under this grant agreement, including reports, publications, software and videos.

A Final Progress and Financial Report, in a format prescribed by the State, shall be due no later than 30 (thirty) days after the expiration date of the grant agreement or by September 15, 2023, whichever occurs first. Final payment will not be made to the Grantee until the final report is received and approved by the MPCA's Project Manager.

Payments may be withheld from grantees until all reporting requirements have been met.

18. Quality Assurance

No costs for environmentally related measurements or data generation can be incurred by any entity other than the MPCA, until quality assurance practices for the project are documented and approved by the MPCA. If quality assurance practices are approved, costs for environmentally related measurements or data generation shall be reimbursable. [40 C.F.R. 31.45.]

All water monitoring programs and projects that involve environmental data acquisition from direct measurement activities or laboratory analysis must have an approved Quality Assurance Project Plan (QAPP) to ensure that the data collected are of known and suitable quality and quantity. The Contractor shall cooperate in the State's development of the QAPP, as necessary, and comply with the requisite elements of the plan.

1. BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

The Grantee certifies that the appropriate person(s) have executed the grant contract on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Name: _____

Title: _____

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

2. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. §§16A.15 and 16C.05.

Signed: _____

Name: _____

Date: _____

SWIFT Contract No.: 169806

3. MINNESOTA POLLUTION CONTROL AGENCY

Individual certifies the applicable provisions of Minn. Stat. §16C.08, subdivisions 2 and 3 are reaffirmed.

By: _____

(with delegated authority)

Name: Dana Vanderbosch

Title: Division Director

Date: _____

**FIRST AMENDMENT TO
EDUCATION AND OUTREACH SERVICES AGREEMENT**

The Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the “Commission”), and Dawn Pape, doing business as Lawn Chair Gardener (the “Contractor”), hereby enter into this First Amendment (the “Amendment”) to the Education and Outreach Services Agreement (the “Agreement”), which was originally entered into by the parties in March of 2019. The sole purpose of this Amendment is to provide for additional compensation in order to continue education and outreach activities on chloride reduction, including collaboration with other entities.

1. Section 2 of the Agreement, entitled “COMPENSATION,” is hereby amended to increase the total compensation, including expenses, from \$7,080.00 to \$9,580.00 for all the Services to be provided under the Agreement.
2. Except with regard to the amendment set forth above, all other provisions of the Agreement shall remain unchanged.

IN WITNESS WHEREOF, the parties have executed this Amendment effective as of the date of the last party to execute it.

CONTRACTOR

By: _____
Dawn Pape (Lawn Chair Gardener) Date

**BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION**

By: _____
Chair Date

By: _____
Secretary Date



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr)
Subject: Item 4G: 215 Peninsula Road – (Single Family Home Redevelopment) – Medicine Lake, MN
BCWMC December 19, 2019 Meeting Agenda
Date: December 11, 2019
Project: 23270051 2019 2201

4G 215 Peninsula Road (Single Family Home Redevelopment) – Medicine Lake, MN BCWMC 2019-26

Summary:

Proposed Work: Redevelopment of a single family home

Basis for Review at Commission Meeting: Work in the floodplain

Impervious Surface Area: Decrease approximately 0.01 acres

Recommendation: Approval

Background

General Project Information

The proposed project is located in the Medicine Lake direct subwatershed at 215 Peninsula Road in Medicine Lake, MN. The proposed project includes demolition and reconstruction of a single family home resulting in 0.36 acres of grading (disturbance). The proposed project creates 0.17 acres of fully reconstructed impervious surfaces, which results in a decrease of 540 square feet (approximately 0.01 acres) of impervious surfaces, from 0.18 acres (existing) to 0.17 acres (proposed).

Floodplain

The proposed project includes work in the Bassett Creek floodplain. The October 2019 BCWMC Requirements for Improvements and Development Proposals (Requirements) document states that projects within the floodplain must maintain no net loss in floodplain storage and no increase in flood level at any point along the trunk system (managed to at least a precision of 0.00 feet). The floodplain elevation of Medicine Lake is 890.4 feet NAVD88.

The proposed project will result in a net increase in floodplain storage of approximately 1 cubic yard with a cut and fill in the floodplain of approximately 77 cubic yards and 76 cubic yards, respectively.

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr)
Subject: Item 4G: 215 Peninsula Road (Single Family Home Redevelopment) – Medicine Lake, MN
Date: December 11, 2019
Page: 2

Wetlands

The BCWMC is the local government unit (LGU) responsible for administering the Wetland Conservation Act (WCA). Two wetlands were delineated within the property. Both wetlands were designated as Type 5/2 (PUBGx/PEMB) excavated, shallow open water and wet meadow fringe wetlands. A WCA Notice of Application was provided for agency review. A decision on approval of the wetland boundaries and types and WCA Notice of Decision was completed and sent on December 11, 2019. The proposed grading does not result in any impacts to wetlands.

Rate Control

The proposed project does not create more than one acre of new and/or fully reconstructed impervious area, therefore the proposed project is not required to meet rate control requirements.

Water Quality

The proposed project does not create one or more acres of new and/or fully reconstructed impervious area, therefore the proposed project is not required to meet water quality requirements.

Erosion and Sediment Control






Although single family home sites are exempt from BCWMC erosion and sediment control requirements, a grading and erosion control plan was submitted, which includes: a construction entrance, silt fence, erosion control blanket, seed, mulch, and biologs.

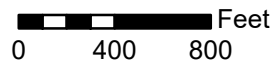
Recommendation

Approval



Project Location

-  Project Location
-  Municipality
-  BCWMC Legal Boundary
-  Major Subwatershed
-  Bassett Creek



BCWMC #2019-26
 215 PENINSULA RD
 (Single Family Home
 Redevelopment)
 Medicine Lake, MN
LOCATION MAP



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Bassett Creek 2019 Flood Control Project Inspection
Date: December 11, 2019
Project: 23/27-0051.45 2019 4065

In accordance to the Operation and Maintenance Manual for the Bassett Creek Flood Control Project (FCP), an annual inspection is required to review the condition of the FCP features. The FCP was turned over to the local sponsor during 2002. Therefore, inspection of the FCP features was initialized during the fall of 2002, which was the first formal inspection by the Bassett Creek Watershed Management Commission (BCWMC). Except as noted, the annual inspections have been performed from 2002-2019. Inspections were not performed during 2003, 2011, and 2013 due to BCWMC budget considerations. Some of the municipalities have performed independent inspections of several of the FCP structures. The municipalities are responsible for routine maintenance and repair of the BCWMC FCP features located within their city. The municipalities are also responsible for submitting the completed FCP Maintenance Record from the previous year's inspection. It is important that the BCWMC receive these records, as the inspection and reporting are essential to ensure the BCWMC maintains its eligibility to receive federal funds to repair or replace FCP features in the event of a catastrophe.

The municipalities may request reimbursement from the BCWMC for major maintenance and repairs that exceed \$25,000. However, the municipalities must perform regular, routine maintenance and submit the required reporting before requesting and receiving BCWMC reimbursement. This will help prevent the situation wherein the BCWMC pays for maintenance work over \$25,000 because the municipalities neglected routine maintenance for several years. The BCWMC expects the municipalities to inform the Commission in advance (e.g., two years) of their request for reimbursement. The BCWMC will consider adding maintenance and repair projects that are more than \$100,000 to the BCWMC CIP.

Table 1 (at the end of this memo) provides examples of maintenance and repairs that are major or could be major. In addition, the cities (or other road authority) where the FCP features are located are responsible for maintenance, repair and replacement of road crossings, and their corresponding conveyance structures, that were installed as part of the FCP.

In 2019, the Bassett Creek watershed experienced one of the wettest years on record, with high flows resulting from snowmelt and rainfall in the spring, and persistently high water levels throughout the watershed. The following are the 2019 inspection comments and recommendations:

Bassett Creek Valley - Floodplain and Stormwater Management Study - Supplemental Handout December 2019



Prepared for:
Bassett Creek Watershed Management
Commission and City of Minneapolis



Responsive partner.
Exceptional outcomes.

Prepared by:
WENCK Associates, Inc.
7500 Olson Memorial Hwy
Golden Valley, MN
55427
Phone: 763-252-6800
Fax: 763-479-4242

BACKGROUND

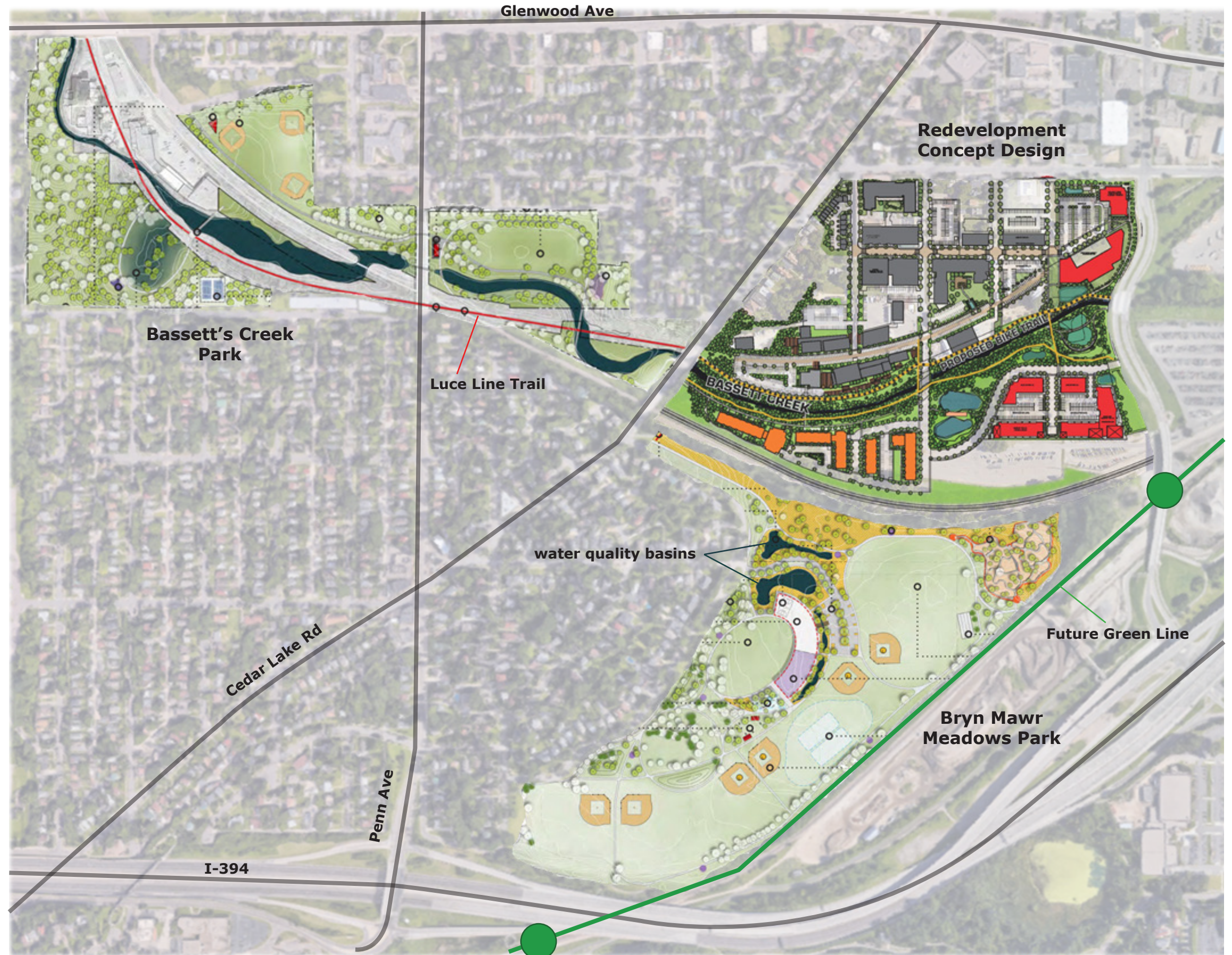
Purpose: To integrate natural resources, recreation, and redevelopment into a regional solution. To provide floodplain storage, water quality and bring regional amenities to the area.

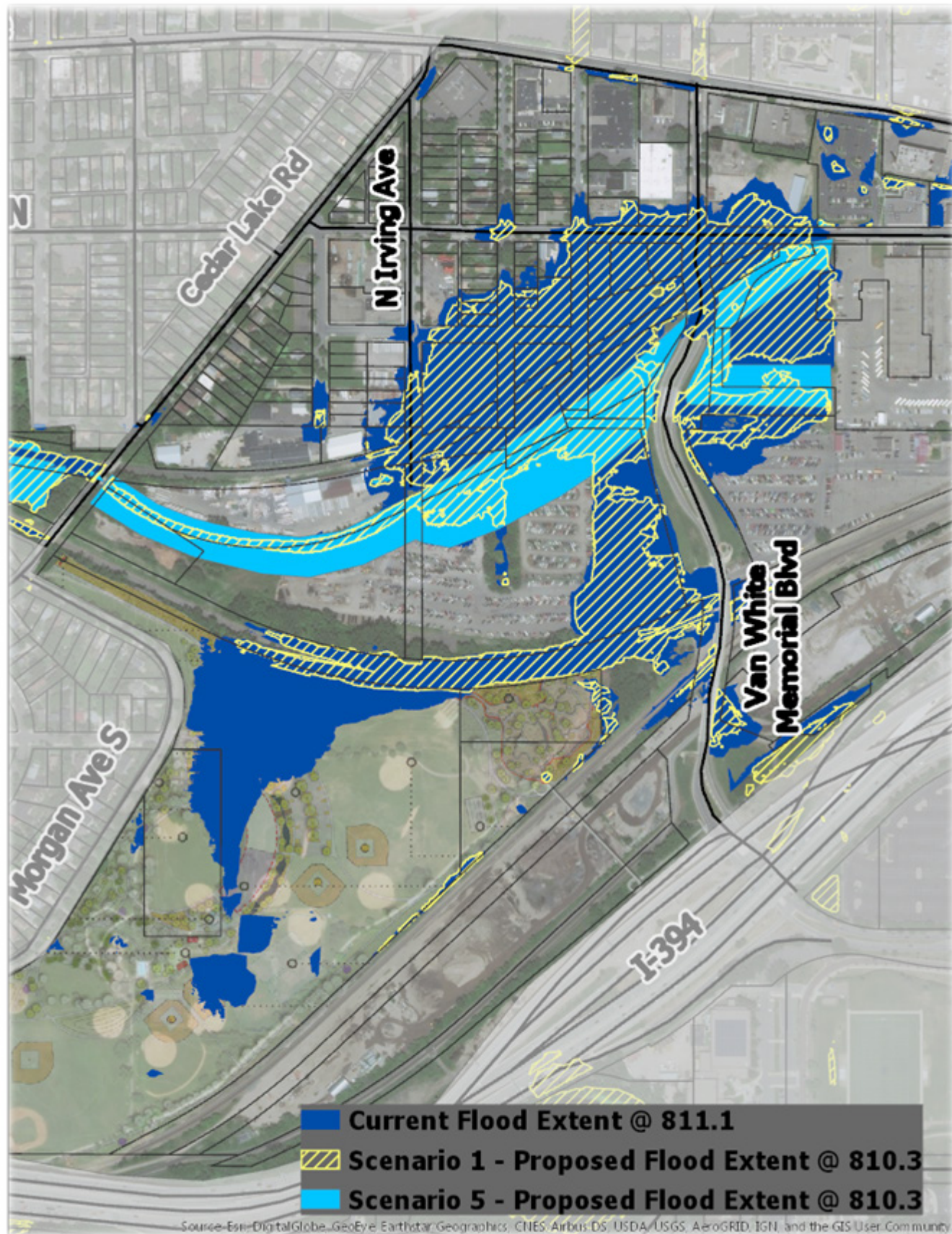
Location: West of downtown Minneapolis, north of I- 394, south of Glenwood Ave. Study Area: Encompasses Bassett's Creek Park, Bryn Mawr Meadows Park and the Redevelopment Area shown on the right.

Project Drivers:

- City priority for redevelopment
- New transit corridor
- Minneapolis Park and Recreation Board Master Plans
 - o concept drawings shown on the right for Bassett's Creek and Bryn Mawr Meadows
 - o location for Luce Line Regional Trail shown on the right
- BCWMC's CIP Projects
 - o water quality basins in Bryn Mawr Meadows
 - o streambank restoration and erosion control

See Sections 1 - 3 in the Floodplain Feasibility Report for additional information regarding background, area plans, and site constraints associated with Bassett Creek Valley Area.





Note: Flood elevations referenced to Irving Ave

PROPOSED SCENARIOS INFLUENCE ON FLOODPLAIN

Several brainstorming sessions and design charettes were held to discuss possible project locations, review existing and future plans, and consider amenities of interest and project types.

Although the study analyzed seven different scenarios, the **best locations** for the projects was determined to be either underground or surface storage in **Bryn Mawr Meadows Park** (Scenario 1) or manipulation of **Bassett Creek corridor** (Scenario 5) within the Development Area.

Shown to the left is the flood extent as a result of two of the scenarios presented in the Study. Scenarios 1 and 5 result in a reduction of 0.8 feet of the flood elevation but have different influences on the Development Area. Scenario 1, which includes 50 acre-feet of underground storage in Bryn Mawr Meadows Park, removes 7.1 acres from floodplain but does not impact a single location or parcel to any great extent. Scenario 5, which manipulates the channel cross section and increases the channel's top width from Cedar Lake Rd to Van White Blvd, removes 15.2 acres from the floodplain. **Scenario 5 has a much larger influence on removing entire parcels and contiguous land area from the floodplain than Scenario 1.**

Scenario 1 and 5 illustrate how two options with similar mitigation volumes can produce the same flood elevation but have significantly different impacts on the flood extent.

Projects that mitigate floodplain impacts must be completed prior to or concurrent with redevelopment.

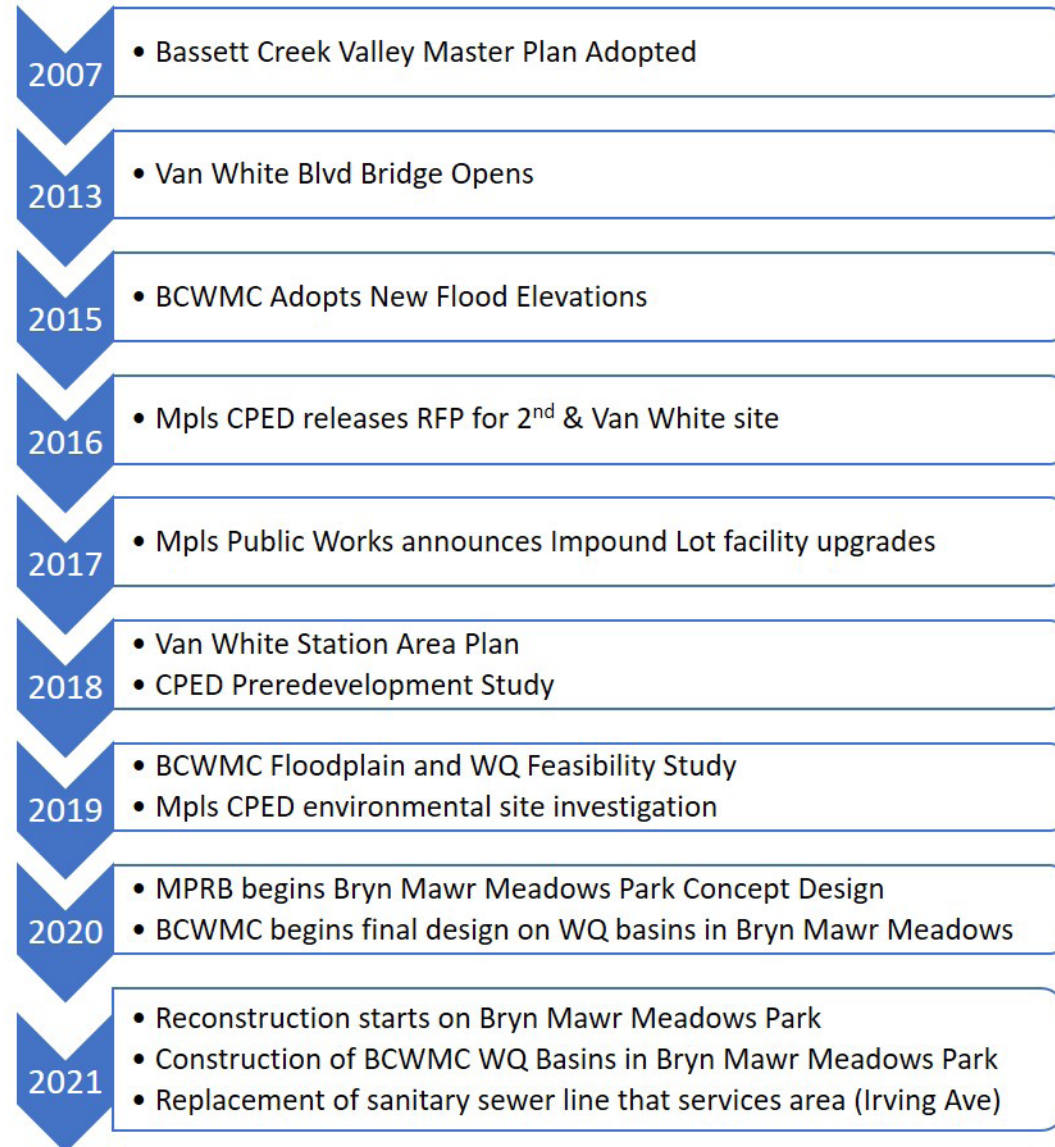
See Sections 4-6 of the Report for further discussion of Scenarios presented.

| Scenario | Project Type & Location | Mitigation Storage Volume (AF) | Area Unlocked (acres) ⁽²⁾ | Flood Elevation (ft) | Estimated Capital Cost (\$M) ⁽²⁾ | Cost per Acre Flood Reduction (\$M/ac) |
|----------|-------------------------------|--------------------------------|--------------------------------------|----------------------|---------------------------------------------|----------------------------------------|
| 1 | Underground in Bryn Mawr | 50 | 7.1 | 810.3 | \$36 - 72.7 | 5.1 - 10.2 |
| 2 | New Cross Section in Corridor | 48 | 15.2 | 810.3 | \$3.7 - 7.3 \$10.3 - 20.5 | 0.24 - 0.48 0.68 - 1.3 |

1 Existing condition has 24.0 acres of flooding in Bassett Creek Valley Development Area

2 Scenario 5: lower range assumes no soil contamination; upper range assumes all soil contaminated

BASSETT CREEK VALLEY TIMELINE



NEXT STEPS

- Explore Funding Mechanisms
- Evaluate Bryn Mawr Design Refinement
- Engage DNR for Permitting Needs
- Finalize Contamination Investigation for Impound Lot
- Refine Local & Regional H&H Models
- Refine Local & Regional WQ Models
- Determine development and floodplain mitigation phasing
- Consider Land Acquisitions



The full Floodplain and Water Quality Feasibility Study Report is available on the Bassett Creek Watershed Management Commissions website. This handout is meant to provide a brief overview of that report.



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Item 5B.
BCWMC
12-19-19

resources. naturally.
engineering and environmental consultants



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Item 5B: Four Seasons Mall Redevelopment (BCWMC #2019-25) and Water Quality Project (2013 CIP NL-2) – Plymouth, MN
BCWMC December 19, 2019 Meeting Agenda
Date: December 12, 2019
Project: 23270051 2019 2201

5A Four Seasons Mall Redevelopment (BCWMC #2019-25) and Water Quality Project (2013 CIP NL-2) – Plymouth, MN

Summary:

Proposed Work: Redevelopment of the Four Seasons Mall site, above-and-beyond stormwater quality improvements, and a wetland restoration

Basis for Review at Commission Meeting: Cut and fill in the floodplain and 90% CIP review

Impervious Surface Area: Decrease 2.07

Important note: *At the time of this writing, the BCWMC Engineer was in the process of working with the Dominion engineer (Loucks) regarding the amount of the above-and-beyond water quality treatment to be provided by the project. This memo is an introduction to the project. It is likely that more specificity regarding water quality treatment will be presented at the meeting. No action approving the project is requested at this time..*

Background

At their September 2013 meeting, the BCWMC conditionally approved 90% plans for the Four Seasons Mall Area Water Quality Project (near Hwy 169 and Rockford Road in Plymouth) that included restoration of a channel upstream of the mall and creation of a stormwater pond. The project was not built due to residents' concerns with tree loss.

At their August 2016 meeting, the Commission received a presentation on the stormwater management components of a redevelopment project (named Agora) on the Four Seasons Mall site. At the time, the Commission was asked to consider providing funding (in the ballpark of \$500,000) toward stormwater management features that would go "above and beyond" pollutant removal requirements for the redevelopment. The Commission moved forward with exploring a partnership with Rock Hill Management through an agreement with the City of Plymouth and directed Commission staff to continue to gather and assess additional information for further consideration including technical and legal issues.

At their December 2016 meeting, the Commission received a presentation on four alternatives for possible stormwater management features for the redevelopment. The Commission provided conditional approval to provide funds from the BCWMC CIP budget as a financial contribution towards Alternative 4,

which would have removed an estimated 109 pounds of phosphorus above and beyond the BCWMC's requirements at the Agora development in Plymouth. Conditions of the approval included:

1. CIP project review – i.e., review at 50% and 90% plan stages.
2. Prior to the BCWMC formalizing a financial commitment, the developer must provide final drawings (i.e. final construction plans for the entire project including the wetland restoration) and supporting information (final pollutant removals and other information to confirm pollutant removal estimates) to the BCWMC Engineer for review and Commission approval. BCWMC's final financial commitment will be based on the final pollutant removal estimates.
3. Prior to formalizing a financial agreement, the BCWMC will enter into an agreement with the City of Plymouth for construction and funding of the project. Concurrently, the developer will need to enter into an agreement with the City of Plymouth regarding construction of the project and allowing construction of the wetland restoration portion of the project.
4. The BCWMC must obtain BWSR approval to substitute this new CIP project for the original Four Seasons Mall Area Water Quality Project.
5. The developer must obtain all required local, state, and federal permits for the project.
6. The developer must submit the application, fee, drawings and supporting information for the Agora redevelopment site to the BCWMC Engineer for separate review as part of the BCWMC project review program.

At its January 2017 meeting, the Commission directed the administrator and legal counsel to develop an agreement with Rock Hill Management for the Commission's consideration and on January 30, 2017, the developer's consultant submitted the Agora project for BCWMC review.

At its February 2017 meeting, the Commission conditionally approved the Agora development project as part of the BCWMC project review program. The Commission also approved an agreement with Rock Hill Management, which required that the CIP project remove at least 100 pounds of total phosphorus (TP) above-and-beyond the BCWMC requirements for the Agora development project. The Commission also approved a separate agreement with the City of Plymouth to allow the developer access to a city-owned parcel to construct the wetland restoration project and to ensure ongoing maintenance of the CIP project components. The agreements were executed later in February 2017. Barr staff coordinated with the applicant, on behalf of the Commission, from January 2017 through August 2017, and the applicant sufficiently addressed 13 of the 19 comments from the conditional approval for the Agora project.

At its August 2017 meeting, the Commission conditionally approved 90% design CIP plans for the Agora project. However, at their April 2018 meeting, Plymouth Commissioner Jim Prom informed the Commission that the Agora project had fallen through due, in part, to a change in market demand for some of the intended uses.

General Project Information

In February 2019, Loucks and Dominion informed the BCWMC Administrator and Engineer of the redevelopment plans for the Four Seasons Mall site. On November 15, 2019, Dominion and Loucks submitted a BCWMC application, plans, and a stormwater management report for review.

The proposed redevelopment project is located in the Northwood Lake subwatershed in the southwest quadrant of the TH 169 and Rockford Road interchange. The proposed project includes demolition and redevelopment of the entire parcel from a commercial strip mall to a commercial, public, and multiple-residential development, and a wetland restoration resulting in 16.6 acres of grading (disturbance). The proposed project creates 9.86 acres of fully reconstructed impervious surfaces, which results in a decrease of 2.07 acres of impervious surfaces, from 11.93 acres (existing) to 9.86 acres (proposed). Portions of the proposed project will result in a change of land use and zoning from commercial to multifamily residential or public.

This memorandum summarizes the review of the redevelopment aspects of the proposed project, including: floodplain management, wetland management, rate control requirements, erosion and sediment control requirements, water quality requirements, and above-and-beyond water quality improvements (the CIP project components).

Floodplain

The proposed project includes work in the Bassett Creek 1% (base flood elevation, 100-year) floodplain. The October 2019 BCWMC Requirements for Improvements and Development Proposals (Requirements) document states that *projects within the floodplain must maintain no net loss in floodplain storage and no increase in flood level at any point along the trunk system* (managed to at least a precision of 0.00 feet). The 1% (base flood elevation, 100-year) floodplain elevation of Bassett Creek in this reach is 893.1 feet NAVD88.

The proposed project will result in a net increase in floodplain storage of approximately 1.39 acre-feet (2,245 cubic yards) and does not result in an increase in flood level at any point along the trunk system.

Wetlands

The City of Plymouth is the local government unit (LGU) responsible for administering the Wetland Conservation Act; therefore, BCWMC wetland review is not required.

Rate Control

The October 2019 BCWMC Requirements document states that projects that create more than one (1) acre of new or fully reconstructed impervious area *must manage stormwater such that peak flow rates leaving the site are equal to or less than the existing rate leaving the site for the 2-, 10-, and 100-year events, based on Atlas 14 precipitation amounts and using a nested 24-hour rainfall distribution.*

Under existing conditions, stormwater runoff leaves the site in three directions: surface flow north and east to North Branch Bassett Creek, surface flow west to Lancaster Lane North, and surface flow and storm sewer to an existing wetland to the south of the development property. North Branch Bassett Creek, which runs along the north and east edge of the site with intermittent flows, and storm sewer in Lancaster Lane, both also discharge into the wetland to the south of the development property.

The proposed stormwater management system includes an underground filtration system and a series of ponds to provide rate control, including: Pond WP, Basin 1P, Pond 2P, and Underground Filtration System 3P on the north end of the site; and Pond NP at the south end of the site. The underground filtration system and ponds on the north end of the site outlet to North Branch Bassett Creek. Pond NP on the south end of the site outlets through a control structure to the wetland to the south of the development

property. The proposed project also includes a diversion of low flows from North Branch Bassett Creek into Pond NP to provide water quality treatment, as part of the Four Seasons Mall Area Water Quality project (BCWMC CIP NL-2).

Table 1 and Table 2 summarize the existing conditions peak discharge rates and proposed conditions peak discharge rates, respectively, from the project area to the existing wetland to the south of the development property.

Table 1: Existing Conditions Peak Discharge Rates (From the Proposed Project Site Only)

| Existing Conditions Subwatershed | Area | 2-Year Peak | 10-Year Peak Rate | 100-Year Peak Rate |
|------------------------------------------------------|--------------|--------------|-------------------|--------------------|
| | (acres) | (cfs) | (cfs) | (cfs) |
| To Creek (from site) | 6.52 | 16.28 | 26.07 | 47.93 |
| To Lancaster Lane (from site) | 1.56 | 3.44 | 6.12 | 12.33 |
| To Wetland (direct from site) | 9.22 | 21.55 | 33.69 | 60.55 |
| Total – To Wetland (from site) ^{1,2} | 17.30 | 39.75 | 63.29 | 115.75 |

¹ Total peak discharge rates may not be a direct sum of the peak discharge rates of inflows due to the timing of the peak discharge rates for each inflow.

² Additional flow and runoff is directed to the existing wetland from North Branch Bassett Creek (from the larger off-site watershed) and other direct tributary drainage areas, which are not quantified in this table.

Table 2: Proposed Conditions Peak Discharge Rates (From the Proposed Project Site Only)

| Proposed Conditions Subwatershed/BMP | Area | 2-Year Peak | 10-Year Peak Rate | 100-Year Peak Rate |
|------------------------------------------------------|--------------|--------------|-------------------|--------------------|
| | (acres) | (cfs) | (cfs) | (cfs) |
| To Creek (from site) ¹ | 7.23 | 8.36 | 15.16 | 38.33 |
| To Lancaster Lane (from site) | 1.61 | 3.70 | 6.34 | 12.33 |
| To Wetland (direct from site) | 0.24 | 0.49 | 0.93 | 1.95 |
| To Wetland (from Pond NP) | 8.23 | 8.36 | 14.70 | 27.56 |
| To Wetland (from Creek) | N/A | 2.06 | 9.03 | 27.52 |
| Total – To Wetland (from site) ^{2,3} | 17.31 | 11.30 | 25.99 | 59.76 |

¹ Runoff from this subwatershed is routed to North Branch Bassett Creek. As part of the proposed project, low flows from North Branch Bassett Creek are diverted onto the proposed project site for water quality treatment in Pond NP: South.

² Total peak discharge rates may not be a direct sum of the peak discharge rates of inflows due to the timing of the peak discharge rates for each inflow.

³ Additional runoff is directed to the wetland from North Branch Bassett Creek (from the larger off-site watershed) and other direct tributary drainage area, which is not quantified in this table.

Table 1 and 2 show that the stormwater management system for the proposed redevelopment project meets the BCWMC requirement for rate control.

Erosion and Sediment Control

The proposed project results in more than 10,000 square feet of land disturbance; therefore, the proposed project must meet the BCWMC erosion and sediment control requirements. Proposed temporary erosion and sediment control features include rock construction entrances, silt fence, and storm drain inlet protection. Permanent erosion and sediment control features include erosion control blanket and stabilization with sod or seed and mulch.

Water Quality

The BCWMC Requirements document states that projects on sites without restrictions that create one or more acres of new and/or fully reconstructed impervious surfaces shall capture and retain on-site 1.1 inches of runoff from the new and/or fully reconstructed impervious surfaces. If the applicant is unable to achieve the performance goals due to site restrictions, the MIDS flexible treatment options approach shall be used following the MIDS design sequence flow chart.

The proposed redevelopment project creates 9.86 acres of fully reconstructed impervious area. Flexible Treatment Option (FTO) #2 was selected for the proposed project due to the presence of tight clay soils that are not conducive to infiltration. FTO #2 requires that the project provide 60% removal of total phosphorus (TP).







As discussed in the Background section above, the Commission conditionally approved a financial contribution towards a previous submittal for redevelopment of the Four Seasons Mall site for providing stormwater treatment, specifically TP removal, “above and beyond” what is required by the BCWMC.

The proposed BMPs on the development site will treat stormwater from the site and off-site areas with a filtration basin, an underground filtration system, two smaller stormwater ponds, and a large stormwater pond with an iron-enhanced sand filter (IESF) bench.

At the time of this writing, the Dominion engineer (Loucks) was working on the above-and-beyond water quality treatment to be provided by the project. It is likely that more specificity regarding water quality treatment will be presented at the meeting.



Project Location

-  Project Location
-  Municipality
-  BCWMC
-  Legal Boundary
-  Major Subwatershed
-  Bassett Creek



0 400 800 Feet



BCWMC #2019-25
 FOUR SEASONS
 MALL REDEVELOPMENT
 Southeast quadrant of
 TH169 and Rockford Road
 Plymouth, MN
 LOCATION MAP



Bassett Creek Watershed Management Commission

MEMO

To: Bassett Creek Watershed Management Commissioners
From: Technical Advisory Committee
Date: December 2, 2019

RE: Report on 10/4/19 and 11/25/19 TAC Meeting

TAC Members and Others Attending Meetings:

Mark Ray, Crystal (TAC Chair)
Drew Chirpich, Golden Valley
Erick Francis, St. Louis Park
Richard McCoy/Marta Roser, Robbinsdale
Sarah Schweiger, Minnetonka

Chris LaBounty/Ben Scharenbroich, Plymouth
Liz Stout/Shane Missaghi, Minneapolis
Megan Hedstrom, New Hope
Jim de Lambert, TAC Liaison
Laura Jester, Administrator
Karen Chandler, Greg Wilson, Meg Rattei, Commission Engineers

1. Review BCWMC Water Monitoring Program

At the October TAC meeting, the group received a [presentation](#) on the BCWMC's current water monitoring program, the history of the program, and information on the monitoring programs of some other watersheds. They then developed a list of goals and objectives for the BCWMC monitoring program and then prioritized the importance of those goals as high, medium, or low.

At the November meeting, the TAC reviewed how the BCWMC water monitoring program aligns with or meets the goals and objectives considered a high or medium priority. In some areas, gaps were identified where the current program does not fully meet the goal, and in other cases the program exceeds the goal. The group then discussed potential changes that can or should be considered for the monitoring program. They considered the questions: where there are gaps, what can or should the BCWMC do differently to remove the gap and meet the requirements or goals; and where the program exceeds the requirements or goals, are there activities the BCWMC should discontinue?

Since cost is an important factor in decisions to change the monitoring program, the TAC is waiting for cost information before making recommendations to the Commission. Recommendations are expected to be presented to the Commission at their February meeting.

2. Report on City Ordinance Updates

At the October TAC meeting, Administrator Jester reviewed the list of ordinances and buffer requirements members cities are required to enforce for compliance with the watershed management plan. She then gathered updates via email from each city on ordinance status and presented that information to the Commission at their November meeting.

3. Report on Flood Control Project Maintenance Work

At the October TAC meeting, the Commission Engineer reminded members about upcoming inspections by the Commission Engineer on flood control structures and the importance of completing the required maintenance and completing/submitting the maintenance record.

4. 2022 – 2026 Capital Improvement Program List

At the November TAC meeting, Administrator Jester asked members to be thinking about capital projects that should be considered for the 2022 – 2026 list or projects that are currently on the list that should be removed or moved to a different year. She noted that an early 2020 TAC meeting will be scheduled to review the 5-year CIP list and any new projects to be considered. She reminded members to score potential projects with the new CIP scoring matrix and to use the pollutant hotspot map when appropriate.

5. Salt Smart Cards

At the November TAC meeting, Administrator Jester asked members to take a stack of the new “salt smart” education cards for residents to take from their city halls. She noted the idea behind the cards was for residents to give them to businesses that clearly use too much salt. She also noted a second card to be used with businesses that are already using the correct amount of salt.

6. City Ordinance Assistance Needs

At the November TAC meeting, Administrator Jester asked how the Commission could assist cities with development and adoption of ordinances to comply with the watershed management plan. Members requested assistance with the wetland protection ordinance. The Commission Engineer will gather draft ordinance language for cities to use. Administrator Jester also noted that commission staff or commissioners could be utilized to relay information to city councils or others about the intent and importance of the ordinances.



Bassett Creek Watershed Management Commission

MEMO

Date: December 11, 2019
From: Laura Jester, Administrator
To: BCWMC Commissioners
RE: **Administrator's Report**

Aside from this month's agenda items, the Commission Engineers, city staff, committee members, and I continue to work on the following Commission projects and issues.

CIP Projects (more resources at <http://www.bassettcreekwmo.org/projects>.)

2019 Medicine Lake Road and Winnetka Avenue Area Long Term Flood Mitigation Plan Implementation Phase I: DeCola Ponds B & C Improvement Project (BC-2, BC-3 & BC-8) Golden Valley (no change since Nov): A feasibility study for this project was completed in May 2018 after months of study, development of concepts and input from residents at two public open houses. At the May 2018 meeting, the Commission approved Concept 3 and set a maximum 2019 levy. Also in May 2018, the Minnesota Legislature passed the bonding bill and the MDNR has since committed \$2.3M for the project. The Hennepin County Board approved a maximum 2019 levy request at their meeting in July 2018. A BCWMC public hearing on this project was held on August 16, 2018 with no comments being received. Also at that meeting the Commission officially ordered the project and entered an agreement with the City of Golden Valley to design and construct the project. In September 2018, the City of Golden Valley approved the agreement with the BCWMC. The [Sun Post](#) ran an article on this project October 2018. Another public open house and presentation of 50% designs was held February 6, 2019. An EAW report was completed and available for public review and comment December 17 – January 16, 2019. At their meeting in February 2019, the Commission approved the 50% design plans. Another public open house was held April 10th and a public hearing on the water level drawdown was held April 16th. 90% Design Plans were approved at the April Commission meeting. It was determined a Phase 1 investigation of the site is not required. The City awarded a contract to Dahn Construction for the first phase of the project, which involves earthwork, utilities, and trail paving and extends through June 2020. Dewatering began late summer 2019 and is ongoing for the north ends of Ponds B & C. Last week tree removal began and continues through this week. Test trenching for further environmental investigations is happening this week in the area north of DeCola Pond B to help determine disposal requirements for this area once excavation begins. Once the tree removal is complete Dahn plans to start excavation on the SE side of the site (along Pond C) at the end of this week or next week, and then will work their way north. This will start the major earthwork efforts! The schedule provided by Dahn suggests this will likely be complete in January 2020 assuming everything goes as anticipated. Project website: <http://www.bassettcreekwmo.org/index.php?cID=433>.

2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5), Minneapolis (no change since Oct): A feasibility study by the Commission Engineer began last fall and included wetland delineations, soil borings, public open houses held in conjunction with MPRB's Bryn Mawr Meadows Park improvement project, and input from MPRB's staff and design consultants. At their meeting in April, the Commission approved a TAC and staff recommendation to move this project from implementation in 2019 to design in 2020 and construction in 2021 to better coincide with the MPRB's planning and implementation of significant improvements and redevelopment Bryn Mawr Meadows Park where the project will be located. The final feasibility study was approved at the January 2019 Commission meeting. Staff discussed the maintenance of Penn Pond with MnDOT and received written confirmation that pond maintenance will occur prior to the park's reconstruction project with coordination among the BCWMC, MPRB, and MnDOT. A public hearing for this project was held September 19, 2019. The project was officially ordered at that meeting. A Clean Water Fund grant application for this project was submitted September 9th. An agreement with the MPRB and the city of Minneapolis will be considered at a future meeting. Project website: <http://www.bassettcreekwmo.org/projects/all-projects/bryn-mawr-meadows-water-quality-improvement-project>

2020 Jevne Park Stormwater Improvement Project (ML-21) Medicine Lake (No change since Oct): At their meeting in July 2018, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The

study got underway last fall and the city's project team met on multiple occasions with the Administrator and Commission Engineer. The Administrator and Engineer also presented the draft feasibility study to the Medicine Lake City Council on February 4, 2019 and a public open house was held on February 28th. The feasibility study was approved at the April Commission meeting with intent to move forward with option 1. The city's project team is continuing to assess the project and understand its implications on city finances, infrastructure, and future management. The city received proposals from 3 engineering firms for project design and construction. At their meeting on August 5th, the Medicine Lake City Council voted to continue moving forward with the project and negotiating the terms of the agreement with BCWMC. Staff was directed to continue negotiations on the agreement and plan to order the project pending a public hearing at this meeting. Staff continues to correspond with the city's project team and city consultants regarding language in the agreement. The BCWMC held a public hearing on this project on September 19, 2019 and received comments from residents both in favor and opposed to the project. The project was officially ordered on September 19, 2019. On October 4, 2019, the Medicine Lake City Council took action not to move forward with the project. At their meeting on October 17th, the Commission moved to table discussion on the project. The project remains on the 2020 CIP list. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=467>.

2019 Westwood Lake Water Quality Improvement Project (WST-2) St. Louis Park (No change since August): At their meeting in September 2017, the Commission approved a proposal from the Commission Engineer to complete a feasibility study for this project. The project will be completed in conjunction with the Westwood Hills Nature Center reconstruction project. After months of study, several meetings with city consultants and nature center staff, and a public open house, the Commission approved Concept 3 (linear water feature) and set a maximum 2019 levy at their May meeting. 50% designs were approved at the July meeting and 90% design plans were approved at the August meeting. The Hennepin County Board approved a maximum 2019 levy request at their meeting in July. A BCWMC public hearing on this project was held on August 16th with no comments being received. At that meeting the Commission officially ordered the project and entered an agreement with the City of St. Louis Park to design and construct the project and directed the Education Committee to assist with development of a BCWMC educational sign for inside the nature center. The draft sign was presented at the October meeting and was finalized over the winter. Construction on the new building started this spring. The Sun Sailor printed [an article](#) on the project in October 2018. All educational signs were finalized and are currently in production. Some slight modifications to the project plans may be necessary to satisfy city inspectors. More information on that coming soon! Project website: <http://www.bassettcreekwmo.org/projects/all-projects/westwood-lake-water-quality-improvement-project>.

2018 Bassett Creek Park Pond Phase I Dredging Project: Winnetka Pond, Crystal (BCP-2) (No change since Nov): The final feasibility study for this project was approved at the May 2017 meeting and is available on the project page online at <http://www.bassettcreekwmo.org/index.php?cID=403>. At the September 2017 meeting, the Commission held a public hearing on the project and adopted a resolution officially ordering the project, certifying costs to Hennepin County, and entering an agreement with the City of Crystal for design and construction. Hennepin County approved the 2018 final levy request at their meeting in November 2017. The City of Crystal hired Barr Engineering to design the project. At their meeting in April, the Commission approved 50% design plans. A public open house on the project was held May 24th where four residents asked questions, provided comments, and expressed support. 90% design plans were approved at the June 2018 meeting. An Environmental Assessment Worksheet was recently approved and a construction company was awarded the contract. A pre-construction meeting was held December 14th and construction began in January. A large area of contamination was discovered during excavation in February 2019. At their meeting February 21, 2019 the Commission approved additional funding for this project in order to properly dispose of the contamination and continue building the project as designed. An amended agreement with the city of Crystal was approved at the March Commission meeting. Pond dredging and other storm sewer work was completed in early summer. The landscaping contractor completed a final herbicide treatment in preparation for seeding in late October and was set to perform dormant seeding in late October or early November.

2017 Plymouth Creek Restoration Project, Annapolis Lane to 2,500 feet Upstream (2017CR-P) (See Item 4D): All project documents including the feasibility study and 90% design plans are available online at <http://www.bassettcreekwmo.org/index.php?cID=284>. The BCWMC executed agreements with the BWSR for a \$400,000 Clean Water Fund grant and with Hennepin County for a \$50,000 Opportunity Grant and a subgrant agreement with the City was executed. Project design was completed by the city's contractor, Wenck Associates, with 60% and 90% design plans approved by the Commission at the April and August 2017 meetings, respectively. Plymouth City Council awarded a construction contract in early December 2017 and construction got underway on December 11, 2017. Streambank restoration work is complete in all three reaches. Vegetation is currently being established.

Requests for reimbursement to the city were approved at the June and July BCWMC meetings. A Clean Water Fund grant interim report was submitted in February. Some vegetation management and minor streambank repairs are happening this summer. A reimbursement request was approved at the November meeting. The city recently approved closing this project a final reimbursement request is on this month's consent agenda. A final report will be submitted to the Commission in January along with a final grant report to BWSR.

2017 Main Stem Bassett Creek Streambank Erosion Repair Project (2017CR-M) (No change since Oct): The feasibility study for this project was approved at the April Commission meeting and the final document is available on the project page at: <http://www.bassettcreekwmo.org/index.php?cID=281>. A Response Action Plan to address contaminated soils in the project area was completed by Barr Engineering with funding from Hennepin County and was reviewed and approved by the MPCA. The Commission was awarded an Environmental Response Fund grant from Hennepin County for \$150,300 and a grant agreement is in the process of being signed by the county. A subgrant agreement with the City will be developed. The City hired Barr Engineering to design and construct the project. Fifty-percent and 90% designs were approved at the August and October Commission meetings, respectively. In September 2017, design plans were presented by Commission and city staff to the Harrison Neighborhood Association's Glenwood Revitalization Team committee and through a public open house on the project. Bidding for construction is complete and a pre-construction meeting was recently held. Construction was to begin summer of 2018 but will be delayed until summer 2019 due to the unanticipated need for a field based cultural and historical survey of the project area required by the Army Corps of Engineers and the preference for Pioneer Paper (a significant landowner and access grantor) for a spring/summer construction window. The cultural and historical survey fieldwork is complete and a final report was sent to the State Historical Preservation Office (SHPO) in February. Sunram. The Hennepin County ERF grant agreement was amended to extend the term. Construction was scheduled to begin in September but will be pushed to late November. City staff updated the Commission on the latest developments with this project at the Sept 19 and Oct 17, 2019 meetings (see memos in those meeting packets). The section along Pioneer Paper will no longer be stabilized/restored due to lack of access and cooperation from Pioneer Paper.

2014 Schaper Pond Diversion Project, Golden Valley (SL-3) (No change since Oct): Repairs to the baffle structure were made in 2017 after anchor weights pulled away from the bottom of the pond and some vandalism occurred in 2016. The city continues to monitor the baffle and check the anchors, as needed. Vegetation around the pond was planted in 2016 and a final inspection of the vegetation was completed last fall. Once final vegetation has been completed, erosion control will be pulled and the contract will be closed. The Commission Engineer began the Schaper Pond Effectiveness Monitoring Project last summer and presented results and recommendations at the May 2018 meeting. Additional effectiveness monitoring is being performed this summer. At the July meeting the Commission Engineer reported that over 200 carp were discovered in the pond during a recent carp survey. At the September meeting the Commission approved the Engineer's recommendation to perform a more in-depth survey of carp including transmitters to learn where and when carp are moving through the system. A Federal 319 grant for management of carp in relation to Schaper Pond and Sweeney Lake was recently approved by the MPCA and the grant agreement may be available by the December Commission meeting. At the October 17th meeting, the Commission received a report on the carp surveys and recommendations for carp removal and management. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=277>.

The grant-funded project (the [Sweeney Lake Water Quality Improvement Project, SL-8](#)) was added as a separate CIP project for 2020/2021 levy funding and was officially ordered after a public hearing on September 19, 2019.

2014 Twin Lake In-lake Alum Treatment, Golden Valley (TW-2): (No change since June 2018) At their March 2015 meeting, the Commission approved the project specifications and directed the city to finalize specifications and solicit bids for the project. The contract was awarded to HAB Aquatic Solutions. The alum treatment spanned two days: May 18- 19, 2015 with 15,070 gallons being applied. Water temperatures and water pH stayed within the desired ranges for the treatment. Early transparency data from before and after the treatment indicates a change in Secchi depth from 1.2 meters before the treatment to 4.8 meters on May 20th. There were no complaints or comments from residents during or since the treatment. Water monitoring continues to determine if and when a second alum treatment is necessary. Lake monitoring results from 2017 were presented at the June 2018 meeting. Commissioners agreed with staff recommendations to keep the CIP funding remaining for this project as a 2nd treatment may be needed in the future. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=278>.

2013 Four Seasons Area Water Quality Project/Agora Development (NL-2) (No change since Aug): At their meeting in December 2016, the Commission took action to contribute up to \$830,000 of Four Seasons CIP funds for stormwater management at the Agora development on the old Four Seasons Mall location. At their February 2017 meeting the Commission approved an agreement with Rock Hill Management (RHM) and an agreement with the City of Plymouth allowing the developer access to a city-owned parcel to construct a wetland restoration project and to ensure ongoing maintenance of the CIP project components. At the August 2017 meeting, the Commission approved the 90% design plans for the CIP portion of the project. At the April 2018 meeting, Commissioner Prom notified the Commission that RHM recently disbanded its efforts to purchase the property for redevelopment. In spring 2019, a new potential buyer/developer is preparing plans for redevelopment at the site. Alternate Commissioner Cesnik and I attended the neighborhood meeting and briefly discussed opportunities for funding above and beyond stormwater management features to improve water quality leaving the area and entering Northwood Lake. The Commission Engineer and I met with city staff and the redevelopment team to review potential “above and beyond” stormwater management techniques. The redevelopment team continues to work through Plymouth city permitting, etc. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=282>.

2020 Crane Lake Improvement Project (CL-3) (No updates at this time): This project will be constructed in conjunction with the reconstruction of Ridgedale Drive in the City of Minnetonka. At their meeting on March 21, 2019, the BCWMC approved the project's feasibility study and chose to implement Option 3 from the study. At their meeting on May 16, 2019, the BCWMC approved the 90% design plans for the project. Construction is expected in early 2020. A public hearing on this project was held on September 19, 2019. No persons commented on the project. The project was officially ordered and an agreement with the city of Minnetonka was approved at the same meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=490>.

Other Work

CIP Project Work and Technical Assistance

- Set technical stakeholder meeting for Mt. Olivet/Parkers Lake Drainage Improvement Projects, sent agenda
- Attended meeting to review St. Louis Park Wetland Management Plan/Inventory
- Revised and distributed meeting minutes for Main Stem Lagoon Dredging Project
- Reviewed/commented on Bassett Creek Valley Study handout
- Drafted TAC memo on October and November meetings
- Reviewed 2020 monitoring plans for Sweeney Branch
- Discussed MPCA monitoring plans with MPCA staff and Commission engineers

Administration and Education

- Attended WMWA meeting; reviewed meeting materials
- Attended MN Association of Watershed Administrators meeting
- Attended MAWD annual meeting and conference
- Prepared for and presented at Sweeney Lake Association Meeting on upcoming carp/alum project
- Prepared and sent 2020 assessment invoices to member cities
- Reviewed agreements for Dominionium project and 319 grant agreement
- Prepared final report for Hennepin County AIS grant
- Reviewed accounting for Winnetka Pond Dredging Project, requested corrections
- Reviewed education budget and drafted amendment to education services agreement