



# Bassett Creek Watershed Management Commission

Public Hearing and Regular Meeting

Thursday May 21, 2020

8:30 – 11:00 a.m.

Via WebEx – Visit online calendar at [www.bassettcreekwmo.org](http://www.bassettcreekwmo.org) for log in instructions

## AGENDA

### 1. CALL TO ORDER and ROLL CALL

2. **PUBLIC FORUM ON NON-AGENDA ITEMS** – *Members of the public 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 Commission committee.*

### 3. APPROVAL OF AGENDA

### 4. CONSENT AGENDA

- A. Approval of Minutes – April 16, 2020 Commission Meeting
- B. Acceptance of May 2020 Financial Report
- C. Approval of Payment of Invoices
  - i. Keystone Waters, LLC – April 2020 Administrative Services
  - ii. Keystone Waters, LLC – April 2020 Printing Expenses
  - iii. Barr Engineering – April 2020 Engineering Services
  - iv. Lawn Chair Gardener – April 2020 Administrative and Education Services
  - v. Kennedy & Graven – March 2020 Legal Services
  - vi. University of Minnesota – Room Rental for Lagoon Dredging Project Open House
  - vii. PLM Lake & Land Management Corp. – Medicine Lake Herbicide Treatment
  - viii. Finance & Commerce – Public Hearing Meeting Notice
  - ix. MMKR – FY2019 Financial Audit
  - x. ISD 284 – Refund of Excess Review Fee
- D. Approval of Reimbursement Request from Golden Valley for Channel Maintenance Funds Reimbursement
- E. Approval of Agreement with Met Council for Watershed Outlet Monitoring Program (WOMP)
- F. Approval of Agreement with Met Council for 2020 Citizen Assisted Monitoring Program (CAMP)
- G. Approval of Updated Data Practices Policy
- H. Approval of BCWMC 2019 Annual Report for Submittal to BWSR
- I. Acceptance of BCWMC Fiscal Year 2019 Financial Audit
- J. Approval of Resolution 20-05 Not to Waive Monetary Limits on Municipal Tort Liability
- K. Approval of Ridgedale Sears Redevelopment Project, Minnetonka
- L. Approval of New Hope 2020 Infrastructure Improvement Project

### 5. PUBLIC HEARING

- A. Receive Comments from Cities and Public on Proposed Minor Plan Amendment
  - i. Consider Extending Comment Period to August 14, 2020 per Hennepin County Request

### 6. BUSINESS

- A. Consider Agreement with Dominion Regarding CIP Funds for Four Seasons Mall Redevelopment Project (10 min)
- B. Consider Agreement with City of Plymouth Regarding Four Seasons Mall Redevelopment Project (5 min)

- C. Review Draft Feasibility Studies for 2021 Capital Improvement Projects (75 minutes)
  - i. Main Stem Lagoon Dredging Project
  - ii. Mt. Olivet Stream Restoration and Parkers Lake Drainage Improvement Projects
- D. Review Budget Committee Recommendations on 2021 Operating Budget (20 min)

**7. COMMUNICATIONS (10 minutes)**

- A. Administrator's Report
  - i. Watershed Based Implementation Funding Convene Meeting
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
  - i. Budget Committee
- F. Education Consultant
- G. Legal Counsel
- H. Engineer
  - i. Sweeney Lake Water Quality Improvement Project

**8. INFORMATION ONLY (Information online only)**

- A. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. 2020 BCWMC Administrative Calendar
- D. WCA Notice of Application, Plymouth

**9. ADJOURNMENT**

**Upcoming Meetings & Events**

- Bassett Creek Watershed Mgmt Commission Meeting: Thursday June 18th, 8:30 a.m., location TBD



# Bassett Creek Watershed Management Commission

## AGENDA MEMO

Date: May 14, 2020

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 5/21/20 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **PUBLIC FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
  - A. Approval of Minutes – April 16, 2020 Commission Meeting- **ACTION ITEM with attachment**
  - B. Acceptance of May Financial Report - **ACTION ITEM with attachment**
  - 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 – April 2020 Administrative Services
    - ii. Keystone Waters, LLC – April 2020 Printing Expenses
    - iii. Barr Engineering – April 2020 Engineering Services
    - iv. Lawn Chair Gardener – April 2020 Administrative and Education Services
    - v. Kennedy & Graven – March 2020 Legal Services
    - vi. University of Minnesota – Room Rental for Lagoon Dredging Project Open House
    - vii. PLM Lake & Land Management Corp. – Medicine Lake Herbicide Treatment
    - viii. Finance & Commerce – Public Hearing Meeting Notice
    - ix. MMKR – FY2019 Financial Audit
    - x. ISD 284 – Refund of Excess Review Fee
  - D. Approval of Reimbursement Request from Golden Valley for Channel Maintenance Funds Reimbursement – **ACTION ITEM with attachment (full documentation available upon request) – At their meeting in April 2018, the Commission approved an agreement with Golden Valley for use of Channel Maintenance Funds for this project on private property. The Commission Engineer approved the project plans and the project was constructed by the homeowner accordingly. Staff recommends approval of the reimbursement.**
  - E. Approval of Agreement with Met Council for Watershed Outlet Monitoring Program (WOMP) – **ACTION ITEM with attachment online – The BCWMC operates a critical monitoring station on Bassett Creek near the entrance of the tunnel to the Mississippi River. This monitoring station has been operating since 2000. The program is coordinated by the Met Council who owns the equipment and analyzes the samples. Staff recommends approving this biennial agreement with Met Council to continue this cooperative program.**
  - F. Approval of Agreement with Met Council for 2020 Citizen Assisted Monitoring Program (CAMP) – **ACTION ITEM with attachment online – Staff recommends approval of the annual agreement with Met Council to cooperate on the CAMP which uses volunteers to collect water samples and data on 8 BCWMC lakes.**
  - G. Approval of Updated Data Practices Policy – **ACTION ITEM with attachment online – This item was tabled at the February meeting and was removed from the March and April agendas. Commission Legal Counsel Anderson reviewed and updated the BCWMC Data Practices Policy and incorporated comments from Vice Chair Welch. The document shows recommended updates from the version approved in 2016. Mr. Anderson recommends annually adopting the policy.**

- H. Approval of BCWMC 2019 Annual Report for Submittal to BWSR – **ACTION ITEM with attachment (full document online)** - *According to Minnesota Rules Chapter 8410, the BCWMC is required to submit an annual report (due at the end of May) to the MN Board of Water and Soil Resources. Staff recommends approval of the attached report and direction to submit the report and post online.*
- I. Acceptance of BCWMC Fiscal Year 2019 Financial Audit – **ACTION ITEM with attachment (full document online)** - *The audit of the Commission’s finances for the period February 1, 2019 to January 31, 2020 is complete. The auditor found no deficiencies in internal financial control and no findings based on testing of the Commission’s compliance with laws and regulations. Deputy Treasurer Virnig recommends the Commission accept the audit. Staff will submit the audit to the BWSR (due at the end of June).*
- J. Approval of Resolution 20-05 Not to Waive Monetary Limits on Municipal Tort Liability – **ACTION ITEM with attachment** – *Commission Legal Counsel Anderson recommends the Commission take action (via resolution) to not waive monetary limits on municipal tort liability. This action is taken by the Commission annually.*
- K. Approval of Ridgedale Sears Redevelopment Project, Minnetonka – **ACTION ITEM with attachment** – *The proposed project is in the Crane Lake subwatershed in the Ridgedale Mall area and includes redevelopment of the existing Sears store and parking lot improvements. The proposed project creates 2.33 acres of fully reconstructed impervious surfaces and results in a decrease of 0.28 acres of impervious surfaces. The Commission Engineer recommends approval of the project including the use of a proprietary manufactured treatment device to meet water quality standards.*
- L. Approval of New Hope 2020 Infrastructure Improvement Project – **ACTION ITEM with attachment** – *The proposed linear project is in the City of New Hope at various locations within the Northwood Lake, Bassett Creek Park Pond, Medicine Lake Direct, Bassett Creek Main Stem subwatersheds, and other areas outside the Bassett Creek Watershed. The proposed linear project does not create one or more acres of net new impervious surfaces; therefore, BCWMC water quality review is not required. The project meets BCWMC erosion control requirements and includes a new storm manhole with 3-ft sump at two locations. Staff recommends approval.*

## 5. PUBLIC HEARING

- A. Receive Comments from Cities and Public on Proposed Minor Plan Amendment – **DISCUSSION ITEM with attachment** - *At the March meeting, the Commission set this public hearing and at the April meeting approved a 5-year CIP that requires a minor amendment to the watershed management plan to incorporate new projects into the CIP. Revisions to the Commission’s wetland policies are also included in the proposed plan amendment. At this public hearing the Commission should consider comments from the public and its member cities on the proposed amendment.*
  - i. Consider Extending Comment Period to August 14, 2020 per Hennepin County Request – **ACTION ITEM with attachment** - *Due to the timing of Hennepin County Board meetings, the County is requesting an extension of the comment period until August 14<sup>th</sup>. Staff recommends approval.*

## 6. BUSINESS

- A. Consider Agreement with Dominion Regarding CIP Funds for Four Seasons Mall Redevelopment Project (10 min) – **ACTION ITEM with attachment** – *At the April meeting, the Commission conditionally approved the project plans for the redevelopment of Four Seasons Mall site by Dominion, including plans to remove at least 100 lbs. of total phosphorus “above and beyond” the required treatment, making the project eligible for BCWMC CIP funds. An agreement with Dominion is needed for the design, construction, and maintenance of the project and transfer of CIP funds. The attached agreement shows changes from the last draft (emailed just ahead of the April meeting) after additional input from the Commission’s Legal Counsel and Vice Chair Welch. Dominion legal counsel reviewed and approved the latest revisions. Staff recommends approval.*

- B. Consider Agreement with City of Plymouth Regarding Four Seasons Mall Redevelopment Project (5 min) – **ACTION ITEM with attachment (same attachment as 5C from April meeting)** – *This item was tabled at the April meeting. An agreement with the city of Plymouth is needed to ensure that access is granted by the city for project construction and that ongoing maintenance will be performed by the city, when appropriate, and required by the city of the developer. The attached agreement was drafted by BCWMC Legal Counsel and reviewed by the city’s attorney. Staff recommends approval.*
  
- C. Review Draft Feasibility Studies for 2021 Capital Improvement Projects (75 minutes)
  - i. Main Stem Lagoon Dredging Project – **DISCUSSION ITEM with attachments (same attachment as 5F from April meeting; appendices and presentation online)** – *At the July 2019 meeting, the Commission approved a proposal from the Commission Engineer to complete a feasibility study for the Main Stem Lagoon Dredging Project. The attached draft study was reviewed by me, city of Minneapolis staff, and Minneapolis Park and Rec Board staff. The Commission Engineer will give an overview of the study results and alternatives considered, along with options for how to proceed. The presentation is available online for pre-meeting viewing. By the June meeting, the Commission should take action on which alternative to pursue in order to set a maximum levy for 2021.*
  
  - ii. Mt. Olivet Stream Restoration and Parkers Lake Drainage Improvement Projects – **DISCUSSION ITEM with attachments; full document, appendices, and presentation online)** - *At the August 2019 meeting, the Commission approved a proposal from the Commission Engineer to complete a feasibility study for these projects which are both in Plymouth. The attached draft study was reviewed by me and city of Plymouth staff. The Commission Engineer will give an overview of the study results and alternatives considered, along with recommended alternatives. The presentation is available online for pre-meeting viewing. By the June meeting, the Commission should take action on which alternatives to pursue in order to set a maximum levy for 2021.*
  
- D. Review Budget Committee Recommendations on 2021 Operating Budget (20 min) – **DISCUSSION ITEM with attachments** - *The BCWMC Budget Committee met on April 9th and 30th to discuss and review Commission activities and budgets for 2021. The committee reviewed and clarified activities, needs, and annual changes in budget levels for several line items with input from me, Commission Engineer, and TAC members. The attached memo further describes the committee’s recommendations. Their proposed budget includes a <1.5% increase in city assessments. The Commission should approve a proposed 2021 Operating Budget no later than their June meeting for submittal for city review by July 1<sup>st</sup>.*

**7. COMMUNICATIONS (10 minutes)**

- A. Administrator’s Report – **INFORMATION ITEM with attachment**
  - i. Watershed Based Implementation Funding Convene Meeting
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
  - i. Budget Committee
- F. Education Consultant
- G. Legal Counsel
- H. Engineer
  - i. Sweeney Lake Water Quality Improvement Project

**8. INFORMATION ONLY (Information online only)**

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**9. ADJOURNMENT**

**Upcoming Meetings & Events**

- Bassett Creek Watershed Mgmt Commission Meeting: Thursday June 18th, 8:30 a.m., location TBD



Item 4A.  
BCWMC 5-21-20

## Bassett Creek Watershed Management Commission

**DRAFT Minutes of Regular Meeting**  
**Thursday, April 16, 2020**  
**8:30 a.m.**  
**Via Cisco WebEx**

**1. CALL TO ORDER and ROLL CALL**

On Thursday, April 16, 2020 at 8:35 a.m. via Cisco WebEx, 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>	Mark Ray
Golden Valley	Stacy Harwell (Treasurer)	Jane McDonald Black	Eric Eckman
Medicine Lake	<i>Absent</i>	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch (Vice Chair)	<i>Vacant Position</i>	<i>Absent</i>
Minnetonka	Mike Fruen	<i>Vacant Position</i>	Leslie Yetka, Chris Long
New Hope	<i>Absent</i>	<i>Absent</i>	Megan Hedstrom
Plymouth	Jim Prom	Catherine Cesnik	Ben Scharenbroich
Robbinsdale	<i>Vacant Position</i>	Wayne Sicora	Marta Roser, Richard McCoy
St. Louis Park	Jim de Lambert	<i>Absent</i>	<i>Absent</i>
<b>Administrator</b>	Laura Jester, Keystone Waters		
<b>Engineer</b>	Karen Chandler and Josh Phillips, Barr Engineering		
<b>Recorder</b>	Dawn Pape, Lawn Chair Gardener		
<b>Legal Counsel</b>	Dave Anderson, Kennedy & Graven		
<b>Presenters/ Guests/Public</b>	McKenzie Erickson, resident Jon Duesman - MPRB Brady DeVoe and Logan Schmidt - Dominion Development and Acquisition, LLC Val Anderson, Adam Austen and Sam Trebesch - Loucks		

**2. PUBLIC FORUM ON NON-AGENDA ITEMS**

None.

**3. APPROVAL OF AGENDA**

**MOTION:** Commissioner Welch moved to approve the agenda. Alternate Commissioner Holter seconded the motion. Upon a vote, the motion carried 7-0, with the Cities of New Hope and Robbinsdale absent from the vote.

**4. CONSENT AGENDA**

Commissioner Welch requested to remove “approval of updated data practices policy” from consent agenda.

The following items were approved as part of the consent agenda: March 19, 2020 commission meeting minutes, April financial report, payment of invoices, reimbursement request from St. Louis Park for Westwood Lake Improvement Project (WST-2), agreement with Three Rivers Park District for Medicine Lake Activities, grant agreement for Bryn Mawr Water Quality Improvement Project Clean Water Funds, grant agreement for Lawns to Legumes Neighborhood Demonstration Project in the Harrison Neighborhood, sub-grant agreement with Metro Blooms for Lawns to Legumes Grant Project, Education Committee Recommendations for 2020 Work Plan and Budget, contract with Lawn Chair Gardener for 2020 Educational Services, approval to execute contract for Curly-leaf Pondweed Control on Medicine Lake.

The general and construction account balances reported in the April 2020 Financial Report are as follows:

Checking Account Balance	864,111.23
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TOTAL GENERAL FUND BALANCE	864,111.23
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TOTAL CASH & INVESTMENTS ON-HAND (4/8/20)	2,884,674.50
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CIP Projects Levied – Budget Remaining	(4,974,126.93)
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Closed Projects Remaining Balance	(578,500.14)
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2012-2017 Anticipated Tax Levy Revenue	8,425.14
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2018 Anticipated Tax Levy Revenue	11,050.60
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Anticipated Closed Project Balance	(559,024.40)
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**MOTION:** Commissioner Welch moved to approve the consent agenda as amended. Alternate Commissioner Holter seconded the motion. Upon a vote, the motion carried 7-0, with the Cities of New Hope and Robbinsdale absent from the vote.



5. ORGANIZATIONAL MEETING

A. Consider Approval of Dominion Redevelopment Project and 90% Plans for BCWMC CIP Water Quality Project at Four Seasons Mall

Administrator Jester explained that at the December 2019 meeting, Commissioners received a presentation on the proposed redevelopment at the old Four Seasons Mall site in Plymouth. The project plans for pollutant removals “above and beyond” those required by the Commission are now 90% complete and were reviewed by the Commission Engineers. The Commission Engineers recommend conditional approval of the redevelopment project, and conditional approval of the 90% plans for the CIP water quality project as expressed in the engineers’ memo.

[Robbinsdale Alternate Commissioner Sicora joins the meeting]

Logan Schmidt with Dominion and Sam Trebesch with Loucks (Dominium’s consulting engineering firm) presented a plan for the site including mixed-use housing, retail, and a park and ride. The site is currently a large strip mall and parking lot with the North Branch Bassett Creek running along the north and east edge of the site and a large wetland to the south. The proposed redevelopment plan will include four best management practices (BMPs) to improve water quality leaving the site via the North Branch Bassett Creek and entering Northwood Lake east of Highway 169. The BMPs to be built for “above and beyond” pollutant removals include a pond in the northwest corner of the development site, and a large pond and enhanced wetland at the southern edge of the site.

Commissioner Harwell asked about how the “treatment train” (the three ponds) worked together. Dominion answered that clean water won’t prevent dirty water upstream from being treated, it will give it a second chance to be treated. Commission Engineer Chandler said that treatment scenario was accounted for in the P-8 modeling.

Commission Engineer Chandler reported that this development would remove two acres of impervious surfaces meaning there will be less total phosphorus leaving the site. She also reported that there is no floodplain filling, but rather, additional storage will be incorporated into the site. She also noted that rate control and erosion control requirements are being met. Engineer Chandler walked the commission through the significant phosphorus reductions including approximately 101.4 pounds above and beyond required removals. She also reviewed the proposed wetland improvements including grading, creating a meandering flow path, and islands. Commission Engineer Chandler indicated she is confident that at least 100 pounds of total phosphorus would be removed, even though different levels of phosphorus removal were calculated by Loucks vs. the Commission Engineer.

Commission Engineer Chandler summed up her review comments as presented in the review memo. Alternate Commissioner McDonald-Black asked if the “dollars per pound of phosphorus removal” was calculated. The Commission Engineers said they did not calculate that but after a quick calculation, it is estimated to be around \$500/pound of phosphorus.

There was discussion about the use of flexible treatment options, how the southern wetland would be altered to improve water quality treatment, and the underground parking component. Commission Engineer Chandler noted the wetland improvements provide significant pollutant removals calculated at 80 pounds total phosphorus.

Commission Attorney Dave Anderson confirmed that the agreement with Dominion specifies the requirement to achieve at least 100 pounds of total phosphorus removal above the required pollutant removal amounts. He noted the agreement includes itemized documentation and a hold back percentage that is tied directly to full completion of the CIP project.

Commission Engineer Chandler noted that if the comments in the review memo are addressed, she would expect the project to result in at least 100 pounds total phosphorus removal. However, if there are significant changes proposed by Dominion, the project would come back to the Commission.

**MOTION:** Commissioner Welch moved to authorize the Commission Engineer, in consultation with the Administrator, to provide administrative approval of the Dominion redevelopment project, including the CIP

components, once project plans are finalized. Commissioner Fruen seconded the motion. Upon a vote, the motion carried 8-0, with the City of New Hope absent from the vote.

**B. Consider Approval of Agreement with Dominion Regarding Capital Improvement Program Funds**

Administrator Jester reported that an agreement with Dominion is needed for the design, construction and maintenance of the CIP components of the redevelopment project. She noted the final agreement language was emailed to commissioners last night with changes tracked from the version sent with meeting materials. She noted the agreement was discussed and negotiated between BCWMC Legal Counsel and attorneys for Dominion, with input and review by herself and the Commission Engineers.

Commissioner Welch asked about the timing for approval of the agreement. Logan Schmidt from Dominion answered there is some flexibility. Commissioner Welch recommended that more time be given for commissioners to review the final agreement language and that this item be brought to the May meeting.

**C. Consider Approval of Agreement with City of Plymouth Regarding Dominion Redevelopment Project**

This item was held until the May meeting so it could be considered in conjunction with the agreement with Dominion.

**D. Review Draft Policy for Use of CIP Funds for Equipment Purchase**

Administrator Jester reminded commissioners that at the February meeting, commissioners discussed a TAC recommendation to add cost sharing of the purchase of a high-efficiency street sweeper to the 5-year CIP. Commissioners requested further information and development of a draft policy on using CIP funds to purchase equipment. Staff drafted a policy similar to a policy recently adopted by Shingle Creek and Elm Creek WMCs. Administrator Jester noted that approval of the policy can be considered independently of the street sweeper request from Plymouth in Item 5F below.

There was some discussion of the merit of the policy. Commissioner Welch stated that he didn't support the policy because it seems like a reactionary recommendation and not based on a Commission prioritization of CIP projects. Commissioners/Alternate Commissioners Harwell, Sicora, de Lambert, Holter and Anderson expressed support for the policy, noting that street sweeping and winter maintenance equipment upgrades are two of the few mechanisms for reducing chloride pollution, that it's good to have policies similar to adjacent organizations, that street sweeping is a well-known mechanism to reduce pollution flowing into impaired waters. Alternate Commissioner McDonald Black requested a cost-benefit analysis in order to help prioritize CIP funding.

[Commissioner Harwell departs.]

**MOTION:** Commissioner Fruen moved to approve the policy on the use of CIP funds for city equipment purchases. Alternate Commissioner Sicora seconded the motion.

Discussion: Chair Prom noted that this is a precedent setting decision; that this policy is in line with Commission purposes, and the street sweepers and other equipment upgrades are one very important way to reduce chlorides.

Upon a vote, the motion carried 6-2, with the Cities of Minneapolis and Golden Valley voting against the motion; and the City of New Hope absent from the vote.

**E. Consider Approval of TAC Recommendations on 5-year Capital Improvement Program**

**i. Staff Memo on Street Sweeper Cost Share**

Administrator Jester noted that given the policy just approved, the Commission should consider Plymouth's request to add cost sharing a high efficiency street sweeper to the 5-year CIP. She noted that staff reviewed available

literature on the pollution mitigating abilities of street sweeping which are presented in the memo with meeting materials. Additionally, Ben Scharenbroich (TAC member with Plymouth) informed the Commission that street sweeping is recognized by the Minnesota Pollution Control Agency as a viable best management practice. He shared a memo with additional information on the practice and expected pollutant removals in relation to costs. He also noted that in general, cities cannot sweep effectively until the ice and snow is out of the curb line but with this enhanced regenerative air sweeper, sweeping can start earlier. Mr. Scharenbroich continued to explain that in the Medicine Lake TMDL, street sweeping was listed as a practice to help meet the goals of the TMDL and that this sweeper could help address TMDLs for chloride in Parkers Lake, Plymouth Creek, and Bassett Creek. Finally, he shared that a City of Edina study found costs ranging between \$150-\$190/pound of phosphorus, which is very cost effective.

There was discussion about the various studies on effectiveness of street sweepers. Commission Engineer Chandler clarified that sweeping in the fall greatly reduces phosphorus and sweeping early in the spring reduces chloride. She mentioned that the added benefit of removing chloride even if the streets weren't completely clear is a great benefit. Mark Ray (TAC member with Crystal) noted that sweepers also reduce solids entering ponds and allow for less frequent pond dredging.

**MOTION:** Alternate Commissioner McDonald Black moved to approve adding to the CIP the cost sharing of a high efficiency street sweeper to the 2021 CIP list at a cost of \$75,000. Alternate Commissioner Sicora seconded the motion. Upon a vote, the motion carried 7-1, with the City of Minneapolis voting against the motion and the City of New Hope absent from the vote.

#### **ii. TAC Recommended 5-year CIP and Project Fact Sheets**

Administrator Jester reminded commissioners that the complete 5-year CIP needs to be set as it impacts the minor plan amendment and public hearing slated for the May meeting. She also noted approving the projects to be included on the 5-year CIP is a separate decision from setting the 2021 maximum levy which would happen after review of the feasibility studies for the 2021 projects at the May and June meetings.

Administrator Jester gave a brief overview of the Crane Lake Chloride Reduction Project and Leslie Yetka (TAC member with Minnetonka) explained that the previous Crane Lake Improvement Project wasn't successful at finding a viable strategy for chloride management, so they are looking at alternatives such as re-using the brine runoff from Ridgedale Mall. Chris Long (Minnetonka) stated he wanted to explore brining and expand the discussion with Met Council. He noted the mall site presents a great opportunity to address chlorides. Commissioner Welch noted support for the project.

Mr. Scharenbroich provided an overview of the proposed Plymouth Creek Restoration Project from Old Rockford Rd. to Vicksburg Lane, which would include a partnership with an adjacent school and would hopefully engage private residents along the creek.

**MOTION:** Commissioner Welch moved to approve the TAC's recommendations on the 5-year CIP. Alternate Commissioner Sicora seconded the motion. Upon a vote, the motion carried 8-0, with the City of New Hope absent from the vote.

#### **F. Review Draft Feasibility Study for Main Stem Lagoon Dredging Project**

Chair Prom tabled this item until the May meeting.

### **6. Communications**

#### **A. Administrator's Report**

- i. Adjusted Hennepin County Max Tax Levy Timeline – no decision needed until June Commission meeting

- ii. Sweeney Lake Water Quality Improvement Project Virtual Open House via WebEx – The meeting went well with about 20 people in attendance. Q&As are posted on the project webpage along with the presentation.

B. Chair

Thanked everyone for dealing the technology.

C. Commissioners

Commissioner Welch complimented the new educational video about stormwater runoff and pointed out a typo. He also said the that the Luce Line bike trail is a great way to see many of the BCWMC projects.

D. TAC Members

Nothing to report.

E. Committees

- i. Education Committee – recommendations were approved with consent agenda
- ii. Budget Committee – met on April 6<sup>th</sup>, another meeting is scheduled for April 30<sup>th</sup>

F. Education Consultant

- i. New Clean Your Stormdrain video, Ms. Pape thanked Welch for catching the typo.
- ii. The next video will explore “water footprints”

G. Legal Counsel

- i. Thanked the commission for everyone’s efforts to hold the meeting and patience during the meeting

H. Engineer

- i. MTD Work Group Update Memo

7. INFORMATION ONLY (Information online only)

A. CIP Project Updates <http://www.bassettcreekwmo.org/projects>

B. Grant Tracking Summary and Spreadsheet

[http://www.bassettcreekwmo.org/application/files/4815/8648/1919/Item\\_7B\\_Barr\\_Grant\\_Tracking\\_Database\\_April\\_2020\\_MN\\_Metro.pdf](http://www.bassettcreekwmo.org/application/files/4815/8648/1919/Item_7B_Barr_Grant_Tracking_Database_April_2020_MN_Metro.pdf)

C. 2020 BCWMC Administrative Calendar

D. WCA Notices of Decision, Plymouth

E. WCA Notices of Application, Plymouth

8. ADJOURNMENT

The meeting was adjourned at 11:03 a.m.

**MOTION:** Alternate Commissioner McDonald Black moved to adjourn the meeting. Alternate Commissioner Holter seconded the motion. Upon a vote, the motion carried 8-0, with the City of New Hope absent from the vote.

\_\_\_\_\_  
Signature/Title                                  Date

\_\_\_\_\_  
Signature/Title                                  Date

Item 4B.  
 BCWMC 5-21-20  
 Full document online

(UNAUDITED)

<b>BEGINNING BALANCE</b>	<b>8-Apr-2020</b>	<b>864,111.23</b>
<b>ADD:</b>		
<b>General Fund Revenue:</b>		
Interest less Bank Fees		(44.88)
<b>Permits:</b>		
Kimley-Horn		3,500.00
Reimbursed Construction Costs		37,097.11
	<b>Total Revenue and Transfers In</b>	<b>40,552.23</b>
<b>DEDUCT:</b>		
<b>Checks:</b>		
3295 Barr Engineering	April Engineering	67,469.09
3296 Kennedy & Graven	March Legal	1,482.55
3297 Keystone Waters LLC	April Admin	7,742.15
3298 Lawn Chair Gardener	April Admin Services	1,473.75
3299 Finance & Commerce	PH Notice	79.77
3300 PLM Lake and Land Managemer	Surfactant/Diquat Treatment	6,634.42
3301 Regents of the University of MN	Room rental	70.00
3302 City of Golden Valley	Channel Maintenance	11,453.70
3303 MMKR	Audit Services	2,500.00
3304 ISD 284	Permit Refund-Excess	1,000.00
	<b>Total Checks/Deductions</b>	<b>99,905.43</b>
Outstanding from previous month:		
3294 City of St Louis Park	Westwood Hills Nature Center	174,486.76
<b>ENDING BALANCE</b>	<b>13-May-2020</b>	<b>804,758.03</b>

Bassett Creek Watershed Commission  
 General Fund (Administration) Financial Report  
 Fiscal Year: February 1, 2020 through January 31, 2021  
 MEETING DATE: May 21, 2020

(UNAUDITED)

	2020/2021 BUDGET	CURRENT MONTH	YTD 2020/2021	BALANCE
<b>OTHER GENERAL FUND REVENUE</b>				
ASSESSMENTS TO CITIES	550,450	0.00	512,820.00	37,630.00
PROJECT REVIEW FEES	50,000	3,500.00	21,000.00	29,000.00
WOMP REIMBURSEMENT	5,000	0.00	0.00	5,000.00
TRANSFERS FROM LONG TERM FUND & CIP	42,000	0.00	0.00	42,000.00
CIP ADMINISTRATIVE CHARGE		30,000		
LONG TERM MAINT-FLOOD CONTROL PR		12,000		
USE OF FUND BALANCE	15,000	0.00	0.00	15,000.00
METROPOLITAN COUNCIL - LRT		0.00	0.00	
THREE RIVERS PARK DISTRICT - CURLY LEAF POND		0.00	0.00	
<b>REVENUE TOTAL</b>	<b>662,450</b>	<b>3,500.00</b>	<b>533,820.00</b>	<b>128,630.00</b>
<b>EXPENDITURES</b>				
<b>ENGINEERING &amp; MONITORING</b>				
TECHNICAL SERVICES	130,000	19,226.34	50,333.69	79,666.31
DEV/PROJECT REVIEWS	75,000	7,633.60	25,568.10	49,431.90
NON-FEE/PRELIM REVIEWS	20,000	3,026.00	6,118.50	13,881.50
COMMISSION AND TAC MEETINGS	12,000	640.50	2,117.70	9,882.30
SURVEYS & STUDIES	10,000	0.00	0.00	10,000.00
WATER QUALITY/MONITORING	102,600	4,785.51	27,291.45	75,308.55
WATER QUANTITY	6,500	466.73	1,965.19	4,534.81
ANNUAL FLOOD CONTROL INSPECTIONS	12,000	5,467.00	9,864.50	2,135.50
REVIEW MUNICIPAL PLANS	2,000	0.00	560.00	1,440.00
WOMP	20,500	650.00	3,704.68	16,795.32
APM / AIS WORK	30,000	6,634.42	6,634.42	23,365.58
<b>ENGINEERING &amp; MONITORING TOTAL</b>	<b>420,600</b>	<b>48,530.10</b>	<b>134,158.23</b>	<b>286,441.77</b>
<b>PLANNING</b>				
Next Generation Plan Development	18,000	0.00	0.00	18,000.00
<b>MAINTENANCE FUNDS TOTAL</b>	<b>18,000</b>	<b>0.00</b>	<b>0.00</b>	<b>18,000.00</b>
<b>ADMINISTRATION</b>				
ADMINISTRATOR	69,200	7,542.00	17,730.00	51,470.00
MN ASSOC WATERSHED DIST DUES	500	0.00	500.00	0.00
LEGAL COSTS	15,000	1,482.55	2,795.95	12,204.05
AUDIT, INSURANCE & BONDING	18,000	2,500.00	9,100.00	8,900.00
FINANCIAL MANAGEMENT	3,500	0.00	0.00	3,500.00
MEETING EXPENSES	1,500	0.00	223.50	1,276.50
ADMINISTRATIVE SERVICES	15,000	672.65	2,470.14	12,529.86
<b>ADMINISTRATION TOTAL</b>	<b>122,700</b>	<b>12,197.20</b>	<b>32,819.59</b>	<b>89,880.41</b>
<b>OUTREACH &amp; EDUCATION</b>				
PUBLICATIONS/ANNUAL REPORT	1,300	1,000.00	1,000.00	300.00
WEBSITE	1,000	0.00	0.00	1,000.00
PUBLIC COMMUNICATIONS	1,000	79.77	79.77	920.23
EDUCATION AND PUBLIC OUTREACH	22,000	1,001.25	2,109.86	19,890.14
WATERSHED EDUCATION PARTNERSHIPS	15,850	0.00	9,500.00	6,350.00
<b>OUTREACH &amp; EDUCATION TOTAL</b>	<b>41,150</b>	<b>2,081.02</b>	<b>12,689.63</b>	<b>28,460.37</b>
<b>MAINTENANCE FUNDS</b>				
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
<b>MAINTENANCE FUNDS TOTAL</b>	<b>50,000</b>	<b>0.00</b>	<b>0.00</b>	<b>50,000.00</b>
<b>TMDL WORK</b>				
TMDL IMPLEMENTATION REPORTING	10,000	0.00	0.00	10,000.00
<b>TMDL WORK TOTAL</b>	<b>10,000</b>	<b>0.00</b>	<b>0.00</b>	<b>10,000.00</b>
<b>TOTAL EXPENSES</b>	<b>662,450</b>	<b>62,808.32</b>	<b>179,667.45</b>	<b>482,782.55</b>

BCWMC Construction Account  
 Fiscal Year: February 1, 2020 through January 31, 2021  
 May 2020 Financial Report

(UNAUDITED)

Cash Balance 04/8/2020			
<b>Cash</b>		291,272.32	
	<b>Total Cash</b>		291,272.32
<b>Investments:</b>			
Minnesota Municipal Money Market (4M Fund)		2,500,000.00	
2018-20 Dividends		88,193.54	
2020-21 Dividends		5,208.64	
Dividends-Current		1,242.03	
	<b>Total Investments</b>		<u>2,594,644.21</u>
	<b>Total Cash &amp; Investments</b>		2,885,916.53
<b>Add:</b>			
Interest Revenue (Bank Charges)		(68.30)	
	<b>Total Revenue</b>		<u>(68.30)</u>
<b>Less:</b>			
CIP Projects Levied - Current Expenses - TABLE A		(18,103.41)	
Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		(7,420.00)	
	<b>Total Current Expenses</b>		<u>(25,523.41)</u>
	<b>Total Cash &amp; Investments On Hand</b>	<b>5/13/2020</b>	<u><u>2,860,324.82</u></u>
Total Cash & Investments On Hand		2,860,324.82	
Current Anticipated Levy -2019 (July 19/Dec 19/Jan 20)		10,952.29	
Current Anticipated Levy -2020 (July 20/Dec 20/Jan 21)		1,500,000.00	
CIP Projects Levied - Budget Remaining - TABLE A		(4,956,023.52)	
<b>Closed Projects Remaining Balance</b>		<b>(584,746.41)</b>	
2012 - 2017 Anticipated Tax Levy Revenue - TABLE C		8,425.14	
2018 Anticipated Tax Levy Revenue - TABLE C		11,050.60	
<b>Anticipated Closed Project Balance</b>		<b>(565,270.67)</b>	
Proposed & Future CIP Project Amount to be Levied - TABLE B		0.00	

TABLE A - CIP PROJECTS LEVIED							Grant Funds Received
	Approved Budget	Current Expenses	2020/21 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget		
Four Seasons Mall Area Water Quality Proj (NL-2)	990,000	7,319.00	7,319.00	182,319.06	807,680.94		
<b>2014</b>							
Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3)	612,000	0.00	3,146.00	430,817.45	181,182.55		
Twin Lake Alum Treatment Project (TW-2)	163,000	0.00	0.00	91,037.82	71,962.18		
<b>2016</b>							
Northwood Lake Pond (NL-1) <sup>2</sup>	822,140						
Budget Amendment	611,600	1,433,740	0.00	0.00	1,447,143.38	(13,403.38)	700,000
<b>2017</b>							
Main Stem Cedar Lk Rd-Dupont (2017CR-M)	400,000	1,064,472	0.00	0.00	132,029.25	932,442.75	
2017 Levy	664,472						
2018 Levy							
Plymouth Creek Restoration (2017 CR-P)	580,930	863,573	0.00	0.00	627,329.10	236,243.90	200,000
2017 Levy	282,643						
2018 Levy							
<b>2018</b>							
Bassett Creek Park & Winnetka Ponds Dredging (BCP-2)	1,000,000						
Mar-19 Budget Adj	114,301						
Mar-19 From Channel Maint	9,050	0.00	0.00	1,063,148.32	60,202.68		
<b>2019</b>							
Decola Ponds B&C Improvement(BC-2,BC-3,BC-8)	1,031,500	0.00	787,615.09	894,212.65	137,287.35		34,287
Westwood Lake Water Quality Improvement Project(Feasibility)	404,500	0.00	174,486.76	223,640.96	180,859.04		
<b>2020</b>							
Bryn Mawr Meadows (BC-5)	904,900	0.00	0.00	97,687.03	807,212.97		
Jevne Park Stormwater Mgmt Feasibility (ML-21)	500,000	0.00	0.00	46,390.75	453,609.25		
Crane Lake Improvement Proj (CL-3)	582,837	0.00	0.00	12,000.85	570,836.15		
Sweeney Lake WQ Improvement Project (SL-8)	550,000	10,784.41	18,942.86	20,092.86	529,907.14		
	<u>10,223,873</u>	<u>18,103.41</u>	<u>991,509.71</u>	<u>5,267,849.48</u>	<u>4,956,023.52</u>		

**TABLE B - PROPOSED & FUTURE CIP PROJECTS TO BE LEVIED**

	Approved Budget - To Be Levied	Current Expenses	2020/21 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget
<b>2021</b>					
Main Stem Dredging Project (BC-7)	0	5,382.00	31,071.50	71,527.22	(71,527.22)
Mt Olivet Stream Restoration (ML-20)	0	755.00	14,143.50	30,176.62	(30,176.62)
Parkers Lake Stream Restoration (PL-7)	0	1,283.00	22,964.90	45,383.94	(45,383.94)
2021 Project Totals	0	7,420.00	68,179.90	147,087.78	(147,087.78)
Total Proposed & Future CIP Projects to be Levied	0	7,420.00	68,179.90	147,087.78	(147,087.78)

**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			1,425,047.71	10,952.29	1,436,000.00
2018 Tax Levy	1,346,815.00		1,346,815.00			1,335,764.40	11,050.60	947,115.00
2017 Tax Levy	1,303,600.00	(10,691.48)	1,292,908.52			1,287,711.00	5,197.52	1,303,600.00
2016 Tax Levy	1,222,000.00	(9,526.79)	1,212,473.21			1,210,070.71	2,402.50	1,222,000.00
2015 Tax Levy	1,000,000.00	32.19	1,000,032.19			999,356.51	675.68	1,000,000.00
2014 Tax Levy	895,000.00	(8,533.75)	886,466.25			886,316.81	149.44	895,000.00
				0.00			30,428.03	

**OTHER PROJECTS:**

	Approved Budget	Current Expenses / (Revenue)	2020/21 YTD Expenses / (Revenue)	INCEPTION To Date Expenses / (Revenue)	Remaining Budget
<b>TMDL Studies</b>					
TMDL Studies	135,000	0.00	0.00	107,765.15	27,234.85
TOTAL TMDL Studies	135,000	0.00	0.00	107,765.15	27,234.85
<b>Flood Control Long-Term</b>					
Flood Control Long-Term Maintenance	694,573	120.00	120.00	409,289.91	
Less: State of MN - DNR Grants		0.00	0.00	(141,846.90)	
	694,573	120.00	120.00	267,443.01	427,129.99
<b>Annual Flood Control Projects:</b>					
Flood Control Emergency Maintenance	500,000	0.00	0.00	0.00	500,000.00
<b>Annual Water Quality</b>					
Channel Maintenance Fund	415,950	11,453.70	11,453.70	267,073.30	148,876.7
<b>Metro Blooms Harrison Neighborhood CWF Grant Project</b>					
BWSR Grant	134,595	0.00	0.00	87,892.89	46,702.11
	134,595	0.00	0.00	(67,298.00)	(67,298.00)
Total Other Projects	1,880,118	11,573.70	11,573.70	595,578.35	1,082,645.65

Cash Balance 04/8/2020 1,023,562.90

Add: Transfer from GF

Less: Current (Expenses)/Revenue (11,573.70)

Ending Cash Balance 5/13/2020 1,011,989.20

Additional Capital Needed (70,656)



Item 4D.  
BCWMC 5-21-20  
Full documentation available  
upon request

April 4, 2020

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

Subject: Channel Maintenance Reimbursement

Dear Ms. Jester,

Enclosed with this letter you will find documentation for design and construction expense for Channel Maintenance at 510 Cloverleaf Dr. Please process payment for one-half of the invoice amount to the City of Golden Valley for a total of \$11,453.70. The City executed agreements with the property owner at 510 Cloverleaf to construct the project on their own with the assistance of a professional engineering consultant and private contractor. The property owners received BCWMC approval for their project in August of 2019. This reimbursement is consistent with the 2019 Agreement for Stream Bank Stabilization between the City and the Bassett Creek Water Management Commission. The City is facilitating the reimbursement process for the property owner.

According to the agreements between the City and the property owners, the property owners are eligible for reimbursement of up to 50% of the engineering and construction costs of their project, with a not to exceed cost of \$15,000. The total cost of the project was \$22,907.38. The amount requested for reimbursement is half the cost of the project, \$11,453.70.

The following items are attached to this letter for reference:

1. Agreement for Channel Maintenance –
2. Agreements for Streambank Stabilization (City and Property Owners)
3. BCWMC Project Approval Letter
4. Project Invoice and Payment Records
5. Lien Waivers
6. Construction Record Drawings

Please feel free to call me if you have any questions regarding this matter.

Sincerely,

Drew Chirpich  
Environmental Specialist  
763-593-8044

Enclosures

C: Eric Eckman, Natural Resource Supervisor  
Jeff Oliver, City Engineer  
Sue Virnig, Finance Director



# Bassett Creek Watershed Management Commission



## 2019 Annual Report

Crystal • Golden Valley • Medicine Lake • Minneapolis  
Minnetonka • New Hope • Plymouth • Robbinsdale • St. Louis Park



May 2020

# Bassett Creek Watershed Management Commission 2019 Annual Report

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Cover photo: Plymouth Creek in Plymouth Creek Park, Plymouth; 1 year after restoration project

# Bassett Creek Watershed Management Commission

Executive Summary: 2019 Annual Report



## 2019: Celebrating 50 Years!

In 2019, the BCWMC celebrated 50 years of working to fulfill its mission:  
*Stewardship of Water Resources to Protect and Enhance Our Communities.*

The Bassett Creek Flood Control Commission was established in 1969 to address major flooding along the creek and to improve the 1920's era Bassett Creek Tunnel under Minneapolis. Between 1976 and 1992, the "new" Bassett Creek Tunnel was constructed through an award-winning partnership of local, state, and federal agencies.



The change to the "Bassett Creek Watershed Management Commission" coincided with a new focus on improving water quality in lakes and streams in addition to continuing to address localized flooding. In 2004, the BCWMC began its capital improvement program (CIP), installing 33 projects in the last 15 years with some impressive outcomes:



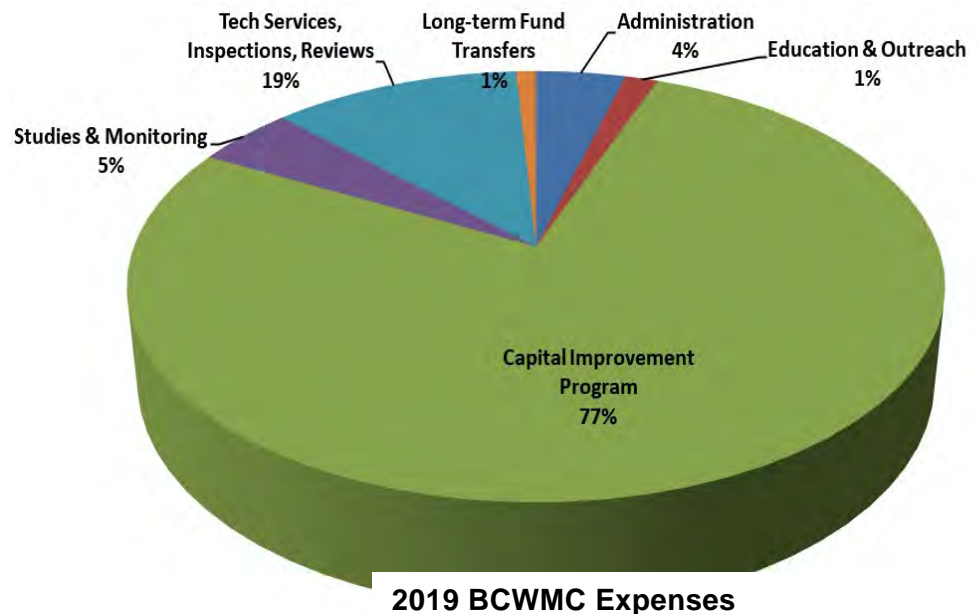
- ❖ \$15.6M levied for projects
- ❖ \$2.4M grant dollars leveraged
- ❖ 1,900 lbs of phosphorus reduced annually
- ❖ 644 tons of sediment reduced annually
- ❖ 5.7 miles of streambanks restored
- ❖ 1 lake removed from impaired waters list



Read more about BCWMC's history at: [www.bassettcreekwmo.org/about/our-history](http://www.bassettcreekwmo.org/about/our-history)

## Budget

In FY 2019, the BCWMC spent approximately \$615,000 on activities and programs and \$2.05 million on capital projects. BCWMC income included \$529,850 from member cities, \$118,000 in grants and reimbursements, and \$50,000 in development review fees. Another \$1.436 million was collected through a Hennepin County tax levy on watershed residents for the capital projects. For an itemization or more information on the BCWMC's 2019 expenditures, see the 2019 Operating Budget in Appendix A or the financial audit online.



## 2019 Highlights

*The Bassett Creek Watershed Management Commission (BCWMC) is governed by a board composed of representatives from each of the nine member cities: Crystal Golden Valley Medicine Lake Minneapolis Minnetonka New Hope Plymouth St. Louis Park and Robbinsdale. Representatives are appointed by their cities and serve three-year terms.*

**Major Projects:** The BCWMC continued to implement its capital improvements program and received critical grant funds for several projects. Information on all BCWMC projects (completed, on-going, and proposed) can be found at [www.bassettcreekwmo.org](http://www.bassettcreekwmo.org).



- **DeCola Ponds B & C Improvement Project.** Construction of this project was largely completed in 2019 including creation of a new pond and expansion of two existing ponds to alleviate flooding in Golden Valley and to improve water quality in Bassett Creek. The project received Clean Water Funds from the MN Board of Water and Soil Resources.
- **Bryn Mawr Meadows Water Quality Improvement Project.** The feasibility study was completed and this project was officially ordered. The project will reduce phosphorus by 30 lbs. per year by treating runoff from 41 acres of residential areas in Minneapolis. The project will be constructed in conjunction with the Minneapolis Park and Rec Board's redevelopment of Bryn Mawr Meadows Park. The project received a \$400,000 Clean Water Fund grant from the MN Board of Water and Soil Resources.
- **Sweeney Lake Water Quality Improvement Project.** This project in Golden Valley was officially ordered in 2019 and will vastly improve the water quality in the lake through carp management and an alum treatment slated for 2020. In 2019, this project received federal grant funding of \$330,000 through the MN Pollution Control Agency.

**Monitoring:** The BCWMC continued to assess its lakes and streams through a robust water monitoring program and completed a thorough review of its water monitoring program including reviewing goals, objectives, activities, and expenses. In 2019, the BCWMC

- Assessed the health of **Northwood and Cavanaugh Lakes** by collecting data on water quality, plankton, and aquatic plants (Appendix B),
- Completed the second year of a 2-year monitoring project on the **North Branch of Bassett Creek** including collecting data on flow, water quality, habitat, and macroinvertebrates,
- Performed continuous stream flow and water quality monitoring on **Bassett Creek at the Watershed Outlet Monitoring Program** station in partnership with the Met Council, and
- Coordinated **volunteers on seven lakes** to collect water samples and data through the Met Council's Citizen Assisted Monitoring Program.

**Education & Outreach:** The BCWMC continued engaging and educating watershed residents through various avenues including:

- Hosted a 50<sup>th</sup> **anniversary event and watershed tour** with 74 participants, a keynote address by Mark Seeley, and presentation of the BCWMC's history by long time Commission engineer, Len Kremer.
- Drafted and submitted **monthly articles** to the local newspaper, Sun Post, for an educational column on topics like reducing chlorides, planting natives, local water management, adopt-a-drain, and BCWMC history.
- Continued a partnership with Metro Blooms on the **Harrison Neighborhood Project** to engage residents, train youth, and install water quality practices.
- Engaged residents and distributed educational materials at the **Golden Valley Arts & Music Festival**.
- Continued **financial support** of West Metro Water Alliance, Metro Watershed Partners, Children's Water Festival, and Hennepin County River Watch.



Item 41.  
BCWMC 5-21-20  
Full document  
online

**PRINCIPALS**

Thomas A. Karnowski, CPA  
Paul A. Radosevich, CPA  
William J. Lauer, CPA  
James H. Eichten, CPA  
Aaron J. Nielsen, CPA  
Victoria L. Holinka, CPA/CMA  
Jaclyn M. Huegel, CPA  
Kalen T. Karnowski, CPA

April 24, 2020

To the Board of Commissioners and Management  
Bassett Creek Watershed Management Commission

The following is a summary of our audit work, key conclusions, and other information that we consider important or that is required to be communicated to the Board of Commissioners, administration, or those charged with governance of the Bassett Creek Watershed Management Commission (the Commission).

**OUR RESPONSIBILITY UNDER AUDITING STANDARDS GENERALLY ACCEPTED IN THE UNITED STATES OF AMERICA AND *GOVERNMENT AUDITING STANDARDS***

We have audited the financial statements of the governmental activities and each major fund of the Commission as of and for the year ended January 31, 2020. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information to you verbally and in our audit engagement letter. Professional standards also require that we communicate to you the following information related to our audit.

**PLANNED SCOPE AND TIMING OF THE AUDIT**

We performed the audit according to the planned scope and timing previously discussed and coordinated in order to obtain sufficient audit evidence and complete an effective audit.

**AUDIT OPINION AND FINDINGS**

Based on our audit of the Commission's financial statements for the year ended January 31, 2020:

- We have issued an unmodified opinion on the Commission's financial statements. The Commission has elected not to present management's discussion and analysis, which accounting principles generally accepted in the United States of America have determined necessary to supplement, although not required to be a part of, the basic financial statements. Our opinion on the Commission's basic financial statements is not affected by this missing information.
- We reported no deficiencies in the Commission's internal control over financial reporting that we considered to be material weaknesses.
- The results of our testing disclosed no instances of noncompliance required to be reported under *Government Auditing Standards*.
- We reported no findings based on our testing of the Commission's compliance with Minnesota laws and regulations.

Malloy, Montague, Karnowski, Radosevich & Co., P.A.

5353 Wayzata Boulevard • Suite 410 • Minneapolis, MN 55416 • Phone: 952-545-0424 • Fax: 952-545-0569 • www.mmkr.com

## **OTHER OBSERVATIONS AND RECOMMENDATIONS**

### **Impact of Novel Coronavirus (COVID-19)**

Shortly after the end of the 2019 fiscal year, the onset of the novel coronavirus (COVID-19) pandemic caused substantial volatility in economic conditions and tremendous disruption in the way governments, businesses, and individuals function. Minnesota local governments may experience the impact of this pandemic in a myriad of financial areas, such as: declines in investment rates of return, cash flow issues, increased receivable delinquencies, challenges in processing transactions, disruption of prescribed internal control procedures, delays in internal and external financial reporting, and new compliance requirements attached to potential federal relief subsidies. As your organization adapts to the new normal of operations in a post-COVID-19 world, the assessment of and responses to the new risks that accompany operational changes will be critical to the safeguarding of resources and sound financial stewardship. We encourage management and governance to include a robust financial risk assessment process when planning responses to these challenges, and to reassess and adapt internal controls over financial transactions and reporting to align with significant changes made to daily operations, even those intended to be temporary.

## **SIGNIFICANT ACCOUNTING POLICIES**

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Commission are described in Note 1 of the notes to basic financial statements. No new accounting policies were adopted, and the application of existing policies was not changed during the year.

We noted no transactions entered into by the Commission during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

## **ACCOUNTING ESTIMATES AND MANAGEMENT JUDGMENTS**

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

We evaluated the key factors and assumptions used to develop these accounting estimates in determining that they are reasonable in relation to the basic financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

## **CORRECTED AND UNCORRECTED MISSTATEMENTS**

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. There were no misstatements detected as a result of audit procedures that were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

## **DIFFICULTIES ENCOUNTERED IN PERFORMING THE AUDIT**

We encountered no significant difficulties in dealing with management in performing and completing our audit.



#### **DISAGREEMENTS WITH MANAGEMENT**

For purposes of this report, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

#### **MANAGEMENT REPRESENTATIONS**

We have requested certain representations from management that are included in the management representation letter dated April 24, 2020.

#### **MANAGEMENT CONSULTATIONS WITH OTHER INDEPENDENT ACCOUNTANTS**

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Commission's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no consultations with other accountants.

#### **OTHER AUDIT FINDINGS OR ISSUES**

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Commission's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

#### **OTHER MATTERS**

We were not engaged to report on the introductory section, which accompanies the financial statements but is not required supplementary information. Such information has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

#### **CLOSING**

We would be pleased to further discuss any of the information contained in this report or any other concerns that you would like us to address. We would also like to express our thanks for the courtesy and assistance extended to us during the course of our audit.

The purpose of this report is solely to provide those charged with governance of the Commission, management, and those who have responsibility for oversight of the financial reporting process required communications related to our audit process. Accordingly, this report is not suitable for any other purpose.

*Malloy, Montague, Karnowski, Radosevich & Co., P.A.*

Minneapolis, Minnesota  
April 24, 2020

**BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION**

**Financial Statements and  
Supplemental Information**

**Year Ended  
January 31, 2020**

BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION

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BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION

Statement of Net Position  
as of January 31, 2020  
(With Partial Comparative Information as of January 31, 2019)

	Governmental Activities	
	2020	2019
Assets		
Cash and temporary investments	\$ 5,649,384	\$ 5,447,755
Delinquent taxes receivable	8,856	7,797
Due from other governments	337,209	177,166
Prepays	2,143	2,958
Total assets	\$ 5,997,592	\$ 5,635,676
Liabilities		
Accounts payable	\$ 873,404	\$ 187,432
Unearned revenue	266,878	281,760
Total liabilities	1,140,282	469,192
Net position		
Restricted for watershed improvements	4,448,634	4,786,348
Unrestricted	408,676	380,136
Total net position	4,857,310	5,166,484
Total liabilities and net position	\$ 5,997,592	\$ 5,635,676

BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION

Statement of Activities  
Year Ended January 31, 2020  
(With Partial Comparative Information for the Year Ended January 31, 2019)

	Governmental Activities	
	2020	2019
Expenses		
Watershed management		
Administration	\$ 697,931	\$ 586,206
Improvement projects	2,054,732	1,664,855
Total expenses	2,752,663	2,251,061
Program revenues		
Watershed management		
Charges for services – member assessments	529,850	515,050
Charges for services – permit fees	52,597	53,000
Capital grants and contributions	384,692	388,980
Total program revenues	967,139	957,030
Net program revenue (expense)	(1,785,524)	(1,294,031)
General revenues		
Property taxes	1,424,217	1,337,205
Unrestricted state aids	2	2
Investment earnings	51,828	44,343
Other	303	324
Total general revenues	1,476,350	1,381,874
Change in net position	(309,174)	87,843
Net position		
Beginning of year	5,166,484	5,078,641
End of year	\$ 4,857,310	\$ 5,166,484

BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION

Balance Sheet  
Governmental Funds  
as of January 31, 2020  
(With Partial Comparative Information as of January 31, 2019)

	General Fund	Improvement Capital Projects Fund	Total Governmental Funds	
			2020	2019
<b>Assets</b>				
Cash and temporary investments	\$ 682,726	\$ 4,966,658	\$ 5,649,384	\$ 5,447,755
Delinquent taxes receivable	–	8,856	8,856	7,797
Due from other governments	53,572	283,637	337,209	177,166
Prepays	2,143	–	2,143	2,958
<b>Total assets</b>	<b>\$ 738,441</b>	<b>\$ 5,259,151</b>	<b>\$ 5,997,592</b>	<b>\$ 5,635,676</b>
<b>Liabilities</b>				
Accounts payable	\$ 62,887	\$ 810,517	\$ 873,404	\$ 187,432
Unearned revenue	266,878	–	266,878	281,760
<b>Total liabilities</b>	<b>329,765</b>	<b>810,517</b>	<b>1,140,282</b>	<b>469,192</b>
<b>Deferred inflows of resources</b>				
Unavailable revenue – property taxes	–	8,856	8,856	7,797
<b>Fund balances</b>				
Nonspendable for prepaids	2,143	–	2,143	2,958
Restricted for watershed improvements	–	4,439,778	4,439,778	4,778,551
Assigned for SWLRT and METRO Blue Line extension	15,000	–	15,000	21,000
Unassigned	391,533	–	391,533	356,178
<b>Total fund balances</b>	<b>408,676</b>	<b>4,439,778</b>	<b>4,848,454</b>	<b>5,158,687</b>
<b>Total liabilities, deferred inflows of resources, and fund balances</b>	<b>\$ 738,441</b>	<b>\$ 5,259,151</b>	<b>\$ 5,997,592</b>	<b>\$ 5,635,676</b>

Amounts reported for governmental activities in the Statement of Net Position are different because:

Fund balances – governmental funds	\$ 4,848,454	\$ 5,158,687
Certain revenues (including delinquent taxes) are included in net position, but are excluded from fund balances until they are available to liquidate liabilities of the current period.	8,856	7,797
<b>Net position of governmental activities</b>	<b>\$ 4,857,310</b>	<b>\$ 5,166,484</b>

BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION

Statement of Revenue, Expenditures, and Changes in Fund Balances  
Governmental Funds  
Year Ended January 31, 2020  
(With Partial Comparative Information for the Year Ended January 31, 2019)

	General Fund	Improvement Capital Projects Fund	Total Governmental Funds	
			2020	2019
<b>Revenue</b>				
Member contributions	\$ 529,850	\$ –	\$ 529,850	\$ 515,050
Permit fees	52,597	–	52,597	53,000
Property taxes	–	1,423,158	1,423,158	1,334,945
Intergovernmental	130,731	253,963	384,694	388,982
Investment earnings	886	50,942	51,828	44,343
Miscellaneous	303	–	303	324
Total revenue	714,367	1,728,063	2,442,430	2,336,644
<b>Expenditures</b>				
<b>Current</b>				
Engineering	522,116	–	522,116	423,232
Legal	14,428	–	14,428	13,313
Professional services	16,707	–	16,707	17,588
Administrative services	77,918	–	77,918	74,194
Public relations and outreach	23,158	–	23,158	20,089
Financial management	3,500	–	3,500	3,200
Education	37,498	–	37,498	32,039
Miscellaneous	1,600	1,006	2,606	2,551
<b>Capital outlay</b>				
Improvement projects	215	2,054,517	2,054,732	1,664,855
Total expenditures	697,140	2,055,523	2,752,663	2,251,061
Excess (deficiency) of revenue over expenditures	17,227	(327,460)	(310,233)	85,583
<b>Other financing sources (uses)</b>				
Transfers in	73,313	62,000	135,313	55,936
Transfers (out)	(62,000)	(73,313)	(135,313)	(55,936)
Total other financing sources (uses)	11,313	(11,313)	–	–
Net change in fund balances	28,540	(338,773)	(310,233)	85,583
<b>Fund balances</b>				
Beginning of year	380,136	4,778,551	5,158,687	5,073,104
End of year	\$ 408,676	\$ 4,439,778	\$ 4,848,454	\$ 5,158,687
Amounts reported for governmental activities in the Statement of Activities are different because:				
Net change in fund balances – governmental funds			\$ (310,233)	\$ 85,583
Certain revenues (including delinquent taxes) are included in net position, but are excluded from fund balances until they are available to liquidate liabilities of the current period.			1,059	2,260
Change in net position of governmental activities			\$ (309,174)	\$ 87,843

BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION

Statement of Revenue, Expenditures, and Changes in Fund Balances  
Budget and Actual  
General Fund  
Year Ended January 31, 2020

	Original and Final Budget	Actual	Over (Under) Budget
<b>Revenue</b>			
Member contributions	\$ 529,850	\$ 529,850	\$ -
Permit fees	60,000	52,597	(7,403)
Intergovernmental	5,000	130,731	125,731
Investment earnings	-	886	886
Miscellaneous	-	303	303
Total revenue	594,850	714,367	119,517
<b>Expenditures</b>			
<b>Current</b>			
Engineering	429,000	522,116	93,116
Legal	17,000	14,428	(2,572)
Professional services	18,000	16,707	(1,293)
Administrative services	84,200	77,918	(6,282)
Public relations and outreach	25,800	23,158	(2,642)
Financial management	3,500	3,500	-
Education	40,850	37,498	(3,352)
Miscellaneous	1,500	1,600	100
<b>Capital outlay</b>			
Improvement projects	10,000	215	(9,785)
Total expenditures	629,850	697,140	67,290
Excess (deficiency) of revenue over expenditures	(35,000)	17,227	52,227
<b>Other financing sources (uses)</b>			
Transfers in	76,000	73,313	(2,687)
Transfers (out)	(62,000)	(62,000)	-
Total other financing sources (uses)	14,000	11,313	(2,687)
Net change in fund balances	\$ (21,000)	28,540	\$ 49,540
<b>Fund balances</b>			
Beginning of year		380,136	
End of year		\$ 408,676	



BASSETT CREEK WATERSHED MANAGEMENT COMMISSION  
RESOLUTION NO. 20-05

RESOLUTION AUTHORIZING EXECUTION OF WAIVER FORM RELATING TO TORT  
LIMITS FOR LIABILITY INSURANCE AND NOT WAIVING SUCH TORT LIMITS

WHEREAS, the Bassett Creek Watershed Management Commission (“Commission”) is a joint powers watershed management organization established by the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park in accordance with Minnesota Statutes, section 103B.211; and

WHEREAS, the Commission is insured for tort liability matters by the League of Minnesota Cities Insurance Trust (“LMCIT”); and

WHEREAS, as part of its liability insurance coverage with LMCIT, the Commission is required to elect annually whether to waive the statutory tort liability limits stated in Minn. Stat. § 466.04; and

WHEREAS, staff has recommended that the Commission not waive the tort cap limits in order to mitigate the Commission’s tort liability as permitted by law; and

WHEREAS, a decision to not waive the tort cap limits reasonably protects the Commission and limits its potential liability while allowing an individual claimant to recover damages as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Bassett Creek Watershed Management Commission that the Commission Administrator is authorized to execute the LMCIT Liability Coverage Waiver Form on behalf of the Commission by indicating that the Commission elects not to waive the statutory limitation on tort liability.

Adopted this 21<sup>st</sup> day of May, 2020.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Secretary





## Memorandum

**To:** Bassett Creek Watershed Management Commission (BCWMC)  
**From:** Barr Engineering Co. (Barr)  
**Subject:** Item 4K: Ridgedale Mall Sears Redevelopment – Minnetonka, MN  
BCWMC May 21, 2020 Meeting Agenda  
**Date:** May 13, 2020  
**Project:** 23270051 2020 2213

### 4K Ridgedale Mall Sears Redevelopment – Minnetonka, MN BCWMC 2020-08

#### Summary:

**Proposed Work:** Redevelopment/remodel of Ridgedale Sears and parking lot improvements

**Basis for Review at Commission Meeting:** Use of alternative BMP

**Impervious Surface Area:** Decrease 0.27 acres

**Recommendation:** Approval

#### General Project Information

The proposed project is in the Crane Lake subwatershed within the Ridgedale Mall complex in Minnetonka. The proposed project includes redevelopment of the existing Sears retail store, the structure of which is to remain, and parking lot improvements, resulting in 6.58 acres of grading (disturbance). The proposed project creates 2.33 acres of fully reconstructed impervious surfaces and results in a decrease of 0.28 acres of impervious surfaces, from 6.51 acres (existing) to 6.24 acres (proposed).

#### Floodplain

The proposed project does not involve work in the Bassett Creek 1% (base flood elevation, 100-year) floodplain; therefore, BCWMC floodplain review is not required.

#### Wetlands

The proposed project does not involve work in or adjacent to wetlands.

#### 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.*

In both existing and proposed conditions, stormwater runoff is collected by a storm sewer system and eventually discharges to a pond to the south of the Ridgedale Mall facility.

In proposed conditions, the underground stormwater detention system and reduction of impervious surfaces results in reduced overall peak discharge rates. Table 1 summarizes the existing and proposed peak discharge rates for the proposed project as provided by the applicant, and shows that the proposed stormwater management system meets the BCWMC requirements for rate control.

**Table 1: Existing and Proposed Peak Discharge Rates**

	2-Year Peak (cfs)	10-Year Peak (cfs)	100-Year Peak (cfs)
Existing	22.4	35.1	61.0
Proposed	11.6	22.9	58.7

## 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 BCWMC Flexible Treatment Options approach shall be used following the BCWMC Design Sequence Flow Chart.

The proposed project creates 2.33 acres of fully reconstructed impervious area. Due to the presence of clay and organic subsoils, which are not conducive to infiltration, the applicant is unable to meet the BCWMC performance goal or Flexible Treatment Option (FTO) #1. The applicant followed the BCWMC Design Sequence Flow Chart and determined that the proposed project must meet (FTO) #2. FTO #2 requires that the proposed project remove 60% of the annual total phosphorus (TP) load from the new and/or fully reconstructed impervious surfaces. The applicant proposed an underground detention system and Bayfilter to provide stormwater treatment. The Bayfilter is a stormwater manufactured treatment device (MTD) with General Use Level Designation (GULD) from the Washington Department of Ecology's Technology Assessment Protocol – Ecology (TAPE) program. The BCWMC Requirements document allows the use of stormwater MTDs to meet flexible treatment options, if the applicant provides verification that the MTDs have achieved GULD designation (the applicant provided this verification). The Requirements document states that the applicant *may then apply 50% total phosphorus (TP) and 80% total suspended solids (TSS) removals for stormwater MTDs, as long as the stormwater MTDs are designed in accordance with the manufacturer's and TAPE's recommendations and guidelines*. The underground detention and filtration system will collect runoff from reconstructed impervious surfaces as well as a portion of the parking lot designated for mill and overlay. Table 2 summarizes the annual TP loading, annual TP removals, and overall percent TP removal for the proposed project and shows that the proposed stormwater treatment system meets the BCWMC requirement for water quality.

**Table 2: Summary of TP Loading and TP Removals**

	<b>Imp. Area (acres)</b>	<b>Total Phosphorus Loading (lbs/year)</b>	<b>Percent Removal (%)</b>	<b>Total Phosphorus Removal (lbs/year)</b>
TP loading and required removal from reconstructed imp. surfaces	2.33 <sup>1</sup>	4.2	60% <sup>2</sup>	2.5 (required)
TP loading and proposed removal from MTD drainage area	3.45 <sup>3</sup>	6.2	50% <sup>4</sup>	3.1 (proposed)
<b>Overall Percent TP Removal for BCWMC Requirement</b>			<b>74%</b>	

<sup>1</sup> Area of fully reconstructed impervious surface.

<sup>2</sup> Per BCWMC guidelines for FTO #2

<sup>3</sup> Impervious area to be treated by MTD

<sup>4</sup> Per BCWMC guidelines for assumed TP Removal for Manufactured Treatment Devices (MTD) with General Use Level Designation from Washington Department of Ecology's TAPE program.

## 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 a rock construction entrance, silt fence, biologs, and inlet protection. Permanent erosion and sediment control features include erosion control blanket and stabilization with sod or seed and mulch.

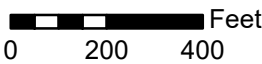
## Recommendation

Approval.

Preliminary review comments were provided to the City and to the applicant on May 7, 2020. The applicant addressed the comments and submitted revised plans on May 11, 2020 for staff review.



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



BCWMC #2020-08  
 RIDGEDALE MALL SEARS  
 REDEVELOPMENT  
 12401 Wayzata Blvd  
 Minnetonka, MN  
 LOCATION MAP



## Memorandum

**To:** Bassett Creek Watershed Management Commission (BCWMC)  
**From:** Barr Engineering Co. (Barr)  
**Subject:** Item 4L: New Hope 2020 Infrastructure Improvements – New Hope, MN  
BCWMC May 21, 2020 Meeting Agenda  
**Date:** May 12, 2020  
**Project:** 23270051 2020 2217

### 4L New Hope 2020 Infrastructure Improvements – New Hope, MN BCWMC 2020-12

#### Summary:

**Proposed Work:** Street reconstruction, water main replacement, sanitary sewer improvements, storm sewer improvements, and mill & overlay

**Basis for Review at Commission Meeting:** Linear project with more than five acres of disturbance

**Impervious Surface Area:** No change

**Recommendation:** Approval

#### General Project Information

The proposed linear project is in the City of New Hope at various locations within the Northwood Lake, Bassett Creek Park Pond, Medicine Lake Direct, and Bassett Creek Main Stem subwatersheds. The base bid and alternate #1 improvements are located in the Bassett Creek watershed, but alternates #2, #3, and #4 improvements are located outside the Bassett Creek watershed. The attached figure shows the proposed project work located in the Bassett Creek watershed. The proposed linear project includes reconstruction of City of New Hope streets and utility improvements, including water main, sanitary sewer, and storm sewer. Alternate #1 improvements include mill & overlay of additional City of New Hope streets beyond the base bid project, but the BCWMC requirements document does not consider mill & overlay work to be land disturbing activities, therefore BCWMC review is not required for the Alternate #1 improvements. The proposed linear project within the Bassett Creek Watershed results in 14.08 acres of grading (disturbance), creates 6.08 acres of fully reconstructed impervious surfaces, and results in no change in impervious surfaces from the 6.08 acres in existing conditions.

#### Floodplain

The proposed linear project does not involve work in the BCWMC 100-year floodplain; therefore, BCWMC floodplain review is not required.

#### Wetlands

The proposed linear project does not appear to involve work in or directly adjacent to wetlands. BCWMC wetland review is not required.

**To:** Bassett Creek Watershed Management Commission (BCWMC)  
**From:** Barr Engineering Co. (Barr)  
**Subject:** Item 4N: New Hope 2020 Infrastructure Improvements – New Hope, MN  
**Date:** May 12, 2020  
**Page:** 2

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## **Rate Control**

The proposed linear project does not create one or more acres of net new impervious surfaces; therefore, BCWMC rate control review is not required.

## **Water Quality**

The proposed linear project does not create one or more acres of net new impervious surfaces; therefore, BCWMC water quality review is not required. However, the proposed linear project includes a new storm manhole with three-foot sump at two locations where storm sewers leave the proposed project areas.

## **Erosion and Sediment Control**

The proposed linear project results in one or more acres 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, sediment control logs, silt fence, and storm drain inlet protection. Permanent erosion and sediment control features include stabilization with seeding and erosion control blanket.

## **Recommendation**







Approval.

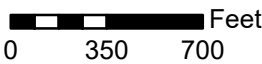




Base Bid:  
Street Reconstruction and  
Utility Improvements

Alternate #1:  
Mill and Overlay

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



BCWMC #2020-12  
2020 INFRASTRUCTURE  
IMPROVEMENTS  
Various Locations  
New Hope, MN  
LOCATION MAP





## Bassett Creek Watershed Management Commission

### NOTICE OF PUBLIC HEARING

#### Proposed Minor Amendments to the Bassett Creek Watershed Management Plan

NOTICE IS HEREBY GIVEN that the Bassett Creek Watershed Management Commission (BCWMC) will hold a public hearing during its regular meeting on

**Thursday, May 21, 2020 at 8:30 a.m.**

**Online via WebEx**

Visit "Upcoming Events" at [www.bassettcreekwmo.org](http://www.bassettcreekwmo.org) for meeting details.

Interested persons are invited to attend. The purpose of the public hearing is to answer questions about proposed minor amendments to the *2015 Bassett Creek Watershed Management Plan* and to hear public testimony regarding the proposed amendments. The proposed minor plan amendments involve revisions to the Capital Improvement Program (CIP):

- Adding the Crane Lake Chloride Reduction Demonstration Project at Ridgedale Mall (CL-4). This project in the City of Minnetonka will identify opportunities or innovative ways to reduce chloride entering Crane Lake.
- Adding the Plymouth Creek Restoration Project Old Rockford Rd. to Vicksburg Ln. (2026-CRP). This project in the City of Plymouth will repair erosion and reduce sedimentation along 1,600 feet of Plymouth Creek.
- Adding Cost Sharing Purchase of High Efficiency Street Sweeper (ML-23). This project in the City of Plymouth will provide funding for the city to purchase a high efficiency street sweeper to collect pollutants from streets in targeted areas near impaired waters.

A levy of an ad valorem property tax by Hennepin County on property within the Bassett Creek Watershed is the proposed method of payment for the costs of the CIP Projects.

The proposed minor plan amendments also include revisions to Section 4.2.6 Wetland Management policies to better align with current state assessment guidance.

The complete revised CIP, project fact sheets, and wetland policy revisions are available at:

[www.bassettcreekwmo.org/document/wmp-plans](http://www.bassettcreekwmo.org/document/wmp-plans).



## Bassett Creek Watershed Management Commission

Proposed Revisions to Section [4.2.6 Wetland Management Policies](#)

**Policy 65.** The BCWMC requires member cities to inventory, classify and determine the functions and values of wetlands, either through a comprehensive wetland management plan or as required by the Wetland Conservation Act (WCA).

Member cities shall maintain a database of wetland functions and values assessment results. The BCWMC encourages member cities to complete comprehensive wetland management plans as part of their local water management plan or as an implementation task identified in their local water management plan. Completed comprehensive wetland management plans shall be submitted to the BCWMC for review and comment.

**Policy 66.** The BCWMC requires member cities to develop and implement wetland protection ordinances that consider the results of wetland functions and values assessments, and are based on comprehensive wetland management plans, if available. For wetlands classified as Preserve or Manage 1 [\(or comparable classification if BWSR's Minnesota Rapid Assessment Method \(MnRAM\) is not used\)](#), member cities ~~shall implementare~~ [encouraged to develop](#) standards for bounce, inundation, and runoff control that are similar to [BWSR guidanceMnRAM](#); member cities are encouraged to apply standards for other wetland classifications.

**Policy 67.** The BCWMC ~~adopts-recommends that cities use~~ the Minnesota Rapid Assessment Method (MnRAM) [\(or similar\)](#) ~~as the~~ wetland assessment method and ~~the~~ wetland management classification system. Member cities are encouraged to use ~~MnRAM-such a method~~ for all wetland assessment and classification, but are not required to perform reassessments ~~using the MnRAM~~ for wetlands already assessed.

**Policy 68.** Member cities shall maintain and enforce buffer requirements for projects containing more than one acre of new or redeveloped impervious area. Average minimum buffer widths are required according to the MnRAM classification (or similar classification system):

- An average of 75 feet and minimum of 50 feet from the edge of wetlands classified as Preserve [\(or comparable classification if BWSR's MnRAM is not used\)](#)
- [An average of 50 feet and minimum of 30 feet from the edge of wetlands classified as Manage 1 \(or comparable classification if BWSR's MnRAM is not used\)](#)
- [An average of 25 feet and minimum of 15 feet from the edge of wetlands classified as Manage 2 or 3. \(or comparable classification if BWSR's MnRAM is not used\)](#)

Allowable land uses and vegetative criteria for buffers are specified in the BCWMC's Requirements for Development and Redevelopment (BCWMC, 2015, as amended). Member cities may allow exemptions for public recreational facilities parallel to the shoreline (e.g. trails) up to 20 feet in width, with that width being added to the required buffer width.

**Policy 72.** The BCWMC requires that member cities annually inspect wetlands classified as Preserve [\(or comparable classification if MnRAM not used\)](#) for terrestrial and emergent aquatic invasive vegetation, such as buckthorn and purple loosestrife, and attempt to control or treat invasive species, where feasible.

Item 5Ai.  
BCWMC 5-21-20



**Hennepin County**  
Public Works

**Environment and Energy Department**  
701 Fourth Avenue South, Suite 700  
Minneapolis, Minnesota 55415-1842

612-348-3777, Phone  
612-348-8532, Fax  
hennepin.us/environment

May 12, 2020

James Prom, Chair  
Bassett Creek Watershed Management Commission  
c/o Laura Jester, Watershed Administrator  
16145 Hillcrest Lane  
Eden Prairie, MN 55346

**Re: Minor Plan Amendment**

Dear Mr. Prom:

I request that Hennepin County’s review deadline for the proposed plan amendment be extended to August 14, 2020. The need for the extension is due to the County’s 2020 meeting dates, formal review process, the lead time required to place the item on the County Board’s meeting schedule, as well as a slight delay in they amendment and levy approval process this year due to COVID-19.

The Board Action requesting formal approval of the Minor Plan Amendment will be heard by the Hennepin County Board of Commissioners Administration Committee on August 4, 2020 and by the full Board on August 11, 2020.

Sincerely,

Karen Galles  
Supervisor, Land & Water Unit

Cc: Laura Jester, Watershed Administrator  
Steve Christopher, BWSR



## CAPITAL IMPROVEMENT CONSTRUCTION AGREEMENT

### Four Seasons Mall Redevelopment

This Agreement is made as of this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization (the “Commission”), and Plymouth Leased Housing Associates IV, LLLP, a Minnesota limited liability limited partnership (the “Developer”). The Commission and the Developer may hereinafter be referred to individually as a “party” or collectively as the “parties.”

#### RECITALS

- A. The Commission adopted the Bassett Creek Watershed Management Commission Watershed Management Plan on September 17, 2015 (“WM Plan”), a watershed management plan within the meaning of Minnesota Statutes, section 103B.231;
- B. The WM Plan includes a capital improvement program (“CIP”) that lists a number of water quality project capital improvements;
- C. One of the water quality projects identified in the CIP is the Four Seasons Mall Water Quality Project in the City of Plymouth (“City”) that was funded as part of the 2013 CIP levy and collected by Hennepin County pursuant to Minnesota Statutes, section 103B.251;
- D. The Developer is in the process of acquiring certain real property that is to be platted as part of the current Four Seasons Mall Redevelopment (the “Redevelopment”). A depiction of said Redevelopment is attached hereto as Exhibit A, and the real property that the Developer is in the process of acquiring is depicted thereon as Lot 3, Block 1 (the “Developer Property”);
- E. The Developer Property is adjacent to certain other real property also to be platted as part of the Redevelopment and depicted on Exhibit A as Lots 2, 4, and 5, Block 1 (the “Other Property”), and said Other Property will be acquired by either the Developer or an affiliate thereof;
- F. The Other Property is intended to be conveyed in a series of one or more transactions to other owners, including a developer affiliated with the Developer, a retail developer not affiliated with the Developer, and the City (the “Other Developers”);
- G. The Developer Property is also adjacent to and to the north of a wetland parcel owned by the City, Hennepin County PID 1311822140008 (the “City Property”);
- H. The original Four Seasons Mall Water Quality Project did not proceed, but the Developer has proposed to construct an alternative stormwater project in addition to what it would otherwise be required to construct as part of the Redevelopment (the “Project”). The Project will be constructed partially on the Developer Property, partially on the Other Property, and partially on the City Property. The Project is described in detail on the attached Exhibit B and includes, without limitation, the construction or installation of stormwater pond WP with a sand filtration system, stormwater pond NP with a pre-treatment forebay and an iron-enhanced sand filtration system, and the restoration of the wetland within the City Property;

- I. The Other Developers will obtain any required approvals from the Commission in connection with private stormwater improvements that are not included within the Project but are located on the Other Property;
- J. The Developer will acquire from the respective owner(s) such temporary easements or agreements as may be required to construct portions of the Project on the Other Property and the City Property;
- K. The Project exceeds the Commission's stormwater treatment requirements for the Developer's proposed redevelopment and provides at least the level of treatment that was expected to be realized by construction of the original Four Seasons Mall Water Quality Project. The minimum above and beyond phosphorous removal requirement of the Project is specified in Section 4 of this Agreement;
- L. The City, through a separate agreement with the Commission, will provide for the ongoing maintenance of the Project elements constructed on the City Property;
- M. The City, through a separate development agreement with the Developer, will also ensure the ongoing maintenance by the Developer of the Project elements that are constructed on the Developer Property and on the Other Property;
- N. The Commission desires to provide CIP funding, on a reimbursement basis, to the Developer for the Project in accordance with the terms and conditions of this Agreement; and
- O. The Developer desires to utilize the CIP funds from the Commission to construct the Project in accordance with the terms and conditions of this Agreement.

#### **AGREEMENT**

In consideration of the mutual promises and agreements hereinafter set forth, and intending to be legally bound, the parties do hereby agree as follows:

- 1. Project Scope. The Project will consist of the construction and installation of all stormwater treatment features and improvements described in Exhibit B attached hereto. The site of the Project shall include the Developer Property, the City Property, and the Other Property.
- 2. Developer Property. The Developer's acquisition of fee title of the Developer Property is a condition precedent to the Developer being eligible for any reimbursement of Project costs from the Commission under this Agreement. The Developer shall provide the Commission proof of having acquired fee title to the Developer Property prior to the Developer submitting any reimbursement requests to the Commission.
- 3. City Property; Other Property.



- a. City Property. The Developer shall take such steps as may be required to obtain a construction easement or agreement from the City as may be needed to secure a right to construct the stormwater improvements identified within the Project on the City Property in accordance with the Plans. The rights obtained from the City shall include an agreement or similar authorization for the Commission and its agents to enter the City Property as may be needed to conduct inspections as provided in this Agreement if the Commission does not secure such authorization in its separate agreement with the City. The Developer's acquisition of such rights over the City Property shall occur before the Commission will reimburse any construction costs for the Project.
  - b. Other Property. The Developer shall take such steps as may be required to obtain a construction easement or agreement from the owner(s) of the Other Property as may be needed to secure a right to construct the stormwater improvements identified within the Project on the Other Property in accordance with the Plans. The rights obtained from the owner(s) of the Other Property shall include an agreement or similar authorization for the Commission and its agents to enter such Other Property as may be needed to conduct inspections as provided in this Agreement. The Developer's acquisition of such rights over such Other Property shall occur before the Commission will reimburse any construction costs for the Project.
4. Design and Plans. The Developer will design the Project, prepare plans and specifications for construction of the Project, and provide supporting information including, but not limited to, final pollutant removal information and other information to confirm pollutant removal estimates (collectively, the "Plans"). The 90% plans and specifications have already been submitted to the Commission engineers and approved in accordance with the Commission's CIP project review process. Once the Plans are fully finalized, they shall be submitted to the Commission engineer for final administrative review and written approval. Any changes to the fully finalized plans and specifications shall require written approval of the Commission's engineer following a reasonable review period, which shall be no less than 10 business days. Only minor change orders may be approved by the Developer, in consultation with the Commission administrator, without requiring additional approvals by the Commission. For purposes of this paragraph, "minor change orders" shall mean those changes to the approved plans that do not materially change either the effectiveness of the Project to meet its intended purposes, the aesthetics, form, or function of the Project, or the environmental impacts of the Project. The Plans shall be completed and submitted for approval prior to the distribution of any funds under this Agreement. Approval of the Plans shall not occur unless the Plans demonstrate that the Project will remove at least 100 pounds of total phosphorus more than the amount that is required for removal for the development itself. The Plans, once finalized and approved by the Commission engineer in accordance with this section, shall be incorporated in and made part of this Agreement by reference.
5. Contract Administration. The Developer shall be responsible for constructing the Project in accordance with the approved Plans. The Developer will award the contract to its selected contractor ("Contractor") and supervise and administer the construction of the Project to ensure that it is completed in accordance with the approved Plans. The Developer will

require the Contractor to name the Commission and its engineering firm, Barr Engineering Co., as additional insureds on all liability policies required by the Developer of the Contractor, and the Commission shall be given the same notification of cancellation or non-renewal of such liability policies as is given to the Developer. The Developer will require the Contractor to defend, indemnify, protect, and hold harmless the Commission and the Developer, their agents, officers, and employees, from all claims or actions arising from negligent acts, errors or omissions of the Contractor. The Developer will supervise the work of the Contractor, but the Commission shall perform construction inspections as provided herein.

6. Construction Inspections. The Commission's engineer ("Commission Engineer") shall perform periodic inspections of the Project as it is being constructed. The Developer and the Commission, through its engineer, agree to work cooperatively with one another and in good faith with the Contractor to develop a schedule for inspections that minimizes the amount of CIP funds spent on inspections while still providing sufficient inspections to ensure the Project is constructed in accordance with the approved Plans. The Commission Engineer may not direct the work of the Contractor, but the Developer and the Contractor will give due and reasonable consideration to issuance of such change orders, work directives, or field orders as necessary and appropriate to adjust the work as requested by the Commission Engineer to help ensure the Project is constructed in accordance with the Plans.
7. Communications and Outreach. During construction of the Project, the Developer will display a sign at the construction site stating "Stormwater Management Improvements paid for in part by the Taxpayers of the Bassett Creek Watershed," or such other language as approved by the Commission administrator. The Developer also agrees to work cooperatively with the Commission once the Project is constructed to develop, place, and maintain educational signage on the Developer Property, or, with the Commission's consent, on property adjacent to the Developer Property, to inform the public of the stormwater improvements constructed as part of the Project.
8. Contract Payments. The Developer shall be responsible for paying the Contractor and all other expenses related to the construction of the Project, and shall keep and maintain complete records of such costs incurred. The Developer shall not be responsible for paying, or keeping records of payments, to the Commission Engineer.
9. Commission Reimbursement. The Commission agrees to reimburse the Developer for costs it incurs to construct the Project as provided in this section. The total amount of CIP funds the Commission has available for the Project is \$808,596. Although the Commission has already reimbursed itself for its own out-of-pocket costs incurred through April 10, 2020, the above amount constitutes a maximum and includes the Commission's out-of-pocket costs related to the Project and incurred after April 10, 2020, including, but not limited to, Commission Engineer's review and inspection costs. The Commission's out-of-pocket costs to be incurred after April 10, 2020 are currently estimated at between \$20,000 and \$30,000 and, upon request by the Developer, the Commission shall provide itemized details regarding its future out-of-pocket costs. The portion of the CIP funds in excess of such

future out-of-pocket costs of the Commission are available for reimbursement to the Developer for costs incurred by or on behalf of the Developer in the planning, design and construction of the Project, which shall not include attorneys' fees and such fees are expressly outside the scope of costs that are reimbursable hereunder. The Developer may seek up to monthly reimbursements from the Commission as it incurs and pays costs to design and construct the Project. ~~— One fourth (25%) of the total amount available for reimbursement to the Developer under this Agreement may be withheld by the Commission unless and until the Developer completes the Project in its entirety in accordance with the Plans and the Commission Engineer has performed a final inspection and signed off on Project completion in writing. Such final approval by the Commission Engineer shall not be unreasonably withheld.~~

For a reimbursement request to be considered for approval at a Commission meeting, the request shall be submitted in writing, with a copy of all paid invoices for the amounts to be reimbursed, to the Commission administrator at least ten (10) days prior to the Commission meeting. Reimbursement requests received after that date shall be considered for reimbursement at the following Commission meeting. The Commission may require the Developer to submit additional information as may reasonably be required for the Commission to substantiate the amounts requested for reimbursement. Requests for additional information shall be made in writing and if the Commission does not request additional information regarding a reimbursement request submitted by the Developer within thirty (30) days of the date of submission, said reimbursement request shall be deemed approved.

The Commission desires reasonable assurances that the reimbursement contemplated herein will achieve construction of the entire Project and, to that end, in the event that the Project is not completed by the Developer in accordance with the Plans on or before December 31, 2024, then any and all amounts reimbursed by the Commission under this Agreement shall be remitted back to the Commission by the Developer within 30 days of a written request for such remittance by the Commission. For purpose of this paragraph, Project completion shall be determined by the Commission Engineer following a final inspection of the work and final approval shall not be unreasonably withheld. The December 31, 2024 deadline established herein shall be subject to any Commission-approved extensions, which may be granted in the sole discretion of the Commission in accordance with Section 17 of this Agreement.

10. Limits on Reimbursement. Reimbursement to the Developer will not exceed the amount specified above, less any amounts retained by the Commission for Commission expenses. Reimbursement will not be increased by grants or other revenues received by the Commission for the Project without appropriate and approved sub-grant agreements between the Developer and Commission. Reimbursement will not exceed the costs and expenses incurred by the Developer for the Project, less any amounts the Developer receives for the Project as grants from other sources. All costs of the Project incurred by the Developer in excess of such reimbursement, shall be borne by the Developer or secured by the Developer from other sources.

11. Audit. As required by Minnesota Statutes, section 16C.05, subdivision 5, all Developer books, records, documents, and accounting procedures related to the Project are subject to examination by the Commission, the state auditor, and the legislative auditor for a period of six years from the completion of the Project.
12. Environmental Review and Permitting. The Developer will perform all necessary investigations of site contamination, secure all necessary local, state, or federal permits required for the construction of the Project, and will not proceed with the Project until all required environmental review and remediation of site contamination is completed or a plan for remediation is approved by appropriate regulatory agencies.
13. Ongoing Maintenance. Once the Project is constructed in accordance with the Plans, as determined by the Commission Engineer, the Developer, at its own cost, shall be responsible for all ongoing maintenance of the Project stormwater improvements constructed on the Developer Property and the Other Property. The Developer agrees to maintain such stormwater improvements constructed on the Developer Property and the Other Property as part of the Project in perpetuity from the date of approval of the final reimbursement request for the construction of the Project. This obligation shall also be required through a separate recorded maintenance agreement entered into between the Developer and the City and a recorded operations and maintenance plan to provide for the ongoing maintenance of the stormwater improvements constructed on the Developer Property and the Other Property, which will include a chloride management plan. The Developer shall not be responsible for the ongoing maintenance of the stormwater improvements constructed as part of the Project on the City Property. The Commission intends to enter into a separate agreement with the City whereby the City agrees to provide for the ongoing maintenance of the City Property at its own cost.
14. Indemnification. The Commission's role under this Agreement is solely to provide funds to support the Project. Review by the Commission or the Commission Engineer of any design or installation of the stormwater improvements is solely for the purpose of establishing accountability for Commission CIP funds expended. The Developer remains fully responsible for the means, method, and manner of designing, constructing, and operating the Project. Neither the Developer nor the Developer's Contractor acts as the agent or representative of the Commission in any manner. The parties are responsible for their own acts under this Agreement and none of the parties agree to accept liability on behalf of another party. The Developer hereby agrees to indemnify, defend, and hold the Commission and its officials, employees, and agents harmless for all costs, damages, or expenses which the Commission may pay or incur, including attorneys' fees, in consequence of any claims arising out of or related the acts or omissions of the Developer in performing its obligations under this Agreement or the Contractor in constructing the Project, which shall include but not be limited to any preexisting contamination or other conditions on the aforementioned properties and any exacerbation thereof caused during the Project. This duty to indemnify does not extend to any claims arising from the Commission's own negligence. Nothing herein shall be construed as a waiver of, or limitation on, any immunity from or limitation on liability available to any party under law.

15. Notices. Any written communication required under this Agreement will be addressed to the other parties as follows, subject to written notice of a change of address:

To the Commission:

Laura Jester  
BCWMC c/o Keystone Waters LLC  
16145 Hillcrest Lane  
Eden Prairie MN 55346

To the Developer:

Plymouth Leased Housing Associates IV, LLLP  
2905 Northwest Blvd, Suite 150  
Plymouth, MN 55441  
Attn: Ryan Lunderby

16. Data Practices. The Developer shall retain and make available to the Commission data related to the letting of contracts, construction of the Project, and such other information as may reasonably be required by the Commission. The Developer shall manage data related to the Project in accordance with, and to the extent required by, the Minnesota Government Data Practices Act (“Act”) and shall notify the Commission administrator if it receives a request under the Act.
17. Term and Termination. This Agreement shall be in effect as of the date first written above and shall terminate once the Project is completed and the Commission has completed the reimbursements to the Developer as provided herein. The maintenance and indemnification duties under this Agreement shall survive termination. The Commission retains the right to terminate this Agreement if the construction of the Project is not completed in accordance with the Plans, or is not completed by December 31, 2024. After the Commission notifies the Developer that it intends to terminate this Agreement because of the Developers failure to complete the Project in accordance with the Plans or by the deadline established herein, the Developer shall no longer be eligible to receive reimbursements for work under this Agreement unless the Commission agrees, in writing, to a corrective-actions plan to bring the Project into compliance or to extend the construction-completion period.
18. Right of Entry. The Developer, with respect to the Developer Property, grants the Commission, the Commission Engineer, and the agents of the Commission an irrevocable license to enter the Project site at all reasonable times to conduct such inspections as the Commission determines is needed to ensure the Project is being constructed and maintained in accordance with the terms and conditions of this Agreement. In making such inspections the Commission agrees to use commercially reasonable efforts to avoid unreasonably interfering with the construction or operation of the project Developer intends to construct and operate on the Developer Property.

19. Nondiscrimination. In contracting for construction of the Project, the Developer will cause Contractor to ensure that no person is excluded from full employment rights or participation in or benefits of any program, service, or activity on the grounds of race, color, creed, religion, age, sex, disability, marital status, sexual orientation, public-assistance status or national origin, and that no person protected by applicable federal or state laws, rules or regulations against discrimination is subject to discrimination.
20. Ownership. The Developer warrants and represents to the Commission that it will become the fee owner of the Developer Property prior to construction of the Project. The Developer understands and agrees that it becoming the fee title owner of the Developer Property is a condition precedent to being eligible to receive any reimbursements under this Agreement. Notwithstanding anything to the contrary in this Agreement, the Commission may immediately terminate this Agreement if the Developer fails to provide the Commission proof of fee title ownership of the Developer Property as required herein.
21. Legal Compliance. Each party shall be responsible for complying with all applicable federal, state, and local laws, rules, regulations, and ordinances in carrying out their respective duties under this Agreement.
22. Authority to Contract. The person or persons executing this Agreement on behalf of the Developer and the Commission represent that he, she, or they are duly authorized to execute this Agreement on behalf of their respective entities and represent and warrant that this Agreement is a legal, valid, and binding obligation enforceable according to its terms.
23. No Waiver. The Commission's failure to insist on the performance of any obligation under this Agreement does not waive its right in the future to insist on strict performance of that or any other obligation.
24. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original and shall constitute one and the same Agreement.
25. No Third-Party Rights; Assignment. This Agreement is solely for the benefit of the signatories hereto. This Agreement shall not create or establish any rights in, or be construed as being for the benefit of, any third party, and the assignment of either party's rights, obligations, or both shall require written approval from the other party which shall not be unreasonably withheld.
26. Severability. In the event that any provision of this Agreement shall be held invalid, illegal or unenforceable by any court of competent jurisdiction, such holding shall pertain only to such section and shall not invalidate or render unenforceable any other section or provision of this Agreement.
27. Entire Agreement. The above recitals and the exhibits attached hereto are incorporated into and made part of this Agreement. This Agreement contains the entire understanding between the parties regarding this matter and no amendments or other modifications of its terms are valid unless reduced to writing and signed by both parties.

28. Governing Law. This Agreement shall be governed by the laws of the State of Minnesota.

[signature page to follow]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on behalf of the parties as of the day and date first above written.

**BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION**

By: \_\_\_\_\_  
Its Chair

And: \_\_\_\_\_  
Its Secretary

Date: \_\_\_\_\_

**PLYMOUTH LEASED HOUSING ASSOCIATES IV,  
LLLP**

By: Plymouth Leased Housing Associates IV, LLC  
Its: General Partner

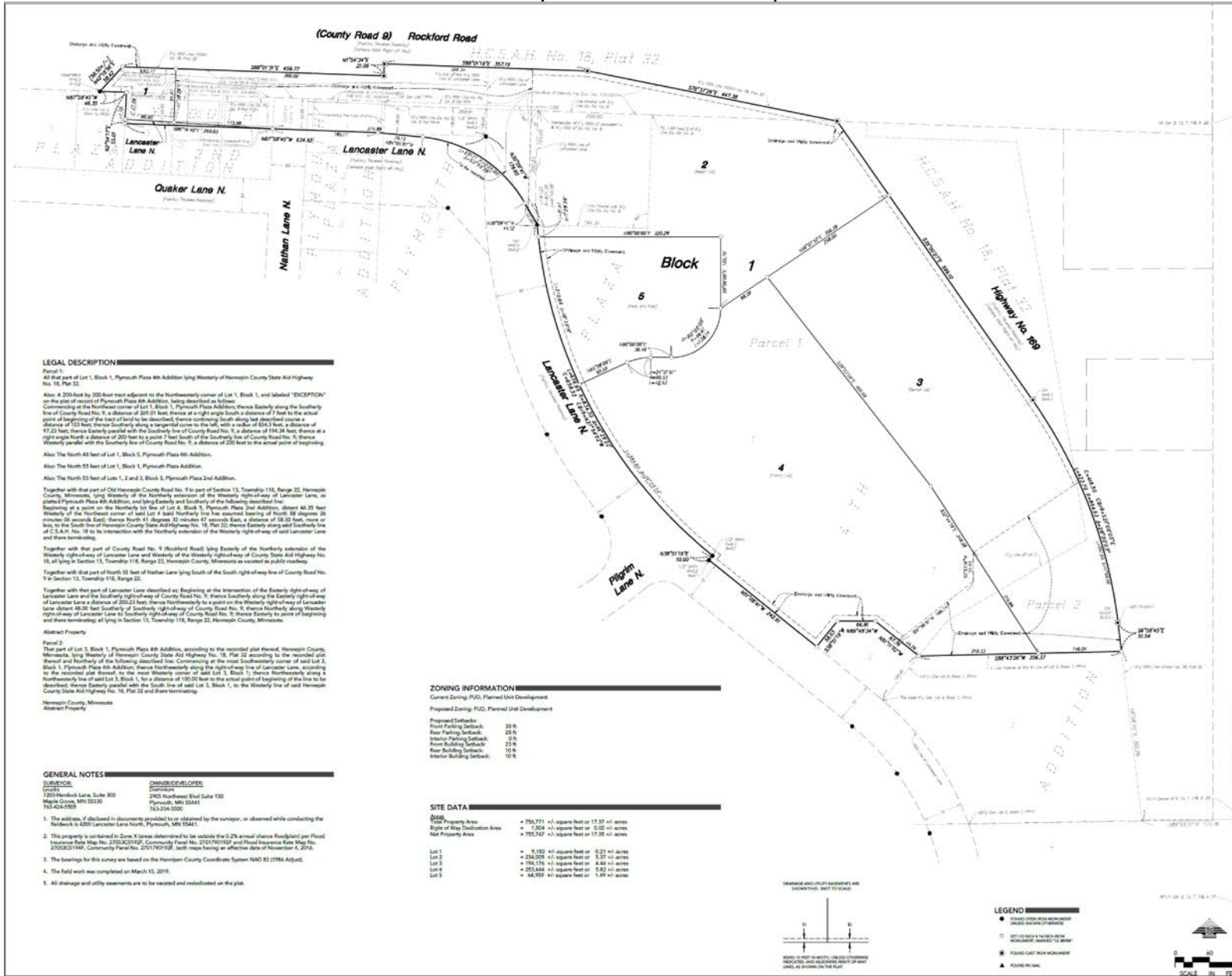
By: \_\_\_\_\_

Its: \_\_\_\_\_

Date: \_\_\_\_\_



# EXHIBIT A Depiction of the Redevelopment Site



**LEGAL DESCRIPTION**

Parcel 1:  
All that part of Lot 1, Block 1, Plymouth Place 4th Addition lying West of Hennepin County State Aid Highway No. 16, Plat 32.

Also A 200-foot by 200-foot tract adjacent to the Northwest corner of Lot 1, Block 1, and labeled "EXCEPTION" on the plat of record of Plymouth Place 4th Addition, being described as follows:  
Commencing at the Northeast corner of Lot 1, Block 1, Plymouth Place Addition, thence East along the Southern line of County Road No. 9, a distance of 200 feet; thence at a right angle South a distance of 7 feet to the actual point of beginning of the tract of land to be described; thence South along said last described course a distance of 193 feet; thence East along a line parallel to the said last described course a distance of 193 feet; thence at a right angle North a distance of 200 feet to a point 7 feet South of County Road No. 9; thence West parallel with the Southern line of County Road No. 9, a distance of 200 feet to the actual point of beginning.

Also The North 45 feet of Lot 1, Block 1, Plymouth Place 4th Addition.

Also The North 55 feet of Lots 1, 2 and 3, Block 1, Plymouth Place Addition.

Together with that part of Old Hennepin County Road No. 9 in part of Section 13, Township 118, Range 22, Hennepin County, Minnesota, lying West of the Northern extension of the Northern right-of-way of Lancaster Lane, as platted in Plymouth Place 4th Addition, the long Eastern and Southern boundaries of said Lancaster Lane, as Westing of a point on the Northern lot line of Lot 4, Block 1, Plymouth Place 2nd Addition, distant 46.35 feet Westing of the Northeast corner of said Lot 4, said Northern line has a bearing of North 88 degrees 30 minutes 06 seconds East; thence North 41 degrees 33 minutes 47 seconds East, a distance of 58.30 feet, more or less to the South line of Hennepin County State Aid Highway No. 16, Plat 32; thence East along said Southern line of C.S.A.H. No. 16 to its intersection with the Northern extension of the Western right-of-way of said Lancaster Lane and from thence ending.

Together with that part of County Road No. 9 (Rockford Road) lying East of the Northern extension of the Western right-of-way of Lancaster Lane and West of the Western right-of-way of County State Aid Highway No. 16, all lying in Section 13, Township 118, Range 22, Hennepin County, Minnesota, as vacated as public roadway.

Together with that part of North 55 feet of Nathan Lane lying South of the South right-of-way line of County Road No. 9 in Section 13, Township 118, Range 22.

Together with that part of Lancaster Lane described as: Beginning at the intersection of the Eastern right-of-way of Lancaster Lane and the Southern right-of-way of County Road No. 9; thence South along the Eastern right-of-way of Lancaster Lane a distance of 202.23 feet; thence Northwesterly to a point on the Western right-of-way of Lancaster Lane distant 80.00 feet South of the Southern right-of-way of County Road No. 9; thence North along the Western right-of-way of Lancaster Lane to the Southern right-of-way of County Road No. 9; thence East to point of beginning and thence terminating at the intersection of the Southern line of said Lot 1, Block 1, to the Western line of said Hennepin County State Aid Highway No. 16, Plat 32 and thence terminating.

**Abstract Property**

Parcel 2:  
That part of Lot 3, Block 1, Plymouth Place 4th Addition, according to the recorded plat thereof, Hennepin County, Minnesota, lying West of Hennepin County State Aid Highway No. 16, Plat 32 according to the recorded plat thereof and North of the following described line: Commencing at the most Southwesterly corner of said Lot 3, Block 1, Plymouth Place 4th Addition; thence Northwesterly along the right-of-way line of Lancaster Lane, according to the recorded plat thereof, to the next Western corner of said Lot 3, Block 1; thence Northwesterly along a Northwesterly line of said Lot 3, Block 1, for a distance of 100.00 feet to the actual point of beginning of the line to be described; thence East parallel with the South line of said Lot 3, Block 1, to the Western line of said Hennepin County State Aid Highway No. 16, Plat 32 and thence terminating.

Hennepin County, Minnesota  
Abstract Property

**ZONING INFORMATION**

Current Zoning: FUGL Planned Unit Development  
Proposed Zoning: FUGL Planned Unit Development

Proposed Setbacks:  
Front Parking Setback: 20 ft.  
Rear Parking Setback: 20 ft.  
Interior Parking Setback: 20 ft.  
Front Building Setback: 20 ft.  
Rear Building Setback: 10 ft.  
Interior Building Setback: 10 ft.

**SITE DATA**

Area	Area
Lot 1	= 1,182 +/- square feet or 0.27 +/- acres
Lot 2	= 228,008 +/- square feet or 5.17 +/- acres
Lot 3	= 184,176 +/- square feet or 4.24 +/- acres
Lot 4	= 253,644 +/- square feet or 5.82 +/- acres
Lot 5	= 64,997 +/- square feet or 1.49 +/- acres

**GENERAL NOTES**

- The address of disclosed documents provided to or obtained by the surveyor, or observed while conducting the survey is 222 North Second Street, Minneapolis, MN 55401.
- This property is contained in Zone 18 as determined to be within the 0.2% annual chance floodplain per Flood Insurance Rate Map No. 210500700F, Community Panel No. 210570700F and Flood Insurance Rate Map No. 210500700F, Community Panel No. 210570700F, both maps being an effective date of 6/2/19.
- The bearings for this survey are based on the Hennepin County Coordinate System NAD 83 (1985 Adjust).
- A field work was completed on March 15, 2019.
- All drainage and utility easements are to be vacated and consolidated on the plat.

**BKV GROUP**  
Architecture  
Interior Design  
Landscape Architecture  
Engineering

Boorman  
Kroos  
Vogel  
Group  
Inc.

222 North Second Street  
Minneapolis MN 55401  
Telephone: 612-339-3752  
Facsimile: 612-339-6212  
www.bkvgroup.com  
EOE

**CONSULTANTS**

**LOUCKS**  
PLANNING  
CIVIL ENGINEERING  
LAND SURVEYING  
LANDSCAPE ARCHITECTURE  
ENVIRONMENTAL

7000 Hennepin Lane, Suite 200  
Minneapolis, MN 55412  
763.424.5555  
www.loucks.com

LOUCKS PROJECT NO. 19-0003

**PROJECT TITLE**  
FOUR SEASONS MALL  
REDEVELOPMENT

**OWNER/DEVELOPER**

**DOMINIUM**

INSUR #	DATE	DESCRIPTION
16100019	03/15/2019	CITY SUBMITTAL
16100019	03/15/2019	CITY SUBMITTAL
16100019	03/15/2019	CITY SUBMITTAL
16100019	03/15/2019	CITY SUBMITTAL
16100019	03/15/2019	CITY SUBMITTAL

**NOT FOR CONSTRUCTION**

**CERTIFICATION**  
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

*Max L. Starnowski*  
Max L. Starnowski  
48888      08/18/2019

License Number	Class
48888	08/18/2019
DATE	08/18/2019
CHECKED BY	MS
DRAWN BY	MS
CITY PROJECT NUMBER	19-0003

**PRELIMINARY PLAT**

**SHEET NUMBER**  
C1-2

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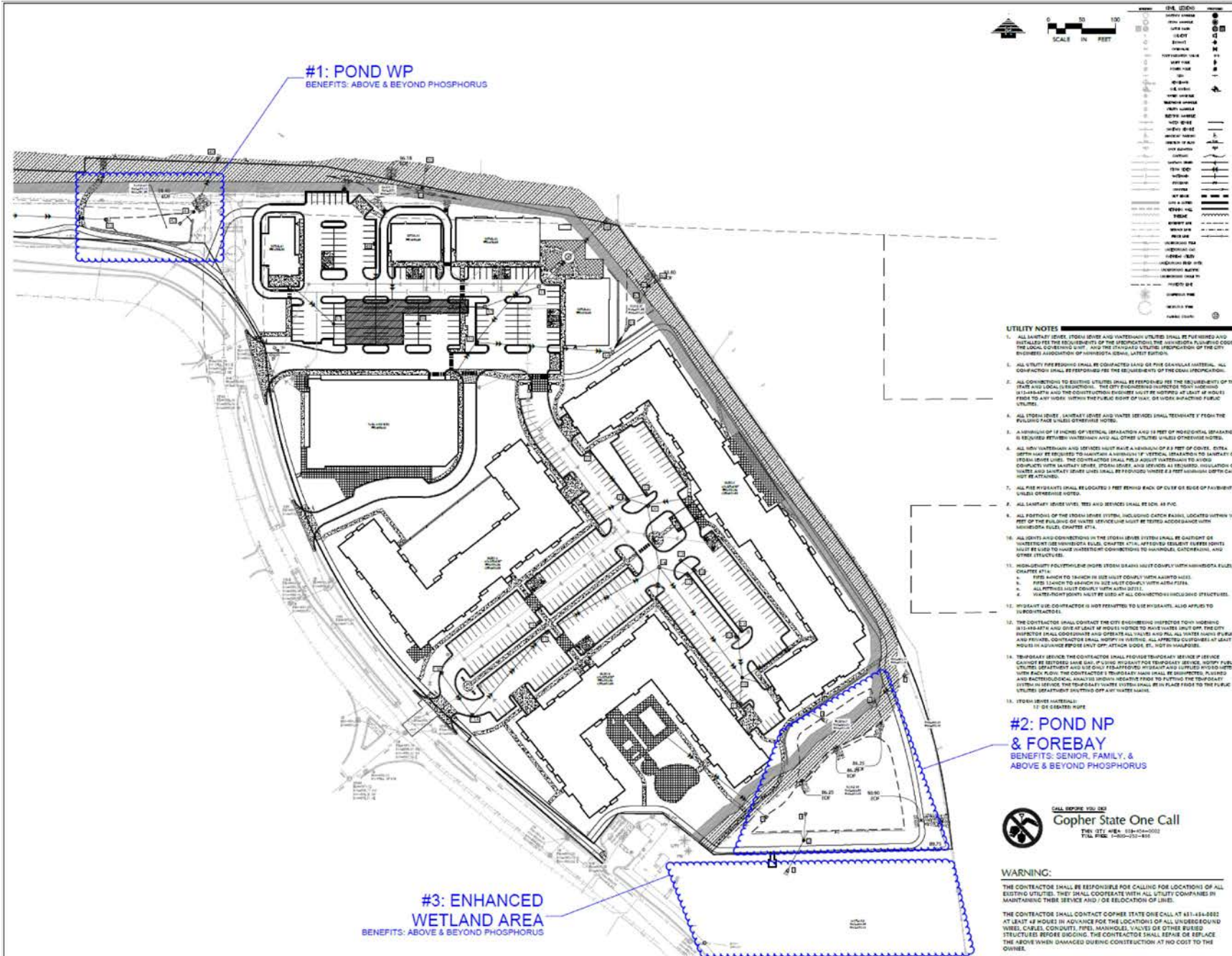
**EXHIBIT B**  
Description of the Project



04/08/2020

**Four Seasons Mall Redevelopment  
Stormwater Narrative**

1. Storm Pond with filtration bench – A pond on the north end, west of the retail designed with an excavated dead storage to provide sedimentation settlement and a sand filter to filter live storage within 48 hours. Together providing rate control to downstream waters. Primary and overflow outlets drain to the creek along the north side of the property.
2. Storm Pond and Forebay with enhanced filtration bench – Located on the south side before the wetland, these excavated areas are designed to provide sedimentation settlement and rate control released downstream. The forebay acts as pretreatment, receiving the runoff first and providing initial treatment of the stormwater. The storm pond then receives the stormwater for additional treatment and rate control to downstream receiving waters. An iron enhanced sand filter bench, located along the south side, has been added for additional phosphorus removal. All live storage is designed to draw down within 48 hours. The primary and overflow outlets drain to the wetland.
3. Wetland Restoration – The wetland, located on the south side of the property, will be restored and enhanced to provide stormwater treatment. By enhancing the wetland to function properly with proper vegetation, water storage, increased flow path and animal habitat, a higher level of stormwater treatment is achieved. Bassett Creek, whatever isn't directed to the storm pond and forebay, will outlet directly to the wetland and flow through to the outlet. The wetland piped outlet under Highway 169 and overflow over Highway 169 are directed to Northwood Lake.



**BKV GROUP**  
 Architecture  
 Interior Design  
 Landscape Architecture  
 Engineering

Boaman  
 Kroos  
 Vogel  
 Group  
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**CONSULTANTS**

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 LANDSCAPE ARCHITECTURE  
 ENVIRONMENTAL

7281 Hawthorn Lane, Suite 200  
 Minneapolis, MN 55412  
 www.loucks.com

LOUCKS PROJECT NO. 196900

**PROJECT TITLE**  
**FOUR SEASONS MALL  
 REDEVELOPMENT**

4100-4238 LANCASTER LN N  
 PLYMOUTH, MN 55441

**OWNER/DEVELOPER**



**DOMINIUM**

ISSUE #	DATE	DESCRIPTION
00000001	04/20/2018	CITY SUBMITTAL
00000002	06/20/2018	CITY SUBMITTAL
00000003	08/20/2018	CITY SUBMITTAL
00000004	10/20/2018	CITY RE-SUBMITTAL
00000005	12/20/2018	CITY RE-SUBMITTAL
00000006	02/20/2019	REVISIONS
00000007	04/20/2019	REVISIONS

**NOT FOR  
 CONSTRUCTION**

**CERTIFICATION**  
 I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Michael J. St. Martin, PE  
 24440  
 License Number: 000000000  
 Date: 02/28/2019  
 Title: PE  
 Drawn by: JAA  
 Checked by: JPT  
 City Project Number: 12200000  
 SHEET TITLE

**OVERALL  
 STORM SEWER  
 PLAN**

**SHEET NUMBER**  
**C4-4**

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**AGREEMENT REGARDING THE DOMINIUM DEVELOPMENT  
CAPITAL IMPROVEMENT CONSTRUCTION PROJECT**

This Agreement (the “Agreement”) is made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization (the “Commission”), and the City of Plymouth, a Minnesota municipal corporation (the “City”). The Commission and the City may hereinafter be referred to individually as a “party” or collectively as the “parties.”

**RECITALS**

- A. The Commission has executed, or is in the process of executing, a Capital Improvement Construction Agreement (the “Project Agreement”) with Plymouth Leased Housing Associates IV, LLLP (the “Developer”) regarding a stormwater improvement project that is more specifically detailed on the attached Exhibit A (the “Project”);
- B. The Project is to be constructed on multiple parcels, including property being acquired and developed by the Developer, identified in the Project Agreement as the “Developer Property,” property to be acquired by other developers, identified in the Project Agreement as the “Other Property,” and property that is presently owned by the City, identified in the Project Agreement as the “City Property”;
- C. The City Property is legally described in the attached Exhibit B;
- D. The Project will include the construction of certain stormwater improvements as identified in the Project Agreement (the “Improvements”) on the Developer Property, on the Other Property, and on the City Property;
- E. The Developer is responsible, under the Project Agreement, for maintaining at its own cost the Improvements constructed on the Developer Property and the Other Property, and the City has agreed to maintain at its own cost the Improvements constructed on the City Property; and
- F. The City is not a party to the Project Agreement and will instead issue the Developer a construction easement or agreement to enable it to construct the Improvements on the City Property and is entering into this Agreement to ensure that the Project, which is being funded in part by the Commission, can be constructed on the City Property and to formalize the City’s commitment to maintain the Improvements on the City Property once constructed.

**AGREEMENT**

In consideration of the mutual promises and agreements hereinafter set forth, and intending to be legally bound, the parties do hereby agree as follows:

- 1. Project Funding. The Commission agrees to provide certain funding for the Project, including for the construction of Improvements on the City Property, in accordance with the terms and conditions of the Project Agreement.

2. Construction Authorization. The City agrees to provide the Developer a construction easement or agreement to enable it to construct the Improvements on the City Property in accordance with the Project Agreement.
3. Inspection Authorization. The City hereby grants the Commission and its agents, including its administrator and engineer, a license to enter the City Property to inspect the work related to the Improvements and to determine Project completion in accordance with the requirements of the Project Agreement. This license is in addition to any permissions that may be granted to the Commission in the construction easement or agreement the City issues to the Developer.
4. Maintenance of City Property Improvements. The City hereby agrees to, at its own cost, provide for the ongoing maintenance of the Improvements constructed on the City Property as part of the Project. Such ongoing maintenance obligation shall begin upon the Commission engineer determining that the Improvements on the City Property were constructed in accordance with the Project Agreement. The City's ongoing maintenance of the City Property shall be performed in accordance with the standards and requirements applicable to maintaining wetlands with the same or similar Improvements.
5. Maintenance of Improvements on Developer Property and Other Property. The City agrees to include, as part of the development agreement it will require of the Developer, a provision requiring the Developer to provide for the ongoing maintenance of the Improvements on the Developer Property and the Other Property in accordance with an operations and maintenance plan (O&M Plan") that the City will approve and have recorded against the Developer Property and the Other Property. The City will require the Developer to include a chloride management plan as part of the O&M Plan.
6. Term. This Agreement shall be ongoing until such time as the Commission approves work within the City Property that is substantially no longer consistent with the ongoing maintenance of the Improvements constructed as part of the Project. The maintenance requirements in Sections 4 and 5 shall survive any termination.
7. Legal Compliance. Each party shall be responsible for complying with all applicable federal, state, and local laws, rules, regulations, and ordinances in carrying out their respective duties under this Agreement.
8. Entire Agreement. This Agreement sets out the entire agreement between the parties regarding this matter and no alterations or modifications to this Agreement shall be effective unless reduced to writing and signed by both parties.
9. No Waiver. The Commission's failure to insist on the performance of any obligation under this Agreement does not waive its right in the future to insist on strict performance of that or any other obligation.
10. Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original and shall constitute one and the same Agreement.

11. No Third-Party Rights. This Agreement is solely for the benefit of the signatories hereto. This Agreement shall not create or establish any rights in, or be construed as being for the benefit of, any third party.
12. Severability. In the event that any provision of this Agreement shall be held invalid, illegal or unenforceable by any court of competent jurisdiction, such holding shall pertain only to such section and shall not invalidate or render unenforceable any other section or provision of this Agreement.
13. Governing Law. This Agreement shall be governed by the laws of the State of Minnesota.
14. Replaces Prior Agreements. Any cooperative agreements previously entered into between the parties related to the same project site is hereby terminated and replaced with this Agreement.

[signature page to follow]

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on behalf of the parties as of the day and date first above written.

**BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION**

By: \_\_\_\_\_  
Its Chair

And: \_\_\_\_\_  
Its Secretary

Date: \_\_\_\_\_

**CITY OF PLYMOUTH**

By: \_\_\_\_\_  
Its Mayor

And: \_\_\_\_\_  
Its Manager

Date: \_\_\_\_\_



**EXHIBIT A**  
Description of the Project

[to be inserted]

**EXHIBIT B**  
Legal Description of the City Property

[to be inserted]

# Main Stem Lagoon Dredging Project Feasibility Study

## *Golden Valley, Minnesota*

April 2020



Prepared for  
Bassett Creek Watershed Management Commission

# Main Stem Lagoon Dredging Project Feasibility Study

April 2020

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Appendix E	Blanding’s Turtle Flyer

## Certifications

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the state of Minnesota.

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Patrick Brockamp, PE  
PE #: 54931

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Date

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# 1.0 Executive Summary

## 1.1 Background

The Bassett Creek Watershed Management Commission's (BCWMC) current Capital Improvement Program (CIP) (Table 5-3 in the 2015-2025 Bassett Creek Watershed Management Plan) includes project BC-7 "dredging of accumulated sediment in Main Stem of Bassett Creek just north of Highway 55, Theodore Wirth Regional Park" (Main Stem Lagoon Dredging Project).

This study examines the feasibility of dredging accumulated sediment from three of seven lagoons (D, E, and F) (see Figure 1-1). The project will remove accumulated sediment from the lagoons to re-establish an aesthetic and function similar to the original design. The project will also provide other benefits. If ordered, the project is anticipated to be implemented in 2021 and 2022. Funding for the project is proposed to come from an ad valorem tax levied by Hennepin County on behalf of the BCWMC.

## 1.2 Site Conditions

The lagoons are located in the City of Golden Valley within the Minneapolis Park and Recreation Board (MPRB) Theodore Wirth Regional Park, and along the Main Stem of Bassett Creek, which is a Minnesota Department of Natural Resources (MDNR) public watercourse. Lagoon E, also named Ski Jump Pond, is a public water basin (MDNR #27065100P). Lagoons D and F are not listed as public water basins. Lagoons E and F are located north of Plymouth Ave. N, and Lagoon D to the south (see Figure 1-1).

Land adjacent to the lagoons consists of open grassy areas used for golf and other recreation, wooded uplands, and various wetland communities. The lagoons are bordered along the western edge by a recreational trail, which runs alongside the BNSF railroad.

A desktop wetland delineation was completed in December 2019 to identify the wetland extent of each lagoon. The delineation report is included as Appendix C. Wetlands delineated at the three lagoons totaled approximately 9.9 acres and were made up of five wetland communities: Riverine, Type 5; Floodplain Forest, Type 1; Shrub-carr, Type 6; Shallow Marsh, Type 3; and Wet Meadow, Type 2.

Based on concentrations of PAHs (as BaP equivalents) and DRO, sediment in all three lagoons does not meet MPCA guidelines for Unregulated Fill (MPCA, 2012), indicating it is not suitable for unrestricted offsite reuse. In addition, BaP equivalents are above the MPCA Industrial SRV, indicating the sediments are not suitable for reuse at other commercial or industrial properties. Based on the sediment sampling results and MPCA guidelines, the dredged material will require landfill disposal.

## 1.3 Project Alternatives

Multiple alternatives were evaluated for removing sediment, alleviating flooding, improving water quality, and improving habitat along the Main Stem of Bassett Creek within the project area. The measures considered for potential implementation include the following:



- Removing accumulated sediment from Lagoons D, E, and F to restore the original design aesthetic and function, flood conveyance, and water quality treatment capability (multiple depths)
- Alternatives for phasing the dredging – complete all lagoons together or separately
- Improving the pond buffer by removing undesirable tree species such as buckthorn and planting new trees

The recommended alternatives are discussed in Section 8.0.

## 1.4 Relationship to Watershed Management Plan

The Bassett Creek Watershed Management Commission (BCWMC) included the Main Stem Lagoon Dredging Project in its Capital Improvement Plan (CIP), based on the following “gatekeeper” policy from the BCWMC Plan. Items in bold italics represent those that directly apply to the Main Stem Lagoon Dredging Project.

110. The BCWMC will consider including projects in the CIP that meet one or more of the following “gatekeeper” criteria.

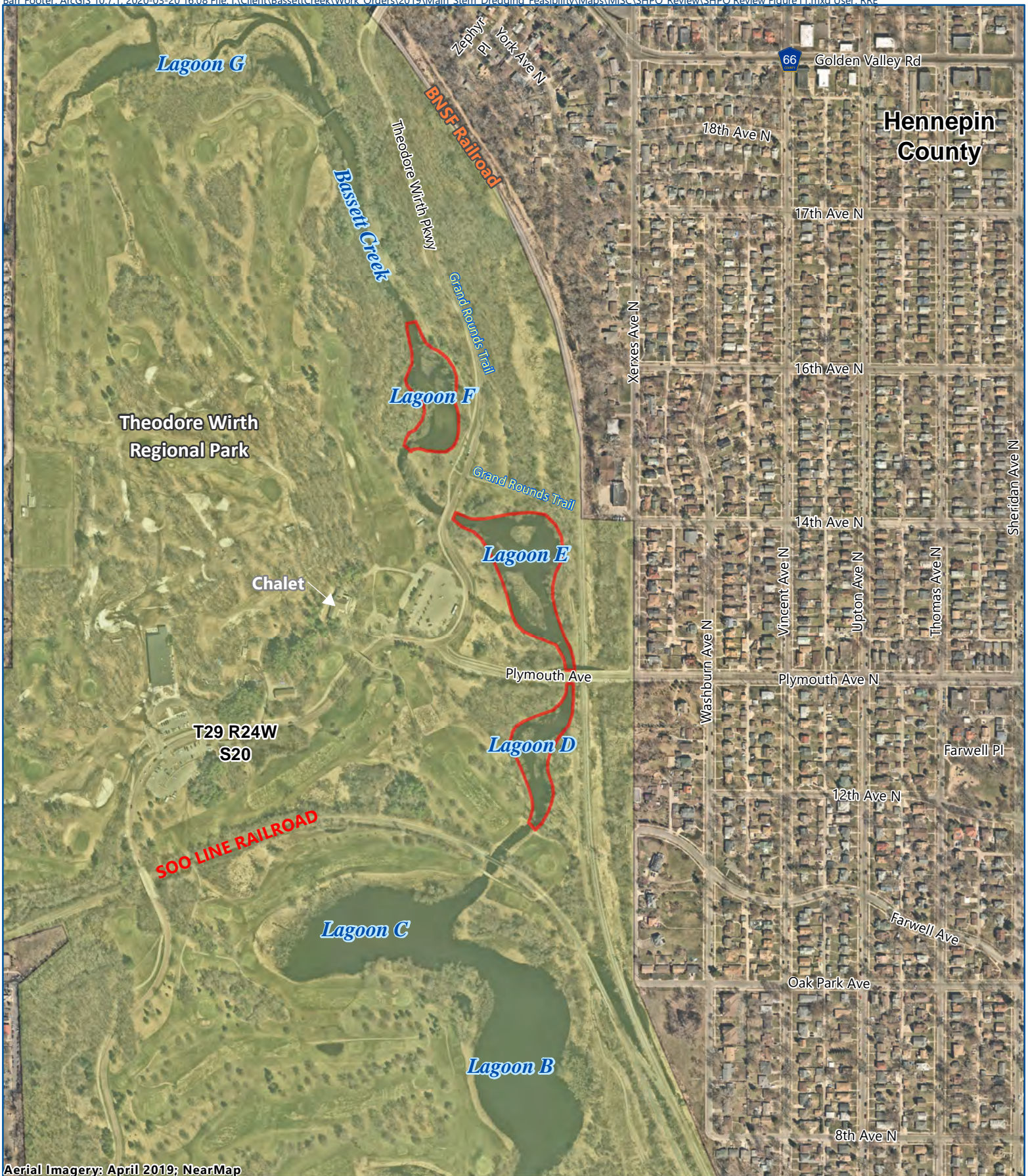
- ***Project is part of the BCWMC trunk system (see Section 2.8.1, Figure 2-14 and Figure 2-15 of the report)***
- ***Project improves or protects water quality in a priority waterbody***
- Project addresses an approved TMDL or watershed restoration and protection strategy (WRAPS)
- ***Project addresses flooding concern***

The BCWMC will use the following criteria, in addition to those listed above, to aid in the prioritization of projects:



- ***Project protects or restores previous Commission investments in infrastructure***
- Project addresses intercommunity drainage issues
- Project addresses erosion and sedimentation issues
- ***Project will address multiple Commission goals (e.g., water quality, runoff volume, aesthetics, wildlife habitat, recreation, etc.)***
- ***Subwatershed draining to project includes more than one community***
- Addresses significant infrastructure or property damage concerns

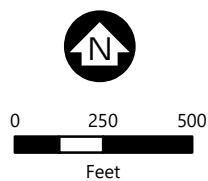
The BCWMC will place a higher priority on projects that incorporate multiple benefits and will seek opportunities to incorporate multiple benefits into BCWMC projects, as opportunities allow.

The Main Stem Lagoon Dredging Project meets several gatekeeper criteria: improving water quality by reducing the amount of sediment and pollutants that would otherwise travel downstream in Bassett Creek, reducing flood risk during smaller and more frequent events, and improving wildlife habitat.



Aerial Imagery: April 2019; NearMap

-  Project Area
-  Theodore Wirth Regional Park



SITE LOCATION MAP

Golden Valley, Minnesota

FIGURE 1-1

## 1.5 Project Impacts and Estimated Costs

Potential impacts from the dredging project are discussed in Section 6.0 and include permit requirements (e.g., MDNR public waters work permit), temporary impacts to wetlands, temporary trail closures and park impacts, and impacts to aquatic species. Of these, the most significant consideration for the project is the need to manage trail usage to maintain pedestrian safety and park use during the project. Continued coordination with the Minneapolis Park and Recreation Board (MPRB) will be required during design of the Main Stem Lagoon Dredging project to address and mitigate this issue.

Overall, the proposed project will result in increased permanent pool volume and sediment storage volume in the three lagoons, resulting in a reduction of sediment and phosphorus loading to Bassett Creek and all downstream water bodies, including the Mississippi River.

The feasibility-level opinion of costs for implementing each alternative, as well as the cost per pound of total phosphorus (TP) removed and total suspended solids (TSS) removed are shown in Table 1-1. The capital cost estimate includes estimated construction costs, construction contingency, and engineering costs (all costs rounded to the nearest \$1,000).

**Table 1-1 Feasibility Level Cost Estimates Summary**

Alternative	Lagoon	Dredged Volume (cy) <sup>(1)</sup>	Capital Cost Estimate <sup>(2)</sup>	TP Load Reduction (lb/yr) <sup>(3)</sup>	TP Reduction (\$/lb/yr) <sup>(4)</sup>	TSS Load Reduction (lb/yr) <sup>(3)</sup>	TSS Reduction (\$/lb/yr) <sup>(4)</sup>
<b>1</b> 4 Foot Max Depth	F	9,100	\$823,000	150	\$280	39,000	\$1.10
	E	12,600	\$1,123,000	200	\$290	52,000	\$1.20
	D	6,100	\$581,000	38	\$1,370	9,900	\$5.30
	ALL	27,800	\$2,247,000	390	\$300	101,000	\$1.20
<b>2</b> 6 Foot Max Depth	F	12,200	\$1,084,000	210	\$270	55,000	\$1.10
	E	19,300	\$1,690,000	320	\$270	83,000	\$1.10
	D	8,100	\$750,000	75	\$970	19,000	\$3.90
	ALL	39,600	\$3,145,000	600	\$270	156,000	\$1.10

(1) Sediment from all lagoons is considered contaminated and any dredged material will require landfill disposal.

(2) Includes estimated initial construction cost (with 30% contingency) and design/permitting/ admin costs (30% of construction cost).

(3) Based on estimated removal from Walker (1987) (2) relationship applied to average annual TP load from MCES WOMP monitoring.

(4) Pollutant reduction cost/lb based on 30-year annualized cost, annualized cost divided by estimated annual pollution load reduction.

In addition to providing pollutant removal benefits, removing accumulated sediment from the lagoons is necessary to continue to provide flood storage and conveyance in these areas along the Main Stem of Bassett Creek. All three lagoons have filled in significantly since their construction, becoming shallower and narrower. Sediment islands have formed in Lagoon E, which restricts flow and reduces the flood storage available in the area, resulting in an increase in flooding during smaller storm events. This could lead to additional flooding in other areas that would normally not be inundated. The sediment islands may also deflect flow and create erosion along the banks. Eventually sediment will need to be removed to maintain flood storage capacity, regardless of the water quality benefit provided. The methodology and

---

assumptions used for the cost estimates are discussed in Section 7.0, and the cost estimates for all alternatives considered for this study are provided in Table 7-1.

## 1.6 Recommendations

The BCWMC Engineer recommends completing one or more of the lagoons from Alternative 2, 6-foot dredging depth, and ordering a project. As compared to the 4-foot dredging depth alternative, dredging to 6-feet provides increased benefits for all project goals, the most significant being project longevity.

To aid in the selection of an option within Alternative 2, the BCWMC Engineer recommends a combined funding and merit-based approach. The options listed below are presented for consideration.

For the selected option, the BCWMC Engineer recommends that the BCWMC use the opinions of cost identified in this study to develop a levy request for the selected project and that the project proceed to design and construction. Due to the high cost of all options within this alternative, we anticipate that the BCWMC would likely need to spread the CIP funding over more than one year to construct the project.

### Option 1 - All Lagoons

Under this option (the highest cost option), all three lagoons (D, E, and F) would be dredged to 6 feet. The annualized pollutant reduction costs indicate that this option is the most cost effective; it also has the longest lifespan. Completing the lagoons as a single project offers several advantages:

- Reduces duration of impacts to Theodore Wirth Regional Park roads, trails, and park users
- Reduces duration of impacts to aquatic species and other wildlife
- Reduces overall cost when compared to dredging all three lagoons individually (due to economies of scale, reduced mobilization/demobilization, reduced permitting and engineering, and redundant work)
- Returns the aesthetics of the three lagoons closest to the original design intent

### Option 2 - Lagoon E Only

Under this option, Lagoon E would be dredged to 6 feet. This lagoon is the largest and has experienced the most significant changes over its lifetime as compared to Lagoons D and F. In addition to having the longest lifespan (time until the lagoon re-fills with sediment), dredging Lagoon E has the largest anticipated benefit for flood reduction.

### Option 3 - Lagoon D Only

This option would dredge Lagoon D to 6 feet. This is the smallest of the three lagoons and represents the most economical option from Alternative 2. This option is most closely aligned with the funding that the BCWMC has currently allocated toward the project.

# Feasibility Report for Mount Olivet Stream Stabilization and Parkers Lake Drainage Improvement Projects

*Plymouth, Minnesota*



Prepared for  
Bassett Creek Watershed Management Commission

May 2020



# Feasibility Report for Mt. Olivet Stream Stabilization Project and Parkers Lake Drainage Improvement Project

May 2020

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# 1.0 Executive Summary

## 1.1 Background

The Mount Olivet Stream Stabilization Project in the City of Plymouth will reduce erosion, total suspended solids, and phosphorous loading to Medicine Lake. The lake is a state-listed impaired water for excess nutrients, with an approved total maximum daily load (TMDL) plan, and a Priority-1 water body of the Bassett Creek Watershed.

This project meets two gatekeeper criteria (as defined in the BCWMC Watershed Management Plan, Reference (1)), including improving/protecting water quality in a priority water body and addressing an approved TMDL. In addition to gatekeeper criteria, this project also protects previous Commission investments in Medicine Lake, addresses erosion and sedimentation issues, and addresses Commission goals of improved water quality, aesthetics, and wildlife habitat.

The Parkers Lake Drainage Improvement Project in the City of Plymouth will reduce erosion, total suspended solids, and phosphorous loading to Parkers Lake, a Priority-1 water body of the Bassett Creek Watershed. Additionally, the project may reduce chloride loads to Parkers Lake, a state-listed impaired water for chlorides with an approved TMDL.

This project meets the gatekeeper criteria of improving/protecting water quality in a priority water body and addressing an approved TMDL. In addition to gatekeeper criteria, this project also enhances previous Commission investments intended to protect Parkers Lake and addresses erosion/sedimentation issues and the Commission goals of improved water quality, aesthetics, and wildlife habitat.

## 1.2 Project Definition and Site Characteristics

This feasibility report includes proposed projects at two separate locations within the Bassett Creek Watershed. The Mount Olivet Stream Stabilization Project is located adjacent to Mount Olivet Lutheran Church in Plymouth, MN. This project site will be called the Mount Olivet Stream Stabilization project area throughout this text.

The Parkers Lake Drainage Improvement project is located within the Parkers Lake Community Playfields in Plymouth, MN. This project includes two subprojects involving the restoration of the stream and implementation of stormwater water quality improvement projects. The stormwater water quality improvement projects are further divided into the implementation of physical best management practices and strategies for chloride reduction in the contributing watershed. The two primary project components will be called the Parkers Lake Stream Stabilization and Parkers Lake Water Quality improvements throughout this text.

See Table 1-1 for a summary of the project area definitions.

**Table 1-1 Feasibility Study Project Area Definitions**

Project Definitions
<b>Mount Olivet Stream Stabilization Project</b>
Mount Olivet Stream Stabilization—Restoration of eroding stream features
<b>Parkers Lake Drainage Improvement Project</b>
Parkers Lake Stream Stabilization—Restoration of eroding stream features Parkers Lake Water Quality Improvements—Improvements to stormwater water quality <ol style="list-style-type: none"> <li>1) Best management practices</li> <li>2) Chloride reduction strategies</li> </ol>

### 1.2.1 Mount Olivet Stream Stabilization Project Area

The Mount Olivet Stream Stabilization Project area is located in and along an unnamed stream in the City of Plymouth. The project area borders Mount Olivet Lutheran Church to the west, Old Rockford Road to the north, an apartment complex to the east, and a pond in Clifton E. French Regional Park of Three Rivers Park District (TRPD) to the south. The stream feeds into wetland areas upstream of Medicine Lake. During the non-winter months, the naturally ephemeral stream generally has fairly consistent, low flows with high, flashy flows during rain events due to the steep slopes in the ravine, minimal access to a floodplain, and receiving significant amounts of stormwater runoff; in the winter, the stream freezes over. The Mount Olivet Stream Stabilization Project area extends just over 1,000 feet south along the stream from Mount Olivet Lutheran Church. Erosion of the channel banks is moderate-to-high and primarily confined to isolated sections with 4- to 5-foot-high vertical eroding faces. This feasibility study identifies four reaches for evaluation, based on physical and geomorphic distinguishing features.

### 1.2.2 Parkers Lake Stream Stabilization and Water Quality Improvements Project Area

The Parkers Lake Stream Stabilization Project area is located within Parkers Lake Community Playfields, upstream of Parkers Lake. This feasibility study evaluates the restoration of stream features and reviews alternatives for improving the water quality of runoff from the park and contributing watershed.

The stream has experienced significant erosion along most of the reach. The channel bed has lowered by approximately 2 to 3 feet since the contributing storm sewer was installed. The stream exhibits limited geomorphic features that are characteristic of healthy streams and riparian habitat, such as riffles, runs, and pools. Similar to the stream Mount Olivet at the Stream Stabilization Project area, this naturally ephemeral stream generally has fairly consistent, low flows with high, flashy flows during rain events due to the minimal access to a floodplain and receiving a significant amount of stormwater runoff during non-winter months; in the winter, the stream freezes over.

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Parkers Lake Community Playfields has open space available for the implementation of projects that would improve the water quality of stormwater leaving the site. The implementation of physical best management projects within these open-space areas would reduce the total phosphorus (TP) and total suspended solids (TSS) reaching Parkers Lake.

Additionally, Parkers Lake is listed as impaired for chlorides. TRPD, in partnership with the City of Plymouth, collected monitoring data at two stations within the Parkers Lake watershed. The monitoring data shows that the northern watershed tributary to Parkers Lake is the primary source of chlorides to the lake. This feasibility study identifies and evaluates a chloride-reduction demonstration project to help reduce chloride loads to Parkers Lake.

### 1.3 Project Alternatives

This feasibility study evaluates alternatives for the stabilization of the Mount Olivet Stream Stabilization Project area, the stabilization of the Parkers Lake Stream Stabilization Project area, and improved stormwater management in the Parkers Lake tributary area within the Parkers Lake Community Playfields (including chloride management in the larger tributary watershed north of Parkers Lake).

The measures considered for potential stream stabilization improvements include the following:

- Re-meandering the stream channel
- Restoring the vegetative buffer
- Restoring existing wetlands
- Grading stream banks and opening the tree canopy
- Installing a variety of stream stabilization measures, including riprap, root wads and toe wood, vegetated reinforced soil stabilization (VRSS), rock or log vanes, and stone toe protection
- Removing debris
- Replacing stream with storm sewer

The measures considered for improved stormwater management include a variety of best management practices (BMPs):

- Bioretention with iron-enhanced filtration media
- Wet retention ponds
- Chloride management opportunities

A summary of alternatives is provided in Table 1-2.

Table 1-2 Feasibility Study Alternative Summary

Alternative	Description
<b>Mount Olivet Stream Stabilization Project</b>	
<b>Alternative 1</b>	Stream stabilization utilizing bio-engineering techniques, wetland restoration, and installation of a manhole drop structure at the Mount Olivet Church parking lot
<b>Alternative 2</b>	Stream stabilization utilizing bio-engineering techniques, stream re-meandering, and installation of hard armoring/riprap at the Mount Olivet Church parking lot
<b>Parkers Lake Drainage Improvement Project</b>	
<b>Alternative 1</b>	Stream stabilization by conveying flow through a pipe rather than through the stream channel
<b>Alternative 2</b>	Stream stabilization utilizing a standard hard-armoring approach
<b>Alternative 3</b>	Stream stabilization utilizing bio-engineering techniques
<b>Alternative 4</b>	Diversion of low flows from the existing storm sewer system to an iron-enhanced bioretention filtration system
<b>Alternative 5a/5b</b>	Opportunities for a wet retention pond in open space along the existing stream alignment through the Parkers Lake Community Playfields site
<b>Alternative 6</b>	Chloride demonstration projects in the northern watershed tributary to Parkers Lake to reduce salt usage and chloride loads to the lake

Sections 5.0 and 6.0 provide more detailed discussion of the measures considered and alternatives evaluated.

## 1.4 Relationship to Watershed Management Plan

The Bassett Creek Watershed Management Commission (BCWMC) included the Mount Olivet Stream Stabilization Project and the Parkers Lake Drainage Improvement Project in its Capital Improvement Plan (CIP), based on the following “gatekeeper” policy from the BCWMC Plan. The items in bold italics directly apply to these projects.

110. The BCWMC will consider including projects in the CIP that meet one or more of the following “gatekeeper” criteria.

- Project is part of the BCWMC trunk system (see Section 2.8.1, Figure 2-14 and Figure 2-15 of the report)
- **Project improves or protects water quality in a priority waterbody**
- **Project addresses an approved TMDL or watershed restoration and protection strategy (WRAPS)**
- Project addresses flooding concern

The BCWMC will use the following criteria, in addition to those listed above, to aid in the prioritization of projects:

- Project protects or restores previous Commission investments in infrastructure
- Project addresses intercommunity drainage issues
- **Project addresses erosion and sedimentation issues**
- **Project will address multiple Commission goals (e.g., water quality, runoff volume, aesthetics, wildlife habitat, recreation, etc.)**
- Subwatershed draining to project includes more than one community
- Addresses significant infrastructure or property damage concerns

The BCWMC will place a higher priority on projects that incorporate multiple benefits and will seek opportunities to incorporate multiple benefits into BCWMC projects, as opportunities allow.

This project meets several gatekeeper criteria—the project will improve water quality as its primary goal by reducing the amount of sediment and pollutants (including chlorides) that enter Medicine Lake and Parkers Lake. This project will also help address multiple BCWMC goals by enhancing water quality and improving wildlife habitat.

## 1.5 Project Impacts

Section 7.0 and Section 8.0 discuss the potential impacts resulting from the stabilization and stormwater management projects, which include tree removals and temporary wetland impacts. Tree removal will be limited to only those necessary to complete the project, and trees will be replaced as appropriate. For the streambank stabilization projects, the removed trees will be re-used as part of the project’s stabilization features.

The proposed stream stabilization projects will result in reduced stream bank erosion and, therefore, reduced sediment and phosphorus loading to the downstream wetland, pond, and lakes. The water quality improvement project in the Parkers Lake watershed will reduce sediment loads, phosphorus loads, and/or chloride loads to Parkers Lake. Section 8.0 presents the estimated existing erosion rates and



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pollutant loading and the pollutant load reductions. The estimated pollutant load reductions for the recommended projects are summarized in the following section.

## 1.6 Recommendations

Based on review of the project impacts; feedback from residents, representatives of the City of Plymouth, and regulators; the overall project costs and benefits; and existing water quality improvement needs; the BCWMC Engineer recommends the following projects:

- Alternative 1 for the Mount Olivet Stream Stabilization (stream stabilization with bioengineering wetland restoration, and manhole structure)
- Alternative 3 for the Parkers Lake Stream Stabilization (stream stabilization with bioengineering)
- Alternative 6 for the Parkers Lake Water Quality Improvements (chloride reduction demonstration project for the northern tributary watershed)

Table 1-3, below, shows the planning-level estimated costs for the recommended alternatives. We recommend that the BCWMC use the opinion of cost identified in this study to develop a levy request for the recommended combination of projects and that it proceed to design and construction. The BCWMC CIP funding (ad valorem tax levied by Hennepin County on behalf of the BCWMC) will be the sole source of funding for these projects.

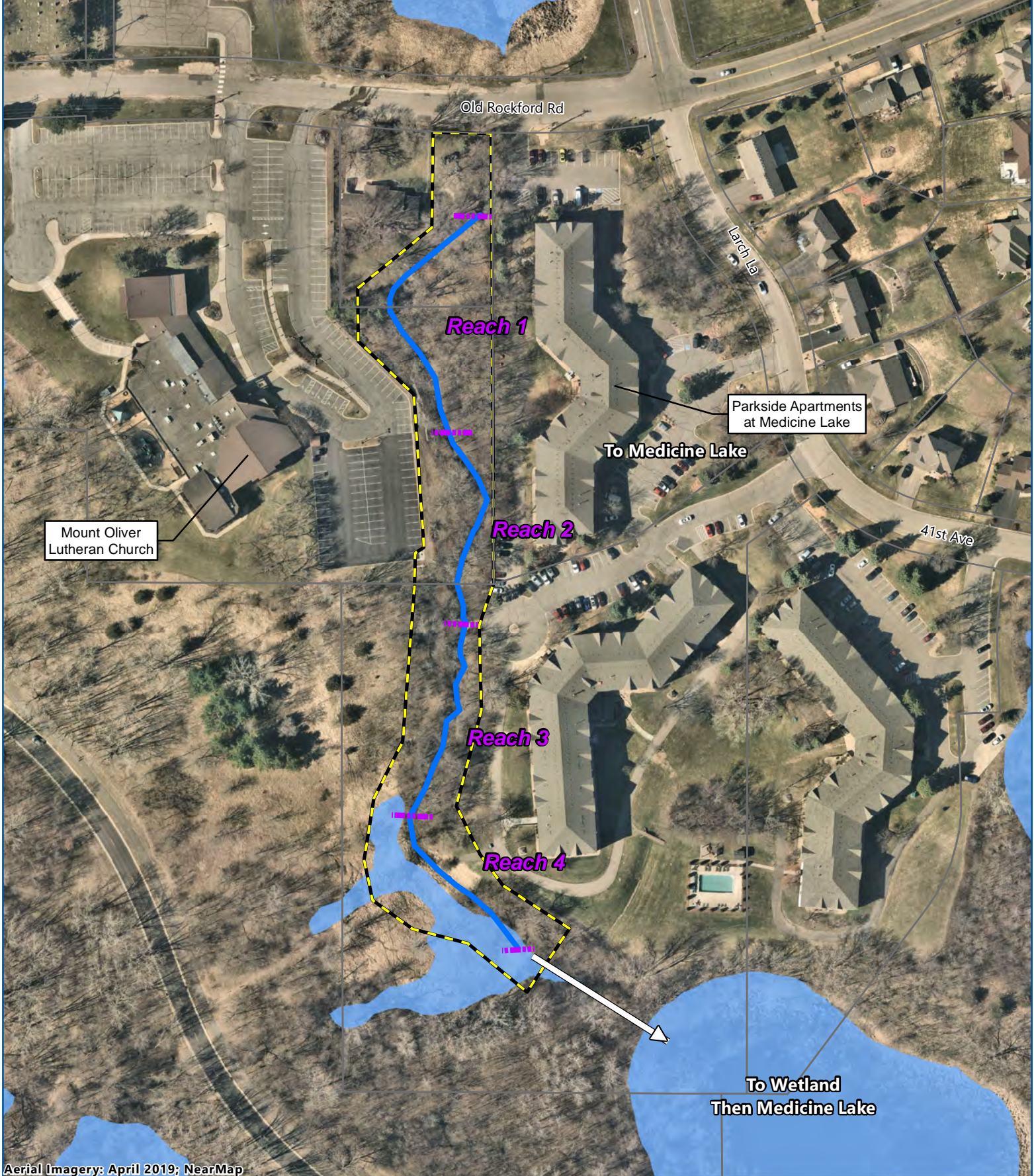
Table 1-3 Recommended Stream Stabilization and Water Quality Improvement Project Alternatives Cost Summary

Alternative Description	Project Cost Estimate <sup>(1)</sup>	Annualized Cost <sup>(2)</sup>	Total Phosphorus (TP) Loading		Total Suspended Sediment (TSS) Loading	
			Load Reduction (lb/yr)	Cost/lb/yr Reduced <sup>(3)</sup>	Load Reduction (lb/yr)	Cost/lb/yr Reduced <sup>(3)</sup>
<b>Mount Olivet Stream Stabilization Alternative 1.</b> Bio-engineering, wetland restoration, and manhole structure	\$134,000 (\$107,000–\$174,000)	\$10,000	5.3	\$1,892	10,560	\$0.95
<b>Parkers Lake Stream Stabilization Alternative 3.</b> Bio-engineering	\$113,000 (\$90,000–\$147,000)	\$8,000	20.1	\$399	40,140	\$0.20
<b>Parkers Lake Water Quality Alternative 6.</b> Chloride management	\$300,000	Chloride reduction strategies may have limited impact on TP and TSS load reductions; however, data compiled from the MPCA suggests that implementation of smart salting recommendations can result in 30–70% reductions in chloride use. Although chloride usage can vary significantly from year to year based on the climatic conditions, based on the monitoring data from TRPD, this could reduce chloride loading to Parkers Lake on average by 163 – 380 lbs chloride per acre of watershed per year.				






(1) A Class 4 screening-level opinion of probable cost, as defined by the American Association of Cost Engineers International (AACI International), has been prepared for these alternatives. The opinion of probable construction cost provided in this table is based on the Commission Engineer’s experience and qualifications and represents our best judgment as experienced and qualified professionals familiar with the project. The cost opinion is based on project-related information available to the Commission Engineer at this time and includes a conceptual-level design of the project. It includes 20% project contingency and 30% for planning, engineering, design, and construction administration. Lower bound assumed at -20% and upper bound assumed at +30%.


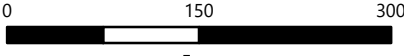
(2) Assumed to be 15% of the total project cost for annual maintenance plus replacement cost associated with major repairs and the initial project cost distributed evenly over a 30-year project lifespan.


(3) Annualized cost divided by estimated annual pollution load reduction.



Aerial Imagery: April 2019; NearMap

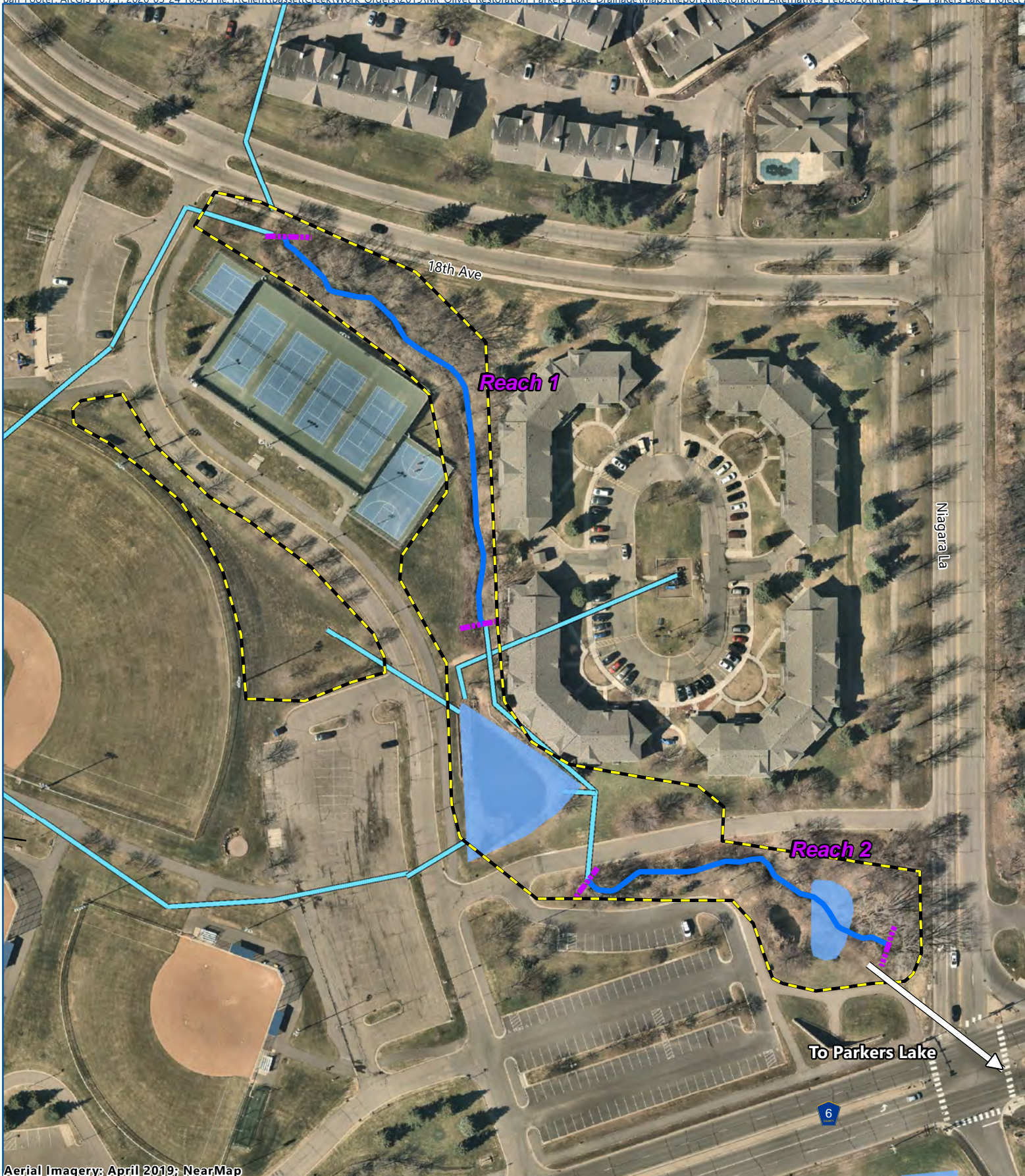
-  Stream Path
-  Reach Boundary
-  Project Area
-  Ponds and Wetlands
-  Parcels

  
  
0                      150                      300  
Feet



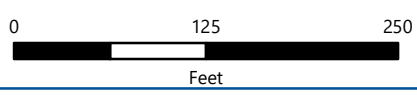
**MT. OLIVET  
PROJECT AREA**  
Mt. Olivet/Parkers Lake  
Feasibility Study

**FIGURE 2-2**



Aerial Imagery: April 2019; NearMap

- Stream Path
- Reach Boundary
- Project Area (Stream/BMPs)
- Ponds and Wetlands
- Storm Sewer



PARKERS LAKE  
PROJECT AREA  
Mt. Olivet/Parkers Lake  
Feasibility Study  
FIGURE 2-4



## Bassett Creek Watershed Management Commission

### MEMO

To: BCWMC Commissioners and Alternate Commissioners  
From: BCWMC Budget Committee  
Date: May 12, 2020

**RE: Recommendations on 2021 BCWMC Operating Budget and City Assessments**

The BCWMC Budget Committee met on April 9<sup>th</sup> and 30<sup>th</sup> to discuss and review Commission activities and budgets for 2021. Over the two meetings, the committee reviewed and clarified activities, needs, and annual changes in budget levels for several line items with input from the Administrator, Commission Engineer, and TAC. Discussion topics included city assessments, Channel Maintenance Funds, technical services, monitoring, administrator hours, MAWD dues, education activities, number of meetings, use of fund balance, and others.

Given our review and the input received, our recommendations for operating expenses and revenues are attached with notes below. The Commission is required to finalize a draft budget by its June 18<sup>th</sup> meeting so it can be submitted to cities for review and comment.

1. The budget table includes new columns showing where revenue is realized for some line items including grant funding, reimbursements per agreements, project review fees, 2.0-2.5% of CIP funding for administration, etc. (See notes on page 2 below for more information). For information purposes, the resulting "net expenses" columns for 2018 and 2019 indicate the true cost of the activity after revenue is realized. Note that estimated 2021 revenue is shown in the separate "revenue" table.
2. Due to the current financial crisis across the country and after polling TAC members for their input on city budgets and their thoughts on watershed assessments, we are recommending less than 1.5% increase in assessments over 2020 levels. In order to keep all BCWMC programs moving forward, the budget reflects some "belt tightening" through minor reductions across multiple line items. Please keep in mind that future budget amendments are possible if the financial crisis worsens and expenses and programs need significant reductions.
3. As in typical years, the water quality monitoring budget is a significant piece of the overall budget. Because the BCWMC monitoring program was recently reviewed by the Commission and TAC, no changes to the program are recommended aside from adding parameters recommended by the TAC and approved by the Commission at the February meeting, and slightly reducing the typical funding for "general water quality tasks" from \$10,000 to \$8,000.
4. Budget reductions include a reduction in contributions to the Channel Maintenance Fund from \$25,000 to \$20,000 for 2021 only. This recommendation reflects input from TAC members who indicated the fund is very important to keep in the budget, but understanding a reduction for one year is a viable way to balance the budget.

5. In years with higher than budgeted “technical services” expenses, it is usually due to work completed by the Commission Engineer at the direction of the Commission. Recent examples include the detailed review of the BCWMC water monitoring program and the issue of Manufactured Treatment Devices with a review of national testing protocols, development of revised BCWMC requirements, and correspondence with MPCA and other watersheds.

The committee notes that it is important for the Administrator and commissioners to understand the scope and expected costs of larger requests for work from the Commission Engineer and to budget for or prioritize larger issues, as warranted.

6. The budget includes MAWD membership dues of \$7,500. (It is possible actual dues will be less but we won’t know that until later this year.) The committee recommends a Commission discussion on the benefits of MAWD membership in relation to the dues. Discussion topics include:
  - a. Many MAWD programs are available to non-members including the annual meeting and conference in Alexandria, and the annual tour (location varies).
  - b. Perhaps the Commission has a responsibility to contribute to MAWD because of their advocacy on water-related policy and issues at the state level.
  - c. MAWD membership allows the Commission to have a voice and seat at the table when resolutions are crafted and considered, and legislative priorities are set.
  - d. MAWD Membership provides the opportunity for the Administrator to represent watershed management organizations on the Local Government Water Roundtable Workgroup.
  - e. Some of MAWD’s [legislative priorities](#) are out-state issues and don’t impact the BCWMC.
  - f. More balance may be needed in financial contributions among entities. Since the Commission doesn’t have taxing authority like watershed districts, its operating budget is much lower than other organizations who contribute \$7,500 in dues.

#### Notes on 2018 and 2019 Revenue Columns in Budget Table

- Development Project Reviews = Fees from project reviews
- 2018 Non-fee Preliminary Reviews = Reimbursements from Met Council related to work on Blue Line and Southwest Light Rail Transit Projects
- 2019 Non-fee Preliminary Reviews = Reimbursements on light rail projects (as above) + reimbursements from Minneapolis for work on Bassett Creek Valley Study
- Annual Flood Control Project Inspections = Transfer from Long Term Maintenance Fund
- Watershed Outlet Monitoring Program = Some reimbursement from Met Council for program expenses
- APM/AIS = Grant funding + reimbursement from Three Rivers Park District for 17% of costs related to curly-leaf pondweed control on Medicine Lake
- Administrator = Transfer from CIP funds; 2.0 – 2.5% of levied amount to cover cost of implementing the program (also covers legal expenses related to CIP projects)
- Education and Public Outreach = Grant funding for a specific project (not annual income)

Item 6D.  
BCWMC 5-21-20

PROPOSED DRAFT 2021 OPERATING BUDGET													
	2017 Budget	2017 Actual	2018 Budget	2018 Gross Expenses	2018 Revenue	2018 NET Expense	2019 Budget	2019 Gross Expenses	2019 Revenue	2019 NET Expense	2020 Budget	Proposed Draft 2021 Budget	See Notes
<b>ENGINEERING &amp; MONITORING</b>													
Technical Services	125,000	140,702	125,000	126,154	-	126,154	130,000	156,941	-	156,941	130,000	134,000	(A1)
Development/Project Reviews	65,000	71,791	75,000	45,070	49,000	(3,930)	80,000	56,420	50,096	6,324	75,000	68,000	(A)
Non-fee and Preliminary Reviews	15,000	20,906	10,000	23,073	6,881	16,192	15,000	32,937	18,203	14,734	20,000	24,000	(B)
Commission and TAC Meetings	14,000	11,753	12,000	10,575	-	10,575	12,000	13,207	-	13,207	12,000	12,000	(C)
Surveys and Studies	20,000	16,347	12,000	-	-	-	20,000	16,316	-	16,316	10,000	9,000	(D)
Water Quality / Monitoring	74,300	70,855	80,700	120,728	-	120,728	78,000	76,754	-	76,754	102,600	129,000	(E)
Water Quantity	11,500	8,570	6,300	5,678	-	5,678	10,000	9,998	-	9,998	6,500	7,000	(F)
Assistance on Erosion Control Inspections	1,000	-	1,000	-	-	-	-	-	-	-	-	-	(G)
Annual Flood Control Project Inspections	12,000	7,678	48,000	20,279	21,000	(721)	48,000	26,744	19,593	7,151	12,000	12,000	(H)
Municipal Plan Review	8,000	1,835	8,000	26,779	-	26,779	4,000	5,406	-	5,406	2,000	2,000	(I)
Watershed Outlet Monitoring Program	15,500	19,994	20,500	18,145	4,500	13,645	20,500	19,530	5,500	14,030	20,500	23,000	(J)
Annual XP-SWMM Model Updates/Reviews	10,000	5,650	10,000	8,918	-	8,918	-	-	-	-	-	-	(K)
APM/AIS Work	35,000	34,920	32,000	35,977	19,454	16,523	32,000	21,246	9,861	11,385	30,000	14,000	(L)
<b>Subtotal Engineering &amp; Monitoring</b>	<b>\$406,300</b>	<b>\$411,001</b>	<b>\$440,500</b>	<b>\$441,376</b>	<b>\$100,835</b>	<b>\$340,541</b>	<b>\$449,500</b>	<b>\$435,499</b>	<b>\$103,253</b>	<b>\$332,246</b>	<b>\$420,600</b>	<b>\$434,000</b>	
<b>PLANNING</b>													
Next Generation Plan Development	-						12,000	12,000	-	12,000	18,000	18,000	(M)
<b>Subtotal Planning</b>	<b>\$0</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$12,000</b>	<b>\$12,000</b>	<b>\$0</b>	<b>\$12,000</b>	<b>\$18,000</b>	<b>\$18,000</b>	



Item	2017 Budget	2017 Actual	2018 Budget	2018 Actual	2018 Revenue	2018 NET Expense	2019 Budget	2019 Gross Expenses	2019 Revenue	2019 NET Expense	2020 Budget	Proposed Draft 2021 Budget	See Notes
<b>ADMINISTRATION</b>													
Administrator	67,200	60,559	67,200	59,955	26,936	33,019	69,200	64,926	28,720	36,206	69,200	67,400	(N)
MAWD Dues						-				-	500	7,500	(O)
Legal	18,500	16,249	17,000	13,313	-	13,313	17,000	14,428	-	14,428	15,000	15,000	(P)
Financial Management	3,200	3,200	3,200	3,200	-	3,200	3,500	3,500	-	3,500	3,500	4,000	(Q)
Audit, Insurance & Bond	15,500	17,304	15,500	17,648	-	17,648	18,000	15,892	-	15,892	18,000	18,000	(R)
Meeting Catering	2,000	1,198	1,600	1,295	-	1,295	1,500	1,341	-	1,341	1,500	1,300	(S)
Administrative Services	18,000	13,346	15,000	14,240	-	14,240	15,000	12,992	-	12,992	15,000	8,000	(T)
<b>Subtotal Administration</b>	<b>\$124,400</b>	<b>\$111,856</b>	<b>\$119,500</b>	<b>\$109,651</b>	<b>\$26,936</b>	<b>\$82,715</b>	<b>\$124,200</b>	<b>\$113,079</b>	<b>\$28,720</b>	<b>\$84,359</b>	<b>\$122,700</b>	<b>\$121,200</b>	
<b>OUTREACH &amp; EDUCATION</b>													
Publications / Annual Report	2,500	1,138	1,500	937	-	937	1,300	1,263	-	1,263	1,300	1,300	(U)
Website	4,400	1,228	4,200	443	-	443	3,000	1,617	-	1,617	1,000	1,800	(V)
Watershed Education Partnerships	15,500	12,354	13,850	13,454	-	13,454	15,850	13,810	-	13,810	15,850	17,350	(W)
Education and Public Outreach	20,000	19,302	22,000	18,585	38,082	(19,497)	25,000	23,588	1,000	22,588	22,000	26,000	(X)
Public Communications	2,500	732	2,500	563	-	563	1,000	878	-	878	1,000	1,000	(Y)
<b>Subtotal Outreach &amp; Education</b>	<b>\$44,900</b>	<b>\$34,754</b>	<b>\$44,050</b>	<b>\$33,982</b>	<b>\$38,082</b>	<b>-\$4,100</b>	<b>\$46,150</b>	<b>\$41,156</b>	<b>\$1,000</b>	<b>\$40,156</b>	<b>\$41,150</b>	<b>\$47,450</b>	
<b>MAINTENANCE FUNDS</b>													
Channel Maintenance Fund	25,000	25,000	25,000	25,000	-	25,000	25,000	25,000	-	25,000	25,000	20,000	(Z)
Flood Control Project Long-Term Maint.	25,000	25,000	25,000	4,000	-	4,000	25,000	25,000	-	25,000	25,000	25,000	(AA)
<b>Subtotal Maintenance Funds</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>\$29,000</b>	<b>\$0</b>		<b>\$50,000</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>\$45,000</b>	
<b>TMDL WORK</b>													
TMDL Implementation Reporting	20,000	19,209	10,000	4,668	-	4,668	10,000	215	-	215	10,000	7,000	(BB)
<b>Subtotal TMDL Work</b>	<b>\$20,000</b>	<b>\$19,209</b>	<b>\$10,000</b>	<b>\$ 4,668</b>	<b>\$ -</b>	<b>\$ 4,668</b>	<b>\$10,000</b>	<b>\$10,000</b>	<b>\$0</b>	<b>\$10,000</b>	<b>\$10,000</b>	<b>\$7,000</b>	
<b>GRAND TOTAL</b>	<b>\$645,600</b>	<b>\$626,820</b>	<b>\$664,050</b>	<b>\$618,677</b>	<b>\$165,853</b>	<b>\$423,824</b>	<b>\$691,850</b>	<b>\$661,734</b>	<b>\$132,973</b>	<b>\$528,761</b>	<b>\$662,450</b>	<b>\$672,650</b>	



## NOTES

(A1) General technical services by Barr Engineering; amount similar to previous years; increased slightly based on 2019 actuals.

(A) Partially funded by application fees; with the creation of the preliminary and non-fee budget category, most of the review costs will be covered by application fees. 2021 budget assumes 30 submittals at average cost of \$2,000 - \$2,500 per review.

(B) Assumes a slight increase in non-fee reviews in 2021 based on recent activity. This was a new line item in 2015 used to cover reviews for which either we do not receive an application fee or it's too early in the process for us to have received an application fee. Includes DNR application reviews, MnDOT project reviews, Met Council light rail transit, and other prelim reviews requested by administrator and member cities. Through agreements with Met Council, \$66,400 of these costs have been reimbursed since 2015.

(C) Includes attendance at BCWMC meetings, TAC meetings, Administrative Services Committee meetings, Budget Committee meetings and other meetings. 2017 budget increased to allow for additional BCWMC Engineer staff to attend Commission/TAC meetings (total of 3 assumed). 2018 - 2020 budgets were reduced from 2017 and assumed 12 BCWMC meetings and 5 other meetings (TAC, etc.). 2021 budget also assumes 17 meetings including BCWMC meetings (12), TAC meetings (3), Administrative Services Committee meetings (1), Budget Cmte meetings & other meetings (1).

(D) For Commission-directed surveys and studies not identified in other categories - e.g., past work has included watershed tours, Medicine Lake outlet work, Flood Control Project Maintenance and Responsibilities, Sweeney Lake sediment monitoring, stream monitoring equipment purchase. 2018 budget was reduced from previous years for overall budget savings. 2019 budget is more in line with previous years and gives Commission flexibility to investigate or tackle unforeseen issues that arise. Lowered again in 2020 to allow for higher monitoring budget. Remaining low for overall budget savings.

(E) Routine lake and stream monitoring. See details on next page.

(F) Water Quantity (lake level) monitoring. 2018 budget lowered for budget savings and resulted in fewer data points. 2019 budget back to earlier budget levels. 2020 budget lowered again for budget savings. In 2021 Engineer requests slight increase for unforeseen events, checking benchmarks, etc. This amount still may not cover unforeseen events.

(G) After recommendations from the TAC and Budget Committee, the Commission ended the erosion and sediment control inspection program (Watershed Inspection) in 2014 due to duplication with activities required by the member cities. Some budget remained here to provide, as requested by the Commission, some oversight of city inspection activities (reports of inspections are available from each city). However, little or no expenses have been incurred since 2014. In 2019 it was removed from budget. If inspections are needed they can be charged to general technical services.

(H) 2021 budget includes annual typical inspection of Flood Control Project (FCP) features without tunnel inspections. Budget varies widely by year depending on the FCP features being inspected. New FCP policies and inspection schedules were adopted in 2016. (See link below)

[http://www.bassettcreekwmo.org/application/files/4514/9637/1815/2016\\_FCP\\_Policies.pdf](http://www.bassettcreekwmo.org/application/files/4514/9637/1815/2016_FCP_Policies.pdf)

(I) Municipal plan approvals completed in 2019; however, this task has also included review of adjacent WMO plan amendments, and review of city ordinances; \$2,000 budget recommended in 2021 for these types of reviews.

(J) Monitoring at the Watershed Outlet Monitoring Program site in Minneapolis through an agreement with Met Council. Commission is reimbursed \$5,000 from Met Council. Met Council pays for equipment, maintenance, power, cell service, and lab analyses. Monitoring protocol changed in 2017 with collection of bi-monthly samples (up from once-per-month sampling). The station will be temporarily moved in 2020 to accommodate a city sanitary sewer project and is likely to be moved back to its original location in 2021, hence the higher amount. \$23,500 includes \$18,500 for Wenck or similar contractor + \$4,500 for Barr's flow measurements, data management and some analyses

(K) This item is used to make updates to the XP-SWMM model, coordinate with P8 model updates, and assist cities with model use. However, no XP-SWMM updates are expected in 2019 - 2021 due to work on the grant funded FEMA modeling project. This line item will return in the 2022 operating budget

(L) Funds to implement recommendations of Aquatic Plant Management/Aquatic Invasive Species Committee likely including curly-leaf pondweed control in Medicine Lake and small grant program for launch inspectors, education/outreach, etc. by other organizations including TRPD, AMLAC, others. 2019 net expenses were only \$11,400 due to grant funding and cost sharing with TRPD. Propose lowering amount in 2021 to be in line with actual expected costs that will only cover curly-leaf pondweed control and expanded boat launch inspections for Medicine Lake.

(M) Funding that will be set aside and accrued over next 5 years to pay for 2025 Watershed Plan development which will start in 2023.

(N) Typically includes \$72/hour for average of 80 hours per month. (Reduced from 80 hours per month budgeted since 2013 but in line with actual expenses.)

(O) MN Association of Watershed District Annual dues. New budget item. 2019 and 2020 dues were \$500 because WMOs were newly allowed to join the organization. 2021 dues expected to be \$7,500 similar to other Metro watersheds.

(P) For Commission attorney. No changes in expenditures expected for 2021.

(Q) Funding for City of GV staff's monthly accounting activities and coordination of annual audit. Increase is at GV's request for 70 hrs of work per year. Monthly tasks (approx 5 hours per mo) = Prepare financial reports, write checks, deposit checks, file reports, monitor investments; annual tasks (approx 10 hours per year) = work with auditors on financial statements, prepare confirmations, review draft audit, submit annual financial report to State Auditor

(R) Insurance and audit costs have risen considerably in the last few years.

(S) Meeting catering expenses from Triple D Espresso (includes delivery). Budget reduced slightly; plan to order less food.

(T) Recording Secretary \$45/hr rate \* 8 hrs/mo for meeting attendance and minutes (\$4,320 total) + \$290 annual mileage + \$250/mo meeting packet printing/mailing + \$390 contingency. Budget is lowered because social media and education column writing was moved to Education & Outreach budget (X)

(U) Budget was decreased in last few years to be more in line with actual expenses. Costs associated with Commission Engineer assistance with annual report

(V) Based on 2017-2019 agreement with HDR for website hosting and maintenance activities and closer to actual funds spent in 2019.

(W) Includes CAMP (\$7,000), River Watch (\$2,000), Metro Watershed Partners (\$3,500), Metro Blooms Workshops (\$1,500; a decrease from previous years), Children's Water Festival (\$350). Does not allow for additional partnerships or increases in contributions. CAMP costs set by Met Council increased significantly in 2019 (after 16 years w/o increases). In 2021 moved \$4,000 in annual support to Metro Blooms for resident engagement in Harrison Neighborhood, MPLS from Education & Outreach line item (X) 2021 Budget reflects reducing Metro Watershed Partners and Metro Blooms Harrison Neighborhood funding by \$500 each.

(X) Includes funding for West Metro Water Alliance at \$13,000 and \$7,310 for other educational supplies and materials including educational signage, display materials, Commissioner training, etc. In 2021, moved social media (\$480 FB ads + \$3,510 for 1.5 hr/week\*52 wks\*\$45/hour) and moved educational newspaper column writing (\$2,700 for 5 hr/mo\*12 months\*\$45/hour) from Administrative Services line item (T)

(Y) Public Communications covers required public notices for public hearings, etc.

(Z) Will be transferred to Channel Maintenance Fund for use by cities with smaller projects along the BCWMC Trunk System streams. Reduced for 2021 for overall budget savings.

(AA) Will be transferred to Long-Term Maintenance Fund (less actual costs of FCP inspections in line (H)).

(BB) Budget reduced since 2018 for overall budget savings. Task includes reporting on TMDL implementation and updating P8 model to include new BMPs. Reduced again in 2021 for overall budget savings.

**Notes on Water Monitoring Programs**

<b>2021 Monitoring/Reporting on 2020 Monitoring</b>	<b>Total budget</b>	<b>2021 proposed budget</b>	<b>2022 proposed budget</b>
Year 2 Sweeney Branch water quality monitoring and reporting	\$45,000	\$38,000	\$7,000
Reporting on 2020 Sweeney Branch biotic index monitoring	\$7,000	\$0	\$7,000
Reporting on 2020 Sweeney and Twin Lakes monitoring	\$11,000	\$11,000	--
Reporting on 2020 Medicine Lake monitoring	\$9,000	\$9,000	--
<b>2021 Lake Monitoring:</b>			
Parkers Lake	\$24,000	\$18,000	\$6,000
Westwood Lake	\$28,000	\$22,000	\$6,000
Crane Lake	\$29,000	\$23,000	\$6,000
Wirth—aquatic plants only; MPRB will perform survey along with their usual water quality monitoring	\$0	\$0	\$0
<b>2021 General Water Quality</b>	\$8,000	\$8,000	TBD
<b>Total</b>	<b>\$163,000</b>	<b>\$129,000</b>	

## Details on Water Monitoring Programs

Budget item	Item description	Estimated cost															
<b>2021 Westwood Lake (St. Louis Park) and Crane Lake (Minnetonka) detailed lake monitoring</b>	Detailed lake monitoring includes monitoring one location at each Lake on six occasions for selected parameters (total phosphorus, soluble reactive phosphorus, total nitrogen, nitrate +nitrite, chlorophyll a, chloride, Secchi disc, temperature, pH, DO, specific conductance, and oxidation reduction potential), plus parameters associated with AIS vulnerability (calcium, alkalinity, hardness, sodium, magnesium, and potassium), sample analysis, phytoplankton and zooplankton collection and analysis, an aquatic plant survey (two occasions), calculation of aquatic plant IBIs, preparation of a presentation and preparation of a final report (following template of recent reports). Final report preparation and presentation costs deferred to 2021.	<b>Total = \$57,000</b>															
	Westwood Hills Nature Center (WHNS) staff will collect Westwood Lake samples. Barr staff will train WHNS staff and provide technical support throughout the sample period. Technical support would include preparing bottles and paperwork (field note forms, lab paperwork), training WHNS staff, calibrating and couriering field measurement meter to WHNS staff for each sample event, arranging for courier to pick up samples from WHNS and deliver to Pace, providing technical support for each sample event including answering questions about sampling and completing lab paperwork.	<b>2021 = \$45,000</b>															
		<b>2022 = \$12,000</b>															
<b>2021 Parkers Lake (Plymouth) detailed lake monitoring</b>	Detailed lake monitoring includes monitoring one location on Parkers Lake on 6 occasions for selected parameters (total phosphorus, soluble reactive phosphorus, total nitrogen, nitrate +nitrite, chlorophyll a, chloride, Secchi disc, temperature, pH, DO, specific conductance, and oxidation reduction potential), plus parameters associated with AIS vulnerability (calcium, alkalinity, hardness, sodium, magnesium, and potassium), sample analysis, phytoplankton and zooplankton collection and analysis, an aquatic plant survey (two occasions), calculation of aquatic plant IBIs, preparation of a presentation and preparation of a final report (following template of recent reports). Final report preparation and presentation costs deferred to 2021.	<b>Total = \$24,000</b>															
	Three Rivers Park District staff will collect water quality, phytoplankton, and zooplankton samples, perform aquatic plant surveys, and complete lab analysis of samples at a reduced cost to BCWMC.	<b>2021 = \$18,000</b>															
		<b>2022 = \$6,000</b>															
<b>Second year of two-year stream water quality/ quantity monitoring effort (automatic sampling) on the Sweeney Branch</b>	The stream water quality monitoring program is designed to approximate the Metropolitan Council's Watershed Outlet Monitoring Program (WOMP) design for the Sweeney Branch (note: Plymouth Creek will be monitored in years 5-6). The 2021 costs include collecting 7 grab samples and 8 storm samples. This approximates the change to the WOMP sampling protocols from monthly to bi-monthly samples (some WOMP stations do not collect grab samples in the winter).	<b>Total = \$45,000</b>															
	Parameters to be monitored include (revised per BCWMC-approved 2020 monitoring program revisions):	<b>2021 = \$38,000</b>															
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;">Total Phosphorus</td> <td style="width: 33%;">Dissolved Phosphorus</td> <td style="width: 33%;">Nitrate/Nitrite</td> </tr> <tr> <td>Ortho Phosphorus</td> <td>TKN</td> <td>Ammonia N</td> </tr> <tr> <td>Chloride</td> <td>TSS</td> <td>VSS</td> </tr> <tr> <td>E. Coli</td> <td>Chl-a</td> <td>Metals</td> </tr> <tr> <td>Hardness</td> <td>Instantaneous pH</td> <td>Dissolved oxygen</td> </tr> </table>	Total Phosphorus	Dissolved Phosphorus	Nitrate/Nitrite	Ortho Phosphorus	TKN	Ammonia N	Chloride	TSS	VSS	E. Coli	Chl-a	Metals	Hardness	Instantaneous pH	Dissolved oxygen	<b>2022 = \$7,000</b>
	Total Phosphorus	Dissolved Phosphorus	Nitrate/Nitrite														
	Ortho Phosphorus	TKN	Ammonia N														
	Chloride	TSS	VSS														
	E. Coli	Chl-a	Metals														
	Hardness	Instantaneous pH	Dissolved oxygen														
4-day continuous dissolved oxygen on one occasion in summer																	
Draft report preparation included in 2021 budget; final report preparation and presentation deferred to 2022.																	
<b>Reporting on 2020 Biotic index monitoring of the Sweeney Branch</b>	Report preparation and presentation costs deferred to 2022, to coincide with final stream water quality reporting.	<b>Total = \$7,000<sup>1</sup></b> <b>2021 = \$0</b> <b>2022 = \$7,000</b>															
<b>Reports on 2020 monitoring</b>	2020 reporting to be completed in 2021 – Sweeney Lake and Twin Lake (\$11,000), Medicine Lake (\$9,000)	\$20,000															
<b>General Water Quality Task</b>	Potential items/issues include:Inventorying chloride sources and/or improvement measures; Preparing for TMDL studies on Northwood Lake and the Bassett Creek fish impairments; Internal load assessments and/or investigation(s) of alternative chemical treatments for Medicine Lake, Lost Lake, etc.; Addressing new AIS species; Implementing additional carp control issue measures at Sweeney Lake, such as an electric barrier(s); Address other water quality concerns that come up during the year (harmful algal blooms, etc.)	\$8,000															
<b>Total Estimated 2021 Budget</b>		<b>\$129,000</b>															

## Revenue Tables

<b>2020 Financial Information</b>		<b>Actual 2019 Financial Information</b>	
Fund Balance as of January 31, 2020 (audited)	\$ 408,676	Fund Balance as of January 31, 2019	\$ 380,136
Income from assessments in 2020	\$ 550,450	Income from assessments in 2019	\$ 529,850
Expected interest income in 2020		Interest income in 2019	
Expected income from project review fees	\$ 50,000	Income from project review fees	\$ 50,096
Expected income from CIP Administrative Funds	\$ 30,000	Income from CIP Administrative Funds	\$ 28,720
Expected transfer from Long-term Maint Fund for Flood Control Project	\$ 12,000	Transfer from Long-term Maint Fund for Flood	\$ 19,593
Expected income from WOMP reimbursement	\$ 5,000	Income from WOMP reimbursement	\$ 5,500
Estimated funds available for fiscal year 2020	\$ 1,056,126	Income from reimbursements from 2019 work	\$ 133,690
Estimated expenditures for fiscal year 2020	\$ 662,450	Total funds available for fiscal year 2019	\$ 1,147,585
Estimated fund balance as of January 31, 2021	\$ 393,676	Actual expenditures for fiscal year 2019	\$ 724,118
		Estimated fund balance as of January 31, 2020	\$ 423,467
<b>DRAFT 2021 Revenues</b>		<b>2020 Revenues</b>	
<b>Expected Income</b>	<u>Proposed</u>	<b>Expected Income</b>	<u>Original</u>
Assessments to cities	\$ 558,650	Assessments to cities	\$ 550,450
Use of fund balance	\$ 5,000	Use of fund balance	\$ 15,000
CIP Administrative Funds (2.0% of est. requested levy of \$1.5M)	\$ 30,000	CIP Administrative Funds (2.0% of est. requested le	\$ 30,000
Project review fees	\$ 62,000	Project review fees	\$ 50,000
Transfer from Long-term Maint Fund for Flood Control Proj Inspections	\$ 12,000	Transfer from Long-term Maint Fund for Flood Contr	\$ 12,000
WOMP reimbursement	\$ 5,000	WOMP reimbursement	\$ 5,000
Expected reimbursement for Blue Line LRT work	\$ -	Expected reimbursement for Blue Line LRT work	\$ -
Interest income in 2021	\$ -	Interest income in 2020	\$ -
	\$ 672,650		\$ 662,450
<b>DRAFT Expenses</b>		<b>Expected Expenses</b>	
Total operating budget	\$ 672,650	Total operating budget	\$ 662,450
<b>Fund Balance Details</b>		<b>Fund Balance Details</b>	
Est. Beginning Fund Balance (Jan 31, 2021)	\$ 393,676	Est. Beginning Fund Balance (Jan 31, 2020)	\$ 369,136
Use of Fund Balance	\$ 5,000	Use of Fund Balance (see income above)	\$ 15,000
Est. Remaining Fund Balance (Jan 31, 2022)	\$ 388,676	Est. Remaining Fund Balance (Jan 31, 2021)	\$ 354,136

### Proposed City Assessments

	2015	2016	2017	2018	2019	2020	Proposed Draft 2021 (<1.5% increase)
<b>Community</b>	<b>\$490,345</b>	<b>\$490,345</b>	<b>\$500,000</b>	<b>\$515,050</b>	<b>\$529,850</b>	<b>\$550,450</b>	<b>\$558,650</b>
Crystal	\$25,868	\$25,771	\$25,704	\$26,904	\$27,877	\$29,062	\$30,100
Golden Valley	\$121,964	\$127,675	\$131,270	\$134,649	\$138,553	\$144,693	\$146,209
Medicine Lake	\$3,543	\$3,600	\$3,561	\$3,783	\$3,846	\$3,975	\$3,954
Minneapolis	\$33,235	\$32,885	\$33,609	\$34,763	\$35,805	\$37,631	\$38,239
Minnetonka	\$28,121	\$27,536	\$28,199	\$28,053	\$28,989	\$29,967	\$29,822
New Hope	\$25,681	\$25,627	\$25,917	\$26,740	\$27,987	\$28,987	\$29,663
Plymouth	\$225,159	\$220,974	\$224,531	\$231,682	\$237,986	\$245,942	\$249,535
Robbinsdale	\$7,587	\$7,843	\$7,747	\$8,189	\$8,523	\$8,937	\$9,362
St. Louis Park	\$19,184	\$18,433	\$19,463	\$20,287	\$20,284	\$21,257	\$21,764
<b>TOTAL</b>	<b>\$490,345</b>	<b>\$490,345</b>	<b>\$500,000</b>	<b>\$515,050</b>	<b>\$529,850</b>	<b>\$550,450</b>	<b>\$558,650</b>

#### Based on These Figures & Calculations:

Community	For Taxes Payable in 2020	2019 Percent of	Area Watershed	Percent of	Average
	Net Tax Capacity	Valuation	in Acres	of Area	Percent
Crystal	\$10,060,219	5.69	1,264	5.09	5.39
Golden Valley	\$45,484,227	25.72	6,615	26.63	26.17
Medicine Lake	\$1,087,200	0.61	199	0.80	0.71
Minneapolis	\$12,181,159	6.89	1,690	6.80	6.84
Minnetonka	\$10,994,799	6.22	1,108	4.46	5.34
New Hope	\$9,869,052	5.58	1,252	5.04	5.31
Plymouth	\$75,291,555	42.57	11,618	46.77	44.67
Robbinsdale	\$3,471,941	1.96	345	1.39	1.68
St. Louis Park	\$8,427,361	4.76	752	3.03	3.90
<b>TOTAL</b>	<b>\$176,867,513</b>	<b>100.00</b>	<b>24,843</b>	<b>100.00</b>	<b>100.00</b>



## Bassett Creek Watershed Management

# MEMO

Date: May 14, 2020  
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 March)** 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 10<sup>th</sup> and a public hearing on the water level drawdown was held April 16<sup>th</sup>. 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. Tree removal was completed in early winter; excavation has been ongoing through the winter. More than 75% of the construction is complete with most excavation and hauling done. Other work tasks recently completed or nearly complete include installation of the box culvert/weir at the connection to the Liberty surface basin to the west of the project area, the installation of the forebay overflow weir, replacing the equalizer pipe between DeCola Ponds B and C and mitering to the slope, and installation of the weir at the Pond C outlet structure. The restoration contract was bid in November 2019 and the project was awarded to Applied Ecological Services (AES). Restoration work will begin in May 2020, with substantial completion at the end of June. Final completion for restoration is anticipated by the end of September. Project website: <http://www.bassettcreekwmo.org/index.php?CID=433> .

**2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5), Minneapolis:** 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. An agreement with the MPRB and the city of Minneapolis will be considered at a future meeting. In January 2020 this project was awarded a \$400,000 Clean Water Fund grant from BWSR; a grant work plan was completed and the grant with BWSR was fully executed in early May. The project and the grant award was recently the subject of an article in the Southwest Journal: <https://www.southwestjournal.com/voices/green-digest/2020/02/state-awards-grant-to-bryn-mawr-runoff-project/>. 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 28<sup>th</sup>. 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 5<sup>th</sup>, 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 17<sup>th</sup>, 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:** 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 16<sup>th</sup> 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 were made late in 2019 at the request of city inspectors. Building and project construction is well underway and the grand opening celebration has been postponed until September 13<sup>th</sup>. 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 Dec):** 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 24<sup>th</sup> 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 14<sup>th</sup> 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 Main Stem Bassett Creek Streambank Erosion Repair Project (2017CR-M) (No change since March):** 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. 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. For various reasons the project did not get underway in late 2019 as planned. The city recently amended the construction contract and a Hennepin County ERF grant will be amended as well. Work is slated to begin spring 2020 unless high water hampers construction.

**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 17<sup>th</sup> 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?clD=277>.

**Sweeney Lake Water Quality Improvement Project, Golden Valley (SL-8):** This project was added to the 2020 CIP list after receiving a federal 319 grant from the MPCA. It is partially a result of the carp surveys completed through the Schaper Pond Diversion Project and a study of the year-round aeration on Sweeney Lake. This project will treat curly-leaf pondweed in spring 2020, will remove carp in summer 2020, and will perform an alum treatment on Sweeney Lake in late summer 2020. The project was officially ordered by the Commission after a public hearing in September 2019. A public open house on this project was held via Webex on April 8<sup>th</sup> with approximately 20 people joining. The open house presentation and a question and answer document is available online. The curly-leaf pondweed herbicide treatment is slated for next week; lake residents will be notified of the treatment via US Mail and through the lake association this week. Project website: [Sweeney Lake Water Quality Improvement Project, SL-8](http://www.bassettcreekwmo.org/index.php?clD=278).

**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 20<sup>th</sup>. 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 2<sup>nd</sup> treatment may be needed in the future. Project webpage: <http://www.bassettcreekwmo.org/index.php?clD=278>.

**2013 Four Seasons Area Water Quality Project/Agora Development (NL-2) (See Items 5A and 5B):** 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 2019, a new potential buyer/developer (Dominium) began preparing plans for redevelopment at the site. City staff, the Commission Engineer and I have met on numerous occasions with the developer and their consulting engineers to discuss stormwater management and opportunities with “above and beyond” pollutant reductions. Concurrently, the Commission attorney has been working to draft an agreement to transfer BCWMC CIP funds for the above and beyond treatment. At their meeting in December, Dominium shared preliminary project plans and the Commission discussed the redevelopment and potential “above and beyond” stormwater management techniques. At the April 2020 meeting, the Commission conditionally approved the 90% project plans. The agreements with Dominium and the city of Plymouth to construct the project will be considered at this meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=282>.

**2020 Crane Lake Improvement Project (CL-3) (No change since Dec):** This project was 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>. December 2019 update:

- Underground storm water tank is installed
- Construction of the lift station, which will pump storm water from the underground storm water tank into the rain gardens, will be completed in the spring of 2020
- The rain gardens have been constructed, excluding the plantings which will be installed in 2020
- Stage 1 Construction is Complete; Stages 2-3 will be completed in 2020
- Educational Sign to be designed this winter and installed in 2020

## **Other Work**

### **CIP Project Work and Technical Assistance**

- Reviewed presentation on draft feasibility study for Mt. Olivet Stream Restoration and Parkers Lake Drainage Improvement Projects
- Developed web pages for Mt. Olivet Stream Restoration and Parkers Lake Drainage Improvement Projects
- Disseminated information on curly-leaf pondweed treatment to Sweeney Lake residents
- Participated in Hennepin County Climate Action Plan meeting and survey
- Participated in MPCA's Professional Judgement Group meeting re: new impairments and upcoming monitoring; corresponded with MPCA with information on work scheduled in Bassett Creek Valley
- Discussed revisions to agreement with Dominium with Commission attorney and Vice Chair Welch
- Participated in meeting re: project to replace sanitary sewer crossing Bassett Creek in Minneapolis
- Coordinated contractor and permitting for curly-leaf pondweed treatment in Medicine Lake

### **Administration and Education**

- Drafted 2019 BCWMC Annual Report and reviewed 2019 financial audit
- Reviewed reimbursement request for use of Channel Maintenance Funds by Golden Valley
- Drafted and distributed public hearing meeting notice for official publication
- Submitted minor plan amendment language to state review agencies, Hennepin County, member cities
- Reviewed agreements with Met Council for WOMP and CAMP programs
- Participated in Budget Committee meeting; gathered additional information at committee request; developed second draft of proposed budget and committee memo to Commission
- Participated in WMWA meeting; reviewed meeting minutes; reviewed and commented on draft annual report