

BCWMC 60-Day Review Comments and Draft Responses

At the meeting we will discuss those comments/responses in grey; although any comment or response is up for discussion.

#	Reviewer	Comment	Draft Response
A	Commissioner Mueller	The goal regarding aesthetics and recreation should be clearer and stronger. The verb "consider" is a weak and also somewhat condescending and dismissive in its tone. Similarly, the word "consider" in policies 61, 63, and 83 should be deleted and replaced with the words "take into account and support."	The goal in Section 4.1 will be revised to " Consider <u>Take into account</u> aesthetics and recreational opportunities within the watershed when completing BCWMC projects." Likewise, the word "consider" will be changed to "take into account" in policies 63 and 83.
B	Commissioner Mueller	Regarding Policy 60: Except for those regularly involved in surface water management, the term "soft armoring" is probably not well understood, nor is there any explanation for the underlying logic of the BCWMC's preference for soft armoring. As such, I request the BCWMC revise policy 60 to include additional information and explanation.	Policy 60 will be revised to: " <u>Recognizing their benefits to biodiversity and more natural appearance,</u> the BCWMC will strive to implement stream and streambank restoration and stabilization projects that use soft armoring techniques (<u>e.g., plants, logs, vegetative mats</u>) as much as possible and wherever feasible."
C	Alt. Commissioner Goddard	In Section 2.6.4 is it really appropriate to leave Grimes Pond, North Rice Pond, and South Rice Pond off the BCWMC's list of priority waterbodies?	After much discussion about how and why BCWMC waterbody classifications were derived, including classifications of wetlands, ponds, lakes, and streams - the Plan Steering Committee recommends 1) leaving Grimes, North and South Rice Ponds off the priority waters list; 2) removing Turtle Lake from the list of priority 2 shallow lakes (because it is on the Public Waters Inventory as a wetland and is not different in nature than Grimes Pond, or South and North Rice Ponds; 3) including in the Plan the complete table of waterbody characteristics that was used to derive the classifications (as least as an appendix); and 4) deleting reference to the Bassett Creek Park Pond from the table of all waterbodies and footnoting that North Branch Bassett Creek includes Bassett Cr. Park Pond. [See Plan Steering Committee Meeting notes for further discussion.]
1	BWSR	Table 5-3: The Capital Improvement Project Table includes several projects that do not list estimated costs. These projects would require a plan amendment.	Table 5-3 of the Plan will be revised to include as many estimated costs and estimated years of implementation as possible. The Commission understands that updates to the table will require future plan amendments as outlined in Section 5.5 of the Plan.

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2	BWSR	Table 5-3: A large portion of the projects included in the table do not have a scheduled year for construction. Having a projected year better allows for anticipated costs and we anticipate the proposed draft MN Rule 8410 to allow for scheduling flexibility to be allowed without a plan amendment.	Table 5-3 of the Plan will be revised to include as many estimated costs and estimated years of implementation as possible. The Commission understands that updates to the table will require future plan amendments as outlined in Section 5.5 of the Plan.
3	BWSR	Table 5-3: Additional details of capital projects should be included. This should include possible project elements, pollutant addressed and a summary/reference of the need of the project.	CIP projects will be described as best as possible with footnotes added to Table 5-3 including project elements, pollutants to be addressed and a reference to the need for the project.
4	BWSR	5.5.1 General Amendment Procedure: Depending on the scope of changes proposed to the Commission's Requirements or if there are significant fiscal impacts as a result to updates in the Education and Outreach Plan, a plan amendment may be required.	The Commission understands the requirements for plan amendments as outlined in Section 5.5 and will work with BWSR and review authorities to complete amendments when needed. Changes to the Requirements Document (Appendix G) will reflect policies outlined in this Plan such as the use of MIDS and buffer requirements.
5	MPCA	Page 2-11, Table 2-3 in the "Listed as impaired total maximum daily load (TMDL) status" column please update Parkers and Spring Lake to "Yes." These two lakes are impaired for aquatic life due to chloride.	Table 2-3 will be revised as suggested.
6	MPCA	Page 2-17, Section 2 .6.4.8 Parkers Lake is also on the draft 2014 303(d) list as impaired for aquatic life due to chloride and will be included in the Twin Cities Metro Area (TCMA) Chloride TMDL.	Section 2.6.4.8 will be revised to include this impairment.
7	MPCA	Page 2-18, Section 2 .6.4.10 Sweeney Lake is also on the draft 2014 303(d) list as impaired for aquatic life due to chloride and will be included in the TCMA Chloride TMDL.	Section 2.6.4.10 will be revised to include this impairment.
8	MPCA	Page 2-21, Section 2.6.4.14 Wirth Lake will be on the proposed 2016 303(d) list as impaired for aquatic life due to chloride and will be included in the TCMA Chloride TMDL.	Section 2.6.4.14 will be revised to include this impairment.
9	MPCA	Page 2-21, Section 2.6.5.1 Plymouth Creek was included in the Upper Mississippi River TMDL Study and Protection Plan and the TMDL has been approved for the aquatic recreation impairment due to f. coli.	Section 2.6.5.1 and Table 2-5 will be revised to include the fact that the bacteria TMDL is complete and approved.

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10	MPCA	Page 2-22, Sections 2.6.5.2 and 2.6.5 .3 Bassett Creek (Main Stem) and the North Branch of Basset Creek were included in the Upper Mississippi River TMDL Study and Protection Plan and the TMDL has been approved for the aquatic recreation impairment due to f . coli.	Sections 2.6.5.2 and 2.6.5.3 and Table 2-5 will be revised to include the fact that the bacteria TMDL is complete and approved.
11	MPCA	Page 2-32, Table 2-5. Bassett Creek (Main Stem), Plymouth Creek, and North Branch Bassett Creek bacteria TMDLs were approved in 2014. Include the aquatic recreation impairment for Wirth Lake, the year listed was 2002 and the TMDL was approved in 2010.	Table 2-5 will be revised as suggested.
12	MPCA	Appendix A, Monitoring Plan, Table 1: MPCA recommends taking a bottom sample and a surface sample for chloride in lakes. Refer to MPCA's Chloride Monitoring Guidance for Lakes for more information: http://www.pca.state.mn.us/index.php/view-document.html?gid=16148 .	Table 1 in Appendix A will be revised to include a bottom sample for chlorides in lakes.

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13	AMLAC	<p>AMLAC board members have read the proposed Bassett Creek 10-year management plan. While we agree with most of what the proposed plan includes, we think there is a significant issue missing. The lake level of Medicine Lake has been a topic of great concern by many citizens and should be addressed in the plan. There has been a very substantial amount of public input about low water levels in the lake at a number of public meetings. AMLAC believes that Bassett Creek's new Management Plan should address these concerns in a meaningful manner.</p>	<p>The BCWMC understands AMLAC's concerns about the water levels in Medicine Lake and discussed the matter at several Plan Steering Committee meetings, Technical Advisory Committee meetings, Commission Plan Development workshops, and Commission meetings. Section 3.2 acknowledges that water levels in Medicine Lake ranked as a high priority among survey respondents and Watershed Summit participants. Section 5.1.1 identifies one of several BCWMC responsibilities as "partnering with member cities in the management of surface and groundwater resources for the benefit of residents, businesses, and other stakeholders within the watershed and region." Additionally, Section 4.1 includes several goals addressing water quality and flooding; Policy 47 states the BCWMC will collaborate with others to better understand groundwater-surface water interactions; and Policy 110 lists the types of CIP projects the BCWMC will consider.</p> <p>The following changes will be incorporated into the Plan to further describe the issue and the Commission's role: The Executive Summary of the Plan will be revised to include "Medicine Lake water levels" in the list of key issues in the second paragraph of "Section 3." Section 2.0 (Land and Water Resource Inventory) will be revised to include a brief discussion of Medicine Lake historical water level data. Section 3.2 will be revised to include an accounting of the Commission's involvement with the issue of Medicine Lake water levels over the past few years. Section 5.2.1.1 will be revised to include language describing how the Commission will consider requests from member cities to address water resource issues, and will analyze the Commission's possible role in addressing the issue, taking into account the policies and criteria established in the Plan.</p>

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14	Hennepin County	Please note that as of January 1, 2015, Hennepin County Environmental Services (or Department of Environmental Services) was renamed Hennepin County Environment and Energy Department.	The Plan will be revised to reflect this title change.
15	Hennepin County	The plan does a good job describing the history of the Bassett Creek Watershed and physical and human environment within the watershed.	Thank you!
16	Hennepin County	Joint powers watershed management organizations typically have a role in mediating inter-community water disputes and problems that affect multiple communities. We applaud BCWMC for addressing this role in the stated goal shown on page 1-4 and 4-2 (“provide leadership and assist member cities with coordination of intercommunity stormwater runoff issues”), and multiple mention of oversight and collaboration of local plans, because ultimately, the BCWMC will rely heavily on the member communities to carry out the goals of the plan.	Thank you - the Commission takes this role seriously and appreciates the cooperation of all its member cities.
17	Hennepin County	One of the stated goals shown on page 1-4 and 4-2 is to “manage public ditches in a manner that recognizes their current use as urban drainage systems and as altered natural waterways.” To this point, the county believes watershed organizations or cities are the most appropriate entity for managing public drainage systems and would provide BCWMC the best opportunity to evaluate and meet the goal. For this reason, the county is in support of policy 4.2.7 encouraging the transfer of authority of the public ditches to a local entity.	Thank you.
18	Hennepin County	Under the Ad Valorem Tax heading in section 5.2.2.1 – “Funding Mechanisms Available to the BCWMC” it may be beneficial to include mention of the timing issues when it comes to meeting the County’s formal review process and the lead time required to place item(s) on the County Board’s meeting schedule when seeking plan amendment and associated levies under MN Statute 103B.251.	Section 5.2.2.1 will be revised to include a brief description of the steps and timing needed to work through the County's review process for tax levy requests.

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19	Hennepin County	Staff would like to commend BCWMC for their past actions of implementing projects to address water quality and quantity issues, and identifying future projects in the Plan's Capital Improvement Program to address identified needs. Staff is supportive of needed projects that protect and restore our area water resources and meets the County's goal of keeping the county's waters clean and healthy.	Thank you.
20	MDNR	We have appreciated the opportunity to actively participate in the development of this plan over the past two years. We feel that the plan satisfactorily addresses most of the issues the DNR raised in our 2012 initial input letter, as well as the additional input that we offered at workshops throughout the plan development process.	Thank you - the Commission is pleased the plan development process worked well for the MDNR.
21	MDNR	Rare Species: We appreciate your attention to the DNR Natural Heritage Information System (NHIS) database for rare species presented in the Bassett Creek Watershed Management Plan under section 2.9 Natural Communities and Rare Species (p. 2-54). The presence of rare species is one indication of the health of a watershed, where plant and animal diversity help the landscape to maintain important watershed functions. We encourage you to continue to develop goals and policies to protect habitat for rare species within the watershed, as identified in the Gap Analysis, Stream and Lake Management.	The Commission agrees that rare and endangered species within the watershed are important to understand and protect. Policies 86 and 87 in Section 4.2.8 include activities such as cooperating with the MDNR on protection of these species and submitting data to the MDNR on the presences of these species.

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22	MDNR	<p>Rare Species: Please note however, that the publication of exact locational information may threaten the continued existence of some rare species and therefore is considered nonpublic data under Minnesota Statute 84.0872. We would prefer that the specific language regarding rare species locations (paragraph 2, p. 2-54) be omitted. We believe it is more productive to concentrate on the integrity of the habitat areas within which the species are found. In this same vein, Figure 2-10, which illustrates general locations for rare species, might better illustrate Sites of Biodiversity Significance, Central Region Regionally Significant Ecological Areas, parks and naturally vegetated greenways within the watershed that need protection. We suggest this as a strategy for identifying priority areas for management of rare species and habitat within the watershed.</p>	<p>The last paragraph of Page 2-54 will be revised to omit general descriptions of species location and omit reference to Figure 2-10 in the discussion of rare species. NHIS data will not be included in Figure 2-10, which will instead include sites of biological significance, greenway corridors, and other applicable natural resources data.</p>
23	MDNR	<p>Watershed Projects: We appreciate your interest in the soft armoring of shorelines. We recommend the use of native plants for shoreline stabilization, buffers, and erosion control for Bassett Creek projects, because of the potential resources they provide for native pollinators. We recommend a query of the DNR Restore Your Shore Native Plant Encyclopedia for a list of plants that may be appropriate for different sites within Bassett Creek (found at: https://webapps8.dnr.state.mn.us/restoreyourshore/search?type=resetreturned).</p>	<p>Policies 81, 84 and 85 refer to the use of native plants in shorelines and open spaces. The Commission and its member cities and consultants will use (and be asked to use) this plant list for future projects. A recommendation to use this list will be considered during a revision of the Commission's "Requirements Document" (Appendix G).</p>

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24	MDNR	<p>Watershed Projects: In addition to shorelines, the DNR would appreciate the use of native plants in future development of parks, trails, and additional landscaping projects that may result in urban greenspaces within Bassett Creek. The use of native plants may increase habitat for native wildlife in an urban setting. Native plant resources can be found on the MnDNR Landscaping with Native Plants website: http://www.dnr.state.mn.us/gardens/nativeplants/index.html. The use of native plants for both soft armoring and landscaping projects may help to address the biodiversity concerns identified during the Gaps analysis (ranked #8).</p>	<p>Policies 81, 84 and 85 refer to the use of native plants in shorelines and open spaces. The Commission and its member cities and consultants will use (and be asked to use) this plant list for future projects. A recommendation to use this list will be considered during a revision of the Commission's "Requirements Document" (Appendix G).</p>
25	MDNR	<p>Watershed Projects: Before any watershed project is implemented, we recommend a review of the NHIS database. The NHIS is continually updated as new information becomes available and will include current records and surveys. It is our policy that NHIS reviews are not considered valid if it has been more than one year since the review.</p>	<p>The Plan will be revised to include a requirement in Policy 86 that the BCWMC will review the Natural Heritage Information System during the design phase of every Commission project.</p>
26	MDNR	<p>Appendix G. Requirements for Improvements and Development Proposals, Section 9.1 Regulatory Agencies- MN DNR (page 45) refers to the DNR Division of Waters. Since the previous version of this Plan, the Divisions of Waters and Ecological Resources have merged. The information should direct readers to: the DNR Division of Ecological and Water Resources, Central Region Headquarters, 1200 Warner Road, St. Paul, Minnesota 55106, (651) 259-5845.</p>	<p>The Plan will be revised as suggested.</p>
27	Met Council	<p>Council staff commend the BCWMC for preparation of a comprehensive and thorough plan. Council staff also appreciate that the BCWMC involved reviewing agencies early in the plan preparation process, thereby addressing major Council comments and concerns prior to the draft plan release.</p>	<p>Thank you - the Commission is pleased the plan development process worked well for the Met Council.</p>

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28	Met Council	<p>In addition, Council staff commend the BCWMC for including the following in the draft plan: Clear, concise vision statement to provide strategic direction; Policies that require retention of on-site runoff from new development, redevelopment, and linear projects consistent with the MPCA's Minimal Impact Design Standards (MIDS) performance goals (Policies 12 and 32); Policy that recommends collaboration with local and state agencies to understand groundwater-surface water interactions and development of management strategies that consider protection of both resources (Policy 47) as well as inclusion of groundwater resources (both bedrock and surficial aquifers) in the Land and Water Resource Inventory (Section 2.5 .2); Adoption of Atlas 14 as primary source of rainfall statistical information for the region; A monitoring plan directing collection of biological water quality data on the BCWMC's lakes and streams; An education and outreach plan directed toward dissemination of information to citizens, policymakers, city staff, educations and others.</p>	Thank you.

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29	Met Council	Section 4.2.1 . Water Quality Policies. The plan does a good job of compiling policies primarily concerned with improvement (or "restoration") of water bodies that are impaired based on presences of a specific pollutant. Council staff recommend addition and strengthening of language which addresses how the BCWMC will allocate funds and energies to protect those water bodies which currently meet water quality standards but may be threatened by future watershed activities, development, or redevelopment.	The Commission is very concerned with the protection of water bodies that currently meet water quality standards. As such, Policy 8 (Section 4.2.1) states that the Commission will continue to identify opportunities to achieve and maintain excellent water quality in priority water bodies. The Commission believes this will be accomplished through multiple policies in the draft Plan including policies to continue an intensive monitoring program to identify and act quickly when water quality begins to decline (Policy 9). (The in-lake alum treatment currently slated for 2015 in Twin Lake is a perfect example of the Commission responding quickly to maintain excellent water quality in a lake that already meets state standards but which is threatened by changes in annual summer temperatures.) Additionally, the adoption of MIDS, buffers requirements, and other requirements for developments and redevelopments will work to both protect and improve the quality of water bodies throughout the watershed.
30	Met Council	Section 5. Implementation. Table 5-3. Council staff recommend inclusion of an narrative explanation or table footnote on those CIP items where an estimated capital cost is listed without assignment to a specific year during period 2015-2025 for implementation. One example is item ML-17 In-lake alum treatment of Medicine Lake, with an estimated cost of \$1,400,000 yet no estimated date of implementation.	Table 5-3 of the Plan will be revised to include as many estimated costs and estimated years of implementation as possible. The Commission understands that updates to the table will require future plan amendments as outlined in Section 5.5 of the Plan.

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31	Met Council	Finally, Council staff reminds the BCWMC that the Council is committed to producing a number of technical items that will assist the BCWMC with its water quality and educational policies, including 1) the Bassett Creek section of the Comprehensive Waters Quality Assessment of Select Metropolitan Area Streams and associated plain language factsheet (published at www.metrocouncil.org/streams/Mississippi/); 2) Annual WOMP (Watershed Outlet Monitoring Program) daily average flow and water quality data; 3) Annual and monthly estimates of pollutant loads of the Bassett Creek WOMP station; and 4) Annual summary reports of water quality, flow, and loads for the WOMP station.	Thank you. The Commission looks forward to continuing its partnership with the Met Council.
32	MPRB	Page 2-20, 2-22. 2-54: The park name is "Theodore Wirth Regional Park."	The Plan will be revised as suggested.
33	MPRB	Figure 2-7: New JWC emergency well and existing reservoir in Wirth Park is not shown in the figure.	Figure 2-7 will be revised to include the Joint Waters Commission well in Wirth Park.
34	MPRB	Page 2-8, 9: Should Joint Waters Commission be included in this list, including adding the new well in the Theo Wirth Park which serves the JWV to the list?	The list will be amended to include the JWC (members include New Hope, Crystal and Golden Valley), noting that the JWC well in Wirth Park is an emergency supply well.
35	MPRB	P5-16, Figure 5.1: Comment: MPRB CIP and budgets now require planning staff time to be funded through project funding for staff administration.	Table 5-1 - Project Costs Eligible for BCWMC Reimbursement - includes the following under "Project costs eligible for reimbursement from BCWMC" column: "City staff time and expenses (if requested prior to levy certification)."
36	MPRB	Table 2-3: Spring Lake has a canoe dock and public trail access, it discharges to the Bassett Creek Tunnel, and is regularly monitored by MPRB. Table may need correction.	Table 2-3 will be revised as suggested.
37	MPRB	Table 2-5: Should Spring Lake be here and listed for chloride impairment?	Tables 2-3 and 2-5 will be revised to include a chloride impairment for Spring Lake.
38	MPRB	2.10.1.4 and Page 2-56, Figure 2-18: Wirth Lake boat launch is closed. A beach boardwalk and a lake boardwalk were added for public access, a winter aeration system operates on the lake to help fish survive low oxygen conditions.	Section 2.10.1.4 will be revised to include this information about Wirth Lake.
39	MPRB	Figure 2-4: Bassett Creek lagoon just N of Wirth Lake could be added as a sedimentation site.	Figure 2-4 will be revised to include this sedimentation site.

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40	MPRB	Figure 2-14: Is the Hwy-55 control structure location correct on this figure? I thought it was just upstream of Wirth Lake on the N side of Hwy 55. Is there another control structure missing from this figure that should be added in that location?	Figure 2-14 incorrectly shows the location of the Hwy 55 control structure. The figure will be revised to show its correct location just upstream of Wirth Lake on the north side of Hwy 55. We will also confirm that the other project feature locations are shown correctly.
41	MPRB	Page 3-5: Consider re-evaluating floodplain (and structure performance) under Atlas-14 rainfall conditions to determine any potential changes in flood areas.	Policy 25 (Section 4.2.2) indicates the Commission will reevaluate flood elevations and flood risk based on Atlas 14. Policy 31 (Section 4.2.2) requires no net increase in peak flow rates resulting from the 2-year, 10-year, and 100-year events; the BCWMC Rules and Requirements document will further specify the methods/data to be used in demonstrating compliance with this requirement, and will reference Atlas 14.
42	MPRB	General comment: The Commission may want to mention in the plan that there are NRHP eligible or listed areas/properties in the watershed which require review by SHPO for state and federal funded projects and all USACE projects (which include all of the MPRB land in the Grand Rounds).	A new subsection will be added to Section 5.1.3. (i.e., State Historic Preservation Office) to note that there are NRHP eligible or listed areas/properties in the watershed, which require review by SHPO for state and federal funded projects and for all USACE projects. The new subsection will also note that this includes all of the MPRB land in the Grand Rounds.
43	MPRB	General comment: The Commission may want to mention that there is preexisting and historic infrastructure along the creek that may need to be taken into consideration during flood modeling like at the historic Fruen Mill site.	When modeling channel conditions, the cross sections used in the model reflect current conditions, which would include historic infrastructure. Whether such infrastructure can be altered or removed is a permitting issue (see above comment and response).
44	MPRB	General comments on 2015 - 2025 CIP: WTH-2 Wirth Lake pond is not a desired option to MPRB. Feasibility of other treatment options should also be evaluated.	Table 5-3 will be revised to remove project WTH-2.
45	MPRB	General comments on 2015 - 2025 CIP: 2-17-CRM-expansion of project upstream to Glenwood Ave is needed as funding in 2012-15 project was not sufficient for this project.	CIP project 2017 CR-M in Table 5-3 is the restoration of the main stem channel between Cedar Lake Road and Irving Ave. The project can be expanded upstream to Glenwood Avenue, as requested, but the MPRB/City of Minneapolis need to provide a budget estimate for the expanded project. If the project is expanded, the name of the project would be changed to "Main Stem Channel Restoration, Glenwood Ave. to Irving Ave."

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46	MPRB	General comments on 2015 - 2025 CIP: BC-5 needs further discussion with MPRB and City of Minneapolis.	Project BC-5; water quality improvements in Bryn Mawr Meadows will be thoroughly discussed with the MPRB and the City of Minneapolis before a feasibility study is initiated.
47	MPRB	General comments on 2015 - 2025 CIP: BC-7 dredging of additional sediment deltas in Wirth Park section of creek between Golden Valley Road and Penn Ave may also be needed.	Project BC-7 could be expanded to include the area between Golden Valley Road and Penn Ave in Wirth Park, but the MPRB/City of Minneapolis need to provide a budget estimate for the expanded project. If the project is expanded, the name of the project would be changed to "Dredging of accumulated sediment in Main Stem of Bassett Creek in Wirth Park just north of Highway 55, and between Golden Valley Road and Penn Ave.
48	MDA	As implementation projects within the boundaries of the Bassett Creek Watershed commence, you are encouraged to review pollinator guidance developed by the MDA and its partners. There may be opportunities to incorporate pollinator habitat when capital improvement projects are constructed. You are referred to the following documents:	Policies 81, 84 and 85 refer to the use of native plants in shorelines and open spaces. The Commission and its member cities and consultants will use (and be asked to use) native plant lists and pollinator guidance for future projects. A recommendation to use this list/guidance will be considered during a revision of the Commission's "Requirements Document" (Appendix G).
49	MDA	1. Agricultural Landscapes (PDF: 919 KB / 6 pages)	
50	MDA	2. Yards and Gardens (PDF: 7.83 MB / 6 pages)	
51	MDA	Roadsides and Rights-of-ways (PDF: 3.57 MB / 4 pages)	
52	MDA	Also attached are MDA drainage recommendations, which apply primarily to agricultural areas of the state. There may be some applicable recommendations within this document.	Thank you.
53	MnDOT	Page 4-12, #70: Please add that MnDOT is the WCA LGU on its right-of-way.	Policy 60 will be revised to include MnDOT as the LGU for its right-of-ways. (Policy 70 lists the communities where the Commission is the LGU so it would not be appropriate to revise this policy.)
54	MnDOT	Appendix G, page 7: The trigger does not match the MID's trigger and the road base disturbance language is not the same as the underlying soil disturbance language from MID's. From page 4-6 of the plan, it sounds like the WMC is adopting the MID's package. Please update the trigger and language in this section to match MID's.	The Commission's Requirements Document (shown in Appendix G) will be revised to incorporate the new policies of this draft Plan including MIDS.

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55	MnDOT	Appendix G, Table C: Same comment as above.	The Commission's Requirements Document (shown in Appendix G) will be revised to incorporate the new policies of this draft Plan including MIDS.
56	MnDOT	I only looked briefly through Appendix G. There may be other instances where the language is not the same as MID's; recommend updating all discrepancies in the appendix section.	The Commission's Requirements Document (shown in Appendix G) will be revised to incorporate the new policies of this draft Plan including MIDS.
57	Plymouth Env. Quality Committee	How do the policies compare with other joint powers organizations affecting the City of Plymouth, particularly Elm Creek and Shingle Creek watersheds?	<p>The BCWMC considered the existing requirements of adjacent watershed management organizations and its member cities in the development of policies for the draft Plan. While the BCWMC did not specifically seek to align the draft policies with those of other organizations, the BCWMC did attempt to develop policies that minimize redundancy in purpose and/or implementation. In adopting MIDS, the BCWMC established policies with the potential for regional applicability, while considering the challenges unique to a nearly fully-developed watershed (e.g., a focus on redevelopment).</p> <p>However, please note that the Elm Creek Watershed Management Commission has also adopted MIDS-based water quality policies, and rate control policies based on Atlas 14 rainfalls, similar to those included in the BCWMC Plan. The Shingle Creek Watershed Management Commission has also adopted similar rate control requirements, and an infiltration requirement of 1.0 inch of runoff from impervious area (versus 1.1" suggested in MIDS).</p>

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58	Plymouth Env. Quality Committee	<p>Explain the reasoning for proposed Policy 64 which requires buffers of "priority" streams up to 10 feet in width. Research completed by Emmons & Olivier Resources (EOR) in 2001 for the Minnehaha Creek Watershed District suggests buffers less than 50 feet are marginally effective. What removal efficiencies for total suspended solids, phosphorus, and nitrogen are expected from buffers 10 feet and less? Considering there are other requirements in place for development and redevelopment projects and considering the extensive capital improvements completed by both the Bassett Creek Watershed and member communities, perhaps this policy does not offered much resources protection and is unnecessary.</p>	<p>The Commission acknowledges that riparian buffers that are at least 50 feet wide have a greater potential to improve and protect water quality while also improving riparian habitats. The Plan Steering Committee, the Technical Advisory Committee and the full Commission and review agencies discussed buffers along streams and lakes at length during the development of this Plan. There is a balance to be struck when considering the sometimes narrow backyards in this highly urbanized watershed. Many, many parcels along Bassett Creek simply do not have room to incorporate a 50 foot buffer. Cities, developers, and other project proposers are encouraged to install buffers well beyond the 10 foot requirement whenever possible. The 2004 BCWMC Watershed Plan included NO buffer requirements. The Commission believes this policy is a step in the right direction.</p>
59	Plymouth Env. Quality Committee	<p>Regarding proposed Policy 66, the City of Plymouth has existing standards for develop and redevelopment regarding bounce, inundation, and runout control. Please clarify limits and expectations regarding this policy.</p>	<p>The policy requires that member cities implement (or maintain, if they already exist) wetland standards to protect wetlands from negative impacts resulting from hydrologic alteration (i.e., alteration in the form of increased bounce, increased inundation duration, and changes in the outlet elevation, or runout control). By requiring standards that are "similar to BWSR guidance," the policy provides suggested values by reference, but allows member cities some flexibility in defining the allowable limits of alteration. The expectation is that the functions and values of high quality (i.e., Preserve and Manage 1 wetlands) will be better preserved if standards go beyond setback and buffer requirements. It is up to the member cities to establish the numeric criteria and determine if those requirements should extend beyond Preserve and Manage 1 wetlands.</p>

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60	Plymouth Env. Quality Committee	<p>Regarding Policy 68, enforcement of buffer standards on existing sites can be complex and it is recommended this policy be reconsidered. The City of Plymouth is concerned the proposed standards will encroach upon existing parking or building areas resulting in a reduction in parking and/or creating zoning non-conformities requiring variances and encumbering municipal staff time. Further, the Commission's adoption of MIDS may require additional areas which are currently impervious surface be utilized for water quality improvements. For reference, this newly proposed policy would apply to 297 wetlands and 2,726 individual properties in the City of Plymouth. Please provide an explanation of the expected impact on member communities.</p>	<p>Policy 68 in the draft Plan would require an average of 75 feet and minimum of 50 feet from the edge of wetlands classified as Preserve, an average of 50 feet and minimum of 30 feet from the edge of wetlands classified as Manage 1, and an average of 25 feet and minimum of 15 feet from the edge of wetlands classified as Manage 2 or 3. The Commission gathered wetland buffer requirements from the member cities while this policy was under consideration. According to that information, the City of Plymouth's wetland buffer requirements are already meeting this requirement - i.e., average 75 feet for Preserve, average 50 feet for Manage 1, average 30 feet for Manage 2 and average 25 feet for Manage 3. As noted in the policy, these proposed buffers only apply for projects containing more than one acre of new or redeveloped impervious area.</p> <p>Regarding MIDS, the treatment requirements apply only if a proposed project triggers the standards. Projects triggering the standard include: development projects creating one or more acre of impervious area, redevelopment projects creating one or more acres of new or fully redeveloped impervious area, and linear projects creating one or more acres of new or fully reconstructed impervious area. The BCWMC adopted MIDS and the flexible treatment options to give flexibility for projects where it may not be possible or desirable to provide infiltration.</p>

#	Reviewer	Comment	Draft Response
61	City of MPLS	Section 4.2.2 - 26. When implementing BCWMC flood risk reduction projects, the BCWMC will identify properties prone to flooding and consider the purchase of these properties as the first option (if approved by the member city) when evaluating measures to provide protection to properties prone to flooding. RECOMMENDED CHANGE TO: 26. When implementing BCWMC flood risk reduction projects, the BCWMC will identify properties prone to flooding. The most effective and reasonable solutions as approved by the member city should be evaluated. Solutions to be considered may include purchase of the properties, with attention to impact on tax base and other community factors.	Policy 26 will be revised as suggested: When implementing BCWMC flood risk reduction projects, the BCWMC will identify properties prone to flooding. The most effective and reasonable solutions as approved by the member city should be evaluated. Solutions to be considered may include purchase of the properties, with attention to impact on tax base and other community factors..
62	City of MPLS	Section 4.2.2 - 32. The BCWMC requires the retention of on-site runoff from development and redevelopment projects... (MIDS language) Recommend addition of a 4th bullet: "● If an applicant is unable to achieve the above performance goals due to site restrictions, the MIDS Flexible Treatment Options Approach shall be followed using the MIDS Design Sequence Flow Chart."	Policy 32 will be revised as suggested.
63	City of MPLS	Section 4.2.2 - 35. BCWMC prohibits improvements in the floodplain which would be subject to damage including public utilities and streets. - Recommend deleting reference to public utilities and streets.	Policy 35 will be revised to state: "The BCWMC prohibits the construction of basements in the floodplain; construction of all other infrastructure within the floodplain is subject to BCWMC review and approval."
64	City of MPLS	Section 4.2.3 - 45. BCWMC will review all MDNR groundwater appropriation permit applications excluding applications for temporary appropriation permits. - For future consideration , note that Appendix G Section 3.7 states review is required for temporary or permanent appropriations. It also states review will be required for all appropriations not just those subject to a MDNR permit.	The Commission's Requirements Document (shown in Appendix G) will be revised to incorporate the new policies of this draft Plan.

#	Reviewer	Comment	Draft Response
65	City of MPLS	<p>Section 4.2.3 - 46. BCWMC will consider a program to review development or redevelopment projects which include long-term dewatering within 1,000 feet of priority waterbodies.</p> <p>Recommend changing to, "BCWMC will work with member Cities to consider a program . . ."</p>	<p>Policy 46 will be revised as suggested.</p>
66	City of MPLS	<p>Section 4.2.10 - 122. Please clarify this policy: "The BCWMC requires member cities to acquire and maintain easements, right-of-way, or interest in land necessary to implement and maintain projects upon order of the BCWMC (the cost of land acquisition may be eligible for Commission reimbursement, see Table 5-1)."</p>	<p>Per the BCWMC's joint powers agreement (Sec. VII, Subdivision 10-Land Acquisition), it is up to the member city where the project is to be located to obtain land or easements that are needed to construct CIP projects. The JPA includes the phrase "upon order of the Board of Commissioners," where "order" is taken to mean the Commission order of a CIP project.</p> <p>Policy 122 will be revised to state: "<u>For CIP projects that have been ordered by the BCWMC</u>, the BCWMC requires member cities to acquire and maintain easements, right-of-way, or interest in land necessary to implement and maintain projects upon order of the BCWMC (the cost of land acquisition may be eligible for Commission reimbursement, see Table 5-1)."</p>
67	City of MPLS	<p>Section 5.1.1.3 - Management of the BCWMC Trunk System and Flood Control Project - This section refers to Figure 2-14 as the map of the BCWMC TRUNK SYSTEM, however it is Figure 2-15.</p> <p>It was recently suggested that the historic channel of Bassett Creek just inside the border of Minneapolis, prior to re-route by MnDOT in the 1940s in relation to TH55, may not be considered part of the trunk system. Figure 2-15, however, DOES appear to include the historic channel (as well as the current, primary channel.) This needs to be confirmed. Minneapolis maintains that the historic channel is part of the trunk system, and that Figure 2-15 appears to be correct (considering the imprecise nature of the linework on map).</p>	<p>The city is correct in noting that Fig 2-15 shows the historic channel as part of the trunk system. The FEMA floodplain maps also show this channel as part of the 100-year floodplain. Upon further consideration we agree that this channel is part of the Trunk System as shown in Figure 2-15. Both Figures 2-14 and 2-15 will be referenced when discussing the Trunk System because the Flood Control Project is part of the Trunk System.</p>

#	Reviewer	Comment	Draft Response
68	City of MPLS	Section 5.1.2.3 - Member cities shall inform developers and other project applicants of BCWMC policies and requirements and provide applicants with the BCWMC development requirements or direct applicants to the BCWMC website. - Recommend Change to: "Member cities shall inform developers and project applicants that that their project is within BCWMC, that the project may be subject to BCWMC policies and requirements, and direct applicants to the BCWMC website."	Section 5.1.2 #3 (second sentence) will be revised to: "Member cities shall inform developers and project applicants that BCWMC review of their project may be required and will direct applicants to the BCWMC the Requirements Document and more information online. BCWMC staff will ensure that developers and project applicants have first contacted appropriate city staff before reviewing or discussing details of the proposed project."
69	City of MPLS	Section 5.3 - The BCWMC's intention is to limit additional requirements imposed upon local units of government as much as possible while still accomplishing the BCWMC's purposes and implementing the Plan. - Suggest change to: "The BCWMC's intention is minimize duplication of efforts with member cities, and to limit additional requirements imposed upon local units of government as much as possible while still accomplishing the BCWMC's purposes and implementing the Plan."	Section 5.3 will be revised as suggested.