



## Bassett Creek Watershed Management Commission

Regular Meeting  
Thursday March 18, 2021  
8:30 – 11:00 a.m.

Via Zoom – Click [HERE](#) to join the meeting.  
Or join by phone +1-312-626-6799; Meeting number 854 5430 5933

### 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 Commissions Committee for a recommendation to be brought back to the Commission for discussion/action.*

#### 3. APPROVAL OF AGENDA

#### 4. CONSENT AGENDA (10 minutes)

- A. Approval of Minutes – February 18, 2021 Commission Meeting
- B. Acceptance of March 2021 Financial Report
- C. Approval of Payment of Invoices
  - i. Keystone Waters, LLC – February 2021 Administrative Services
  - ii. Keystone Waters, LLC – February 2021 Printing Expenses
  - iii. Barr Engineering – February 2021 Engineering Services
  - iv. Wenck – February 2021 WOMP Monitoring
  - v. Lawn Chair Gardener – February 2021 Administrative and Education Services
  - vi. MMRK – Financial Audit
- D. Approval of Crystal 2021 Utility Reconstruction Project
- E. Approval of Resolution of Appreciation for Alternate Commissioner Noon
- F. Approval of Contract with PLM Lake and Land Management Corp for Curly-leaf Pondweed Treatment, Medicine Lake
- G. Approval to Execute Grant Award Notice from MnDNR for Curly-leaf Pondweed Treatment

#### 5. BUSINESS

- A. Receive Information on BWSR Performance Review and Assistance Program (20 min)
- B. Consider Approval of Contracts for Services and Fee Schedules (20 min)
  - i. Legal Services: Kennedy & Graven, Chartered
  - ii. Technical Services: Barr Engineering Co.

**BREAK** (If needed)

- C. Consider Technical Advisory Committee Recommendations (30 min)
  - i. 5-year Capital Improvement Program
  - ii. Set Public Hearing for Plan Amendment

## 6. COMMUNICATIONS (10 minutes)

- A. Administrator's Report
  - i. Update on Hennepin County Chloride Initiative
- B. Chair
- C. Commissioners
- D. TAC Members
  - i. Update on Parker's Lake Chloride Reduction Project
- E. Committees
- F. Education Consultant
  - i. Latest Education Videos ([Pet Friendly Deicers](#) and [Time to Sweep the Salt!](#))
- G. Legal Counsel
- H. Engineer
  - i. Update on 2021 Monitoring Plans
  - ii. Update on SEA School-Wildwood Park and Medley Park Feasibility Studies

## 7. INFORMATION ONLY (Information online only)

- A. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- B. Grant Tracking Summary and Spreadsheet
- C. WCA Notices of Decision, Plymouth
- D. [2021 Online Salt Symposium Save the Date – August 3 & 4](#)

## 8. ADJOURNMENT

### Upcoming Meetings & Events

- [MAWD Virtual Legislative Event](#): March 17, 2021, starting at 1:00, [AGENDA](#) (let me know if you wish to attend)
- [BCWMC Budget Committee Meeting](#): March 22, 2021, 1:00 P.M. via Zoom
- [BCWMC Education Committee Meeting](#): March 22, 2021, 4:00 P.M. via Zoom
- [Resilient Yards Workshop](#): March 25, 2021; 6:00 – 9:00 P.M., online <https://bluethumb.org/event/plymouth-resilient-yard/>
- [Bassett Creek Watershed Mgmt Commission Meeting](#): Thursday April 15<sup>th</sup>, 8:30 a.m. via Zoom
- [Metro MAWD Meeting](#): April 20, 2021; 7:00 – 9:00 p.m. online



# Bassett Creek Watershed Management Commission

## AGENDA MEMO

Date: March 10, 2021

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: **Background Information for 3/18/21 BCWMC Meeting**

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA (10 minutes)**
  - A. **Approval of Minutes –February 18, 2021 Commission Meeting- ACTION ITEM with attachment**
  - B. **Acceptance of March 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 – February 2021 Administrative Services
    - ii. Keystone Waters, LLC – February 2021 Printing Expenses
    - iii. Barr Engineering – February 2021 Engineering Services
    - iv. Wenck – February 2021 WOMP Monitoring
    - v. Lawn Chair Gardener – February 2021 Administrative and Education Services
    - vi. MMKR – Financial Audit
  - D. **Approval of Crystal 2021 Utility Reconstruction Project – ACTION ITEM with attachment – *The proposed project in Crystal includes street reconstruction, utility improvements including water main, sanitary sewer, storm sewer, and gas main, and replacement of an arch culvert under Louisiana Avenue that conveys the North Branch of Bassett Creek. The proposed project results in 2.31 acres of disturbance, decreases impervious surface by 0.03 acres, and meets the BCWMC floodplain requirements and policies. Staff recommends approval.***
  - E. **Approval of Resolution of Appreciation for Alternate Commissioner Noon – ACTION ITEM with attachment – *Alternate Commissioner Noon is stepping down from the Commission after representing the city of St. Louis Park for more than 5 years. Staff recommends a resolution of appreciation for his work on the Commission and participation on the Education Committee.***
  - F. **Approval of Contract with PLM Lake and Land Management Corp for Curly-leaf Pondweed Treatment, Medicine Lake – ACTION ITEM with attachment – *As in years past, the Commission received a MnDNR permit to chemically treat curly-leaf pondweed in Medicine Lake. Staff recommends approval of the contract with PLM Lake and Land Management for this work. PLM has performed this treatment in the past with good results and is familiar with the lake. The treatment is included in the APM/AIS budget line and is estimated at \$8,1000. Three Rivers Park District shares the cost of the treatment. And, we were recently selected by lottery to receive \$5,000 in MnDNR grant funds for the treatment (see Item 4G).***

- G. Approval to Execute Grant Award Notice from MnDNR for Curly-leaf Pondweed Treatment – **ACTION ITEM no attachment** – *I recently submitted a lottery grant application to receive \$5,000 to assist with treatment of AIS in Medicine Lake and was just informed BWCWC was chosen as a grant recipient! I will work with MnDNR and the Commission Attorney on the grant agreement which I expect to be very simple. I request the ability to execute the agreement with review by the Chair and Commission Attorney to expediate the curly-leaf pondweed treatment.*

## 5. BUSINESS

- A. Receive Information on BWSR Performance Review and Assistance Program (20 min) – **INFORMATION ITEM with attachment** – *The MN Board of Water and Soil Resources will assess the performance of the BCWMC this spring through a “Level II” review. The attached program fact sheet and list of performance standards indicates the items to be evaluated. At this meeting BWSR staff will provide an overview of the program, the survey commissioners can expect to receive, and BCWMC staff’s responsibility in assisting with the review.*
- B. Consider Approval of Contracts for Services and Fee Schedules (20 min) - **ACTION ITEMS with attachments** – *At the February meeting, the Commission took action to continue contracting with Kennedy & Graven and Barr Engineering for legal and technical services, respectively. At that meeting there were discussions about existing contracts and fee schedules. I was directed to bring pertinent fee schedules to a future meeting for review and approval. Since the existing service contracts with each firm were several years old, I asked each firm to submit updated contracts for Commission consideration (see attached). Current fee schedules are also included. The Commission Attorney reviewed the Barr contract. I reviewed the Kennedy & Graven contract. These agreements are “standing service contracts” and do not have an expiration date, but can be terminated at any time by either party. I recommend approval of the updated contracts. The Commission should consider how often the contracts should be reviewed or renewed.*
- i. Legal Services: Kennedy & Graven, Chartered – **see attachment**
  - ii. Technical Services: Barr Engineering Co. – **see attachment**

### BREAK (If needed)

- C. Consider Technical Advisory Committee Recommendations (30 min) – **ACTION ITEM with attachment** – *At their meeting on March 5<sup>th</sup>, the TAC discussed several items including the FEMA mapping project, the 5-year CIP, and the idea of starting a cost share program for BMPs on private developments. Their recommendations on the 5-year CIP and discussion on the cost share program can be found in the attached memo. The recommended 5-year CIP table and prioritization matrix are attached in 5Ci along with fact sheets on the proposed additions to the CIP.*
- i. 5-year Capital Improvement Program – **see attachments** – *The 5-year CIP table shows changes to the current CIP tracked in red with notes on these changes in the TAC memo (5C). The proposed additions to the CIP are shown in the orange rows at the bottom of the table and are briefly described in the TAC memo. The prioritization matrix with scores for existing and proposed projects is included here, and fact sheets with additional project information are also attached.*
  - ii. Set Public Hearing for Plan Amendment – **no attachment** – *If the Commission approves TAC recommendations to add one or all of the proposed projects, a minor plan amendment will be needed. This process includes review of proposed changes by State agencies and the county, and a 45-day notice of a public hearing to member cities. Staff recommends setting a public hearing for your May 20, 2021 Commission meeting.*



## 6. COMMUNICATIONS (10 minutes)

- A. Administrator's Report
  - i. Update on Hennepin County Chloride Initiative
- B. Chair
- C. Commissioners
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## Bassett Creek Watershed Management Commission

### DRAFT Minutes of Regular Meeting Thursday, February 18, 2021 8:30 a.m.

Via video conference due to the COVID-19 global pandemic

#### 1. CALL TO ORDER and ROLL CALL

On Thursday, February 18, 2021 at 8:31 a.m. via video conference, Vice Chair Welch brought 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	Jane McDonald Black	Jeff Oliver, Eric Eckman, RJ Kakach
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch	<i>Vacant Position</i>	Liz Stout, Katie Kowalczyk
Minnetonka	Mike Fruen	<i>Vacant Position</i>	
New Hope	<i>Absent</i>	Patrick Crough	Megan Hedstrom
Plymouth	Catherine Cesnik	Jim Prom	Ben Scharenbroich
Robbinsdale	Wayne Sicora	<i>Vacant Position</i>	Marta Roser
St. Louis Park	Jim De Lambert	Patrick Noon	<i>Absent</i>
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Chandler and Greg Wilson, Barr Engineering		
Recorder	Dawn Pape, Lawn Chair Gardener		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Presenters/ Guests/Public	Joan Hauer (Crystal resident), McKenzie Erickson (Minneapolis resident)		

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

None.

**3. APPROVAL OF AGENDA**

**MOTION:** Commissioner de Lambert moved to approve the agenda. Alternate Commissioner Crough seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and Robbinsdale absent from the vote.

**4. CONSENT AGENDA**

The following items were approved as part of the consent agenda:

- January 21, 2021 Commission meeting minutes
- Fiscal Year 2020 Year End Financial Report
- February 2021 Financial Report
- Payment of invoices
- Resolution 21-03—Designating Depositories for BCWMC Funds
- Resolution 21-04—Transferring Funds from Flood Control Project Long Term Account to Administrative Fund
- Designation of *Finance and Commerce* as the Official News Publication of the BCWMC
- Adoption of Data Practices Policy

The general and construction account balances reported in the February 2021 Financial Report are as follows:

Checking Account Balance	777,644.31
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TOTAL GENERAL FUND BALANCE	777,644.31
<hr/>	
TOTAL CASH & INVESTMENTS ON-HAND (2/10/21)	3,404,904.92
<hr/>	
CIP Projects Levied – Budget Remaining	(3,804,458.96)
<hr/>	
Closed Projects Remaining Balance	936,769.38
<hr/>	
2015-2018 Anticipated Tax Levy Revenue	1,429.11
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2019 Anticipated Tax Levy Revenue	4,499.30
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Anticipated Closed Project Balance	942,697.79
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**MOTION:** Commissioner de Lambert moved to approve the consent agenda. Alternate Commissioner Crough seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and Robbinsdale absent from the vote.

**5. ORGANIZATIONAL MEETING**

**A. Elect Officers**

Vice Chair Welch asked for nominations for chair. Commissioner de Lambert nominated Commissioner Cesnik for Chair.

[Commissioner Sicora joins the meeting.]

Vice Chair Welch asked for nominations for vice chair. Commissioner Harwell voiced interest in pursuing vice chair. There was brief discussion regarding her work schedule and availability. Commissioner Harwell withdrew her name from consideration for this year but voiced interested in chair or vice chair positions in the future.

Vice Chair Welch nominated the existing slate for vice chair, secretary, and treasurer positions.

**MOTION:** Alternate Commissioner Crough moved to approve the slate of officers including Commissioner Cesnik for chair, Commissioner Welch for vice chair, Commissioner de Lambert for secretary and Commissioner Harwell for treasurer. Commissioner de Lambert seconded the motion. Upon a roll call vote, the motion carried 8-0, city of Minnetonka absent from the vote.

Newly elected Chair Cesnik took over the role of Chair.

**B. Review 2021 Commission Calendar and Areas of Work**

Administrator Jester gave an overview of the calendar. She noted that February 1st marks the beginning of the Commission's business and fiscal year and asked people to mark their calendars for monthly meetings for the rest of the year.

**C. Appoint Committee Members**

The following members were appointed to committees.

- i. Administrative Services Committee – Commissioners Cesnik, Welch, de Lambert, Harwell and Alternate Commissioner Prom
- ii. Budget Committee – Commissioners Cesnik, Anderson, and Carlson, and Alternate Commissioner McDonald Black
- iii. Education Committee – Commissioners Harwell and Fruen, and Alternate Commissioner Patrick Noon. Commissioner Fruen and TAC Member Chirpich were on the committee last year. Administrator Jester will ask them if they would like to continue.
- iv. Technical Advisory Committee Liaison – Commissioners Harwell, Welch, Carlson, and Alternate Commissioner Crough

Michael Welch suggested appointing TAC liaison for each meeting because the agenda may change. Commissioners Harwell and Welch are appointed for the March 5, 2021 meeting. The TAC doesn't need the Commission's approval to meet but they may be asked by the Commission to discuss certain topics. Commissioner Welch stressed the importance of having Commission representation at the TAC meetings.

[Commissioner Harwell leaves the meeting.]

**D. Review Open Meeting Law**

Commission Attorney Anderson reviewed the main components of the open meeting law. He reminded the Commission that if people gather socially, it is important *not* to discuss BCWMC matters. The violations of the open meeting law are usually due to "serial" meetings, e.g. hitting "reply all" and continuing to discuss matters after meetings. Attorney Anderson noted it is important to make the public aware of meetings by properly noticing the meetings if there is any potential of quorum. He also noted that alternate commissioners count within the quorum due to their ability to vote.

After a question, Attorney Anderson clarified that the names of firms answering bid or proposal requests are public but the proposals themselves are non-public data. He noted that commissioners can discuss the contents of the proposals during the meeting in order to conduct necessary business and make sound decisions.

## 6. BUSINESS

### A. Review Report on Sweeney Lake/Schaper Pond Carp Removal Project

Commission Engineer Greg Wilson presented about carp populations and movements that were tracked and evaluated in Sweeney Lake and Schaper Pond. He also reported about the carp removal that was completed through the Sweeney Lake Water Quality Improvement Project in 2020. The Commission Engineer walked the Commission through the report and long-term control options.

Engineer Wilson started with background going back to 2011 with the Sweeney Lake TMDL and Schaper Pond monitoring. He provided details about the diversion project and its effectiveness as well as results of monitoring and surveys and insight on how carp were contributing to water quality problems. PIT tags were put on the dorsal fins of carp. Engineer Wilson showed a graphic showing how the carp were traveling.

[Commissioner Fruen joined the meeting.]

The 2018-2019 monitoring results confirmed large numbers of carp moved between Schaper Pond and Sweeney Lake, especially in the spring. Since the carp density was found to be greater than 100 kg/ha, the carps' presence significantly negatively impacted water quality. Namely, there was more total phosphorus leaving the pond than entering it. High total suspended solids concentrations were a good indicator that carp were the cause of this issue.

Commissioner Welch asked whether the carp population increased between 2011 and 2017. Engineer Wilson wasn't sure, but the Schaper Pond diversion project forced water to move through the northwest lobe of the pond where carp are most abundant. The carp biomass was found to be nearly 4 times higher than the water quality threshold. Further, carp surveys indicated that the pond is likely acting as a carp nursery.

Engineer Wilson reported that carp removal is expected to restore the water quality treatment capacity of the Schaper Pond diversion project, which should result in a 100-pound reduction of total phosphorus going to Sweeney Lake. Since electrofishing surveys suggest that carp biomass in both Schaper Pond and Sweeney Lake was 5 to 10 times above the 100 kg/ha threshold associated with impacts on water quality, the 319 grant-funded project for the Sweeney Lake Water Quality Improvement Project included carp biomass reduction during the spring and summer of 2020. Carp removal work was followed by the first phase of the Sweeney Lake alum treatment in the fall of 2020.

Engineer Wilson reported that 452 carp were removed from Sweeney lake and 152 from Schaper Pond. The populations are now low enough that they shouldn't adversely affect water quality. However, based on the PIT antenna data and the fact that 6 carp tagged in Sweeney Lake in the spring of 2020 were later captured in Schaper Pond in the summer and fall of 2020 suggests that carp from Sweeney Lake could easily repopulate Schaper Pond and use it as a nursery, compromising stormwater treatment in the pond.

Engineer Wilson reviewed long-term carp control options including:

- Carp removal through winter seining
- Carp removal through box netting and/or electrofishing
- Construction of a low-voltage electric barrier between Sweeney Lake and Schaper Pond
- Construction of a physical barrier(s) between Sweeney Lake and Schaper Pond
- Introduction of toxins with bait

A lengthy discussion followed the presentation. Alternate Commissioner McDonald Black asked if the baffle has made a difference. Engineer Wilson said there is no confirmation yet, but it should still work as expected with carp reductions. There was discussion about the pond as a preferred carp nursery and that panfish could be introduced to eat the carp eggs but the pond likely has very low dissolved oxygen and winter kills, where carp can survive but panfish could not.

TAC member Ben Scharenbroich asked once an effective barrier is in place, would a draw down and carp removal of Schaper Pond during the winter or spring be appropriate to remove the carp for good? There was more discussion on carp management options; notes that the goal is to reduce the ability of carp to move into Schaper to spawn; indication that carp activity (at this new level) shouldn't impact alum treatment; and commissioners' concerns with toxic bait and impact to other wildlife.

Engineer Wilson concluded that more evaluation of carp control options is needed including a review of the cost-benefits, liability, maintenance, ownership, etc. of each option. He requested direction from the Commission to work on that evaluation with Golden Valley staff, the Administrator, and Commission Attorney.

**MOTION:** Alternate Commissioner McDonald Black moved to use Schaper Pond Diversion Project CIP funds to continue evaluating options, working with stakeholders, and bring information and recommendations back to the Commission. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 9-0.

- 5E. Review Year End Financial Report (Feb 1, 2020 - Jan 31, 2021)** (NOTE: this agenda item was discussed out of order)  
Administrator Jester reported that the Commission is in good financial standing and ended the year in the black when expenses are adjusted with revenue. She noted that some budget lines had significantly greater expenses compared to the amount budgeted due to additional and unexpected work, but other areas were under budget and grant funds helped balance the budget. Commission Engineer Chandler reviewed areas where technical services were over budget and why.

Many commissioners expressed concern with some of the high expense and overages. Alternate Commissioner McDonald Black suggested a quarterly review of the Operating Budget. Commissioner Carlson indicated his concern about the budget, in general. Commissioner Welch noted that as the Commission engages more directly with CIP projects and other programs, the budget should be watched closely and legal costs for specific CIP projects should be included as a CIP expense.

**B. Consider Approval of Agreement with Redpath and Company for Accounting Services**

Administrator Jester reported that at last month's meeting, the Commission approved moving forward with contracting for accounting services with Redpath and Company. Commission Attorney Anderson drafted the agreement that has been signed by Redpath. Staff recommended approval.

**MOTION:** Commissioner Welch moved to approve the agreement with Redpath and Company for accounting services for fiscal year 2021. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 8-0, with the city of Minnetonka absent from the vote.

**C. Consider Approval of Revision to Requirements for Improvements and Development Proposals**

Commission Engineer Chandler reported that at the meeting last month, commissioners reviewed staff recommendations for revisions to the Requirements Document regarding what types of projects need approval at a Commission meeting. Commissioners had suggestions for adding clarity to the proposed revisions and the item was tabled. The Commission Engineers and Attorney reworded the section with recommendations from commissioners. Staff recommends approval of the updated revisions in Section 3.1, in addition to minor grammatical changes in other parts of the document.

**MOTION:** Alternate Commissioner Crough moved to approve the revisions to the Requirements for Improvements and Development Proposals. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 8-0, with the city of Minneapolis abstaining from the vote.

**D. Consider Staff/TAC Request to Explore BCWMC Cost Share Program for Private Development Projects**

Administrator Jester reported that at the TAC's February 4<sup>th</sup> meeting, some TAC members indicated that they expect a significant amount of redevelopment to occur over the next ten years in their cities and wondered if a cost share program similar to the one in Shingle Creek WMO could incentivize some developers to go "above and beyond" with pollutant reduction measures during redevelopment.

Commissioner Welch recommended moving this item to a future agenda, since it is not time sensitive. The other commissioners agreed to table the item and revisit it at a later date.

**E. Review Letters of Interest Proposals from Legal and Engineering Firms**

Administrator Jester reported the Commission recently submitted a solicitation for “letter of interest” proposals for legal and technical engineering services to comply with state law. She noted the Commission received two proposals for legal services and three proposals for engineering services which were emailed or mailed to commissioners rather than posted online because they are not public documents.

Commissioner Carlson inquired about the billing rates. Attorney Anderson reported that Kennedy & Graven proposed a 3% increase and noted that it had been seven years since the last increase. Commission Engineer Chandler replied that Barr updates billing rates each year. Commissioner Carlson stated that it’s fair to ask about the changes to rates and expressed concern about costs and taxes going up.

Commissioner Welch noted that when the Commission has a specific project for the engineers, we have an approved not-to-exceed amount, but that it’s necessary for the general contracts for services to be standing consulting agreements because the consultants don’t know exactly what work they’ll be tasked over the course of each year, outside of those specific projects. He also indicated that the Commission should approve either annually or biennially a rate schedule for the legal and engineering services.

Administrator Jester noted that she would bring the existing contracts for legal and technical services, along with the hourly rates to a future meeting.

**MOTION:** Commissioner Sicora moved to approve Barr Engineering Co. and Kennedy & Graven as consultants and to bring the hourly rates for approval. Alternate Commissioner Crough seconded the motion. Upon a roll call vote, the motion carried 9-0, with all cities present for the vote.

**7. COMMUNICATIONS**

A. Administrator’s Report

- i. Reminder to Submit Conflict of Interest Statements – most commissioners have not submitted their statements yet. She urged commissioners to do so.
- ii. Update on Bassett Creek Flood Risk Review Meeting – MnDNR holding the meeting on February 24<sup>th</sup>, not a public meeting, so a quorum of commissioners cannot attend. City staff and mayors were specifically invited.
- iii. Update on Hennepin County Opportunity Grant – the Commission received this nearly \$75,000 grant for the Lagoon Dredging Project; the Commission also received the \$10,000 Hennepin County AIS Prevention grant.
- iv. Update on BWSR Performance Review and Assistance Program (PRAP) Level 2. Engineer Chandler and Administrator Jester will meet with BSWR soon; commissioners can expect to learn more at the March meeting.

B. Chair – nothing to report

C. Commissioners – Commissioner Welch said Hennepin Co. has issued a draft climate action plan and recommended commissioners review and provide feedback (see Item 8D)

D. TAC Members

- i. Report on February 4<sup>th</sup> Meeting – TAC Chair Mark Ray reported that the group discussed the FEMA mapping project and began discussing the 5-year CIP.
- ii. Next Meeting: March 5<sup>th</sup>, 1:00 p.m.

E. Committees – nothing to report

F. Education Consultant - There is a new video about deicers and pets. Is there a pet-friendly deicer? Watch and find out, then share via social media, email or whatever way you have.

G. Legal Counsel – nothing to report

H. Engineer – Commission Engineer Chandler thanked the Commission for continuing to use Barr Engineering. She also noted that 2020 monitoring results are coming.

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

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



- B. Grant Tracking Summary and Spreadsheet
- C. WCA Notices of Decision, Plymouth
- D. Hennepin Co. [Draft Climate Action Plan](#) and Input Opportunities
- E. 2021 Online [Salt Symposium Save the Date – August 3 & 4](#)

**9. ADJOURNMENT**

Upcoming Meetings & Events

- BCWMC Technical Advisory Committee Meeting: Friday March 5th, 1:00 p.m. via Zoom
- MAWD Virtual Legislative Event: March 17, 2021 – Save the date, more info to come
- Bassett Creek Watershed Mgmt. Commission Meeting: Thursday March 18th, 8:30 a.m., via Zoom
- Metro MAWD Meeting: April 20, 2021; 7:00 – 9:00 p.m., Virtual

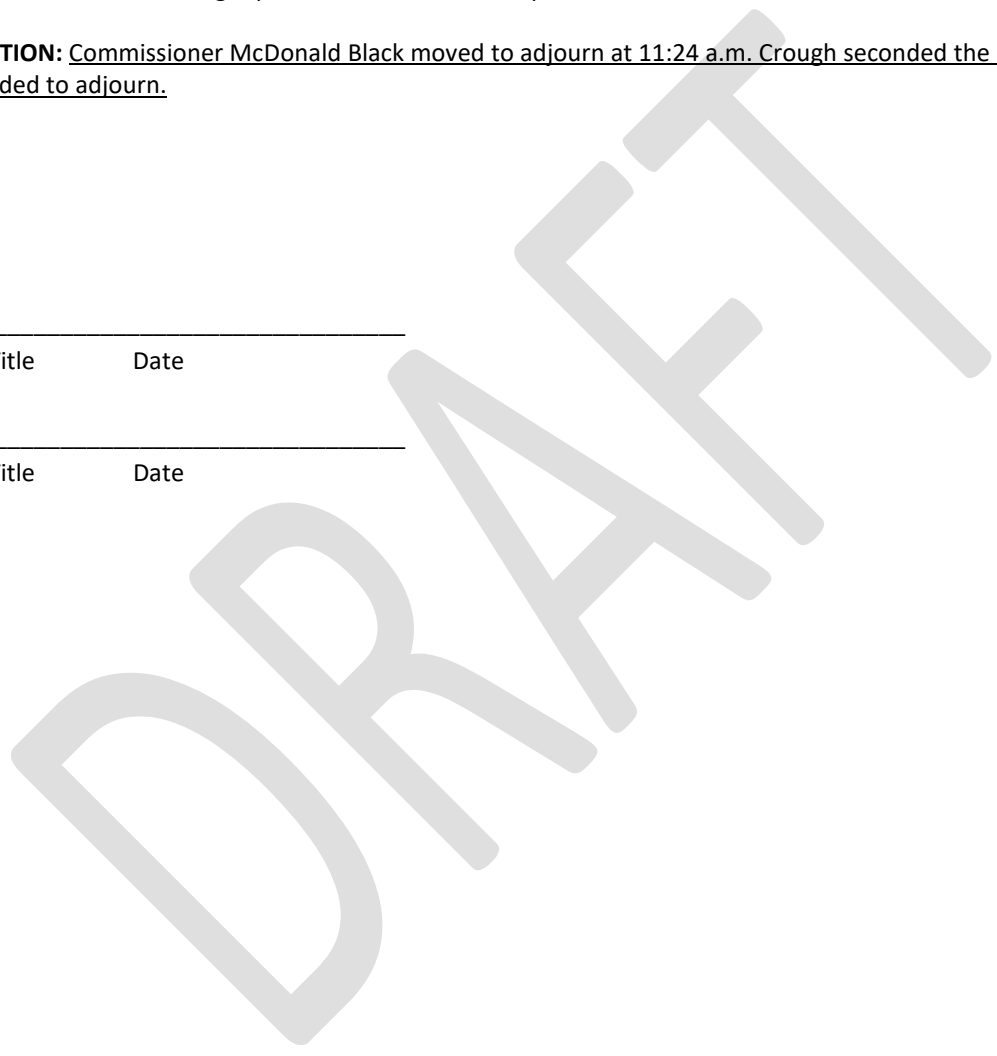
**MOTION:** Commissioner McDonald Black moved to adjourn at 11:24 a.m. Crough seconded the motion. No vote is needed to adjourn.

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Signature/Title                  Date

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Signature/Title                  Date





Bassett Creek Watershed Commission  
 General Fund (Administration) Financial Report  
 Fiscal Year: February 1, 2021 through January 31, 2022  
 MEETING DATE: March 18, 2021

(UNAUDITED)

<b>BEGINNING CASH BALANCE</b>	<b>10-Feb-2021</b>	585,407.94	
	<b>Total Cash Balance</b>		<b>585,407.94</b>
<b>BEGINNING INVESTMENT BALANCE</b>		233,119.37	
Interest Earnings - 4M Funds		7.33	
	<b>Total Investment Balance</b>		<b>233,126.70</b>
<b>Total Cash and Investments</b>			<b>818,534.64</b>
<b>Permits:</b>			
Bolton & Menk	2021-03	1,500.00	
City of Crystal		1,500.00	
<b>Other:</b>			
State of MN - Lawns to Gegumes Grant		6,777.26	
Reimbursed Construction Costs		31,306.50	
	<b>Total Revenue and Transfers In</b>		<b>41,083.76</b>
<b>DEDUCT:</b>			
<b>Checks:</b>			
3381 Barr Engineering	Feb Engineering	51,830.17	
3382 Keystone Waters LLC	Feb Administrator/Fees	6,373.09	
3383 Lawn Chair Gardener	Feb Admin/Educ&Outreach	1,787.47	
3384 Wenck	Feb WOMP	1,565.72	
3384 MMKR	Audit Fees	1,800.00	
	<b>Total Checks/Deductions</b>		<b>(63,356.45)</b>
Outstanding from previous month:			
<b>ENDING BALANCE</b>	<b>10-Mar-2021</b>		<b>796,261.95</b>

Bassett Creek Watershed Commission  
 General Fund (Administration) Financial Report  
 Fiscal Year: February 1, 2021 through January 31, 2022  
 MEETING DATE: March 18, 2021

(UNAUDITED)

	2021/2022 BUDGET	CURRENT MONTH	YTD 2021/2022	BALANCE
<b>OTHER GENERAL FUND REVENUE</b>				
ASSESSMENTS TO CITIES	554,900	0.00	409,672.00	145,228.00
PROJECT REVIEW FEES	62,000	3,000.00	6,000.00	56,000.00
WOMP REIMBURSEMENT	5,000	0.00	0.00	5,000.00
TRANSFERS FROM LONG TERM FUND & CIP				
CIP ADMINISTRATIVE CHARGE	30,000	0.00	0.00	30,000.00
LONG TERM MAINT-FLOOD CONTROL PROJ	12,000	0.00	0.00	12,000.00
USE OF FUND BALANCE	5,000	0.00	0.00	5,000.00
STATE OF MN - LAWNS TO LEGUMES GRANT		6,777.26	6,777.26	
<b>REVENUE TOTAL</b>	<b>668,900</b>	<b>9,777.26</b>	<b>422,449.26</b>	<b>253,228.00</b>
<b>EXPENDITURES</b>				
<b>ENGINEERING &amp; MONITORING</b>				
TECHNICAL SERVICES	134,000	7,318.50	7,318.50	126,681.50
DEV/PROJECT REVIEWS	68,000	4,990.50	4,990.50	63,009.50
NON-FEE/PRELIM REVIEWS	24,000	2,097.00	2,097.00	21,903.00
COMMISSION AND TAC MEETINGS	12,000	1,394.50	1,394.50	10,605.50
SURVEYS & STUDIES	9,000	178.85	178.85	8,821.15
WATER QUALITY/MONITORING	129,000	3,498.32	3,498.32	125,501.68
WATER QUANTITY	7,000	545.50	545.50	6,454.50
ANNUAL FLOOD CONTROL INSPECTIONS	12,000	57.50	57.50	11,942.50
REVIEW MUNICIPAL PLANS	2,000	0.00	0.00	2,000.00
WOMP	23,000	1,633.22	1,633.22	21,366.78
APM / AIS WORK	14,000	0.00	0.00	14,000.00
<b>ENGINEERING &amp; MONITORING TOTAL</b>	<b>434,000</b>	<b>21,713.89</b>	<b>21,713.89</b>	<b>412,286.11</b>
<b>PLANNING</b>				
NEXT GENERATION PLAN DEVELOPMENT				
				TRANSFER
	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	67,400	6,066.00	6,066.00	61,334.00
MN ASSOC WATERSHED DIST DUES	3,750	0.00	0.00	3,750.00
LEGAL COSTS	15,000	0.00	0.00	15,000.00
AUDIT, INSURANCE & BONDING	18,000	1,800.00	1,900.00	16,100.00
FINANCIAL MANAGEMENT	4,000	0.00	0.00	4,000.00
MEETING EXPENSES	1,300	0.00	0.00	1,300.00
ADMINISTRATIVE SERVICES	8,000	644.59	644.59	7,355.41
<b>ADMINISTRATION TOTAL</b>	<b>117,450</b>	<b>8,510.59</b>	<b>8,610.59</b>	<b>108,839.41</b>
<b>OUTREACH &amp; EDUCATION</b>				
PUBLICATIONS/ANNUAL REPORT	1,300	375.50	375.50	924.50
WEBSITE	1,800	0.00	0.00	1,800.00
PUBLIC COMMUNICATIONS	1,000	0.00	0.00	1,000.00
EDUCATION AND PUBLIC OUTREACH	26,000	1,449.97	1,449.97	24,550.03
WATERSHED EDUCATION PARTNERSHIPS	17,350	0.00	0.00	17,350.00
<b>OUTREACH &amp; EDUCATION TOTAL</b>	<b>47,450</b>	<b>1,825.47</b>	<b>1,825.47</b>	<b>45,624.53</b>
<b>MAINTENANCE FUNDS</b>				
EROSION/SEDIMENT (CHANNEL MAINT)				
				TRANSFER
	20,000	0.00	0.00	20,000.00
LONG TERM MAINTENANCE (moved to CF)				TRANSFER
	25,000	0.00	0.00	25,000.00
<b>MAINTENANCE FUNDS TOTAL</b>	<b>45,000</b>	<b>0.00</b>	<b>0.00</b>	<b>45,000.00</b>
<b>TMDL WORK</b>				
TMDL IMPLEMENTATION REPORTING	7,000	0.00	0.00	7,000.00
<b>TMDL WORK TOTAL</b>	<b>7,000</b>	<b>0.00</b>	<b>0.00</b>	<b>7,000.00</b>
<b>TOTAL EXPENSES</b>	<b>668,900</b>	<b>32,049.95</b>	<b>32,149.95</b>	<b>636,750.05</b>

BCWMC Construction Account  
 Fiscal Year: February 1, 2021 through January 31, 2022  
 March 2021 Financial Report

(UNAUDITED)

Cash Balance 2/1/2021			
<b>Cash</b>			
	Total Cash	(1,346,273.69)	(1,346,273.69)
<b>Investments:</b>			
Minnesota Municipal Money Market (4M Fund)		4,751,178.61	
Dividends-Current		149.29	
	Total Investments		4,751,327.90
	<b>Total Cash &amp; Investments</b>		3,405,054.21
<b>Add:</b>			
Interest Revenue (Bank Charges)		(63.20)	
State of MN-Sweeney Lake Water Quality Impr Proj		236,850.01	
State of MN - Main Stem Dredging Project (BC-7)		125,000.00	
	<b>Total Revenue</b>		361,786.81
<b>Less:</b>			
CIP Projects Levied - Current Expenses - TABLE A		(8,091.00)	
Proposed & Future CIP Projects to Be Levied - Current Expenses - TABLE B		(19,575.50)	
	<b>Total Current Expenses</b>		(27,666.50)
	<b>Total Cash &amp; Investments On Hand 3/10/2021</b>		<b>3,739,174.52</b>
Total Cash & Investments On Hand		3,739,174.52	
Current Anticipated Levy -2020 (July 20/Dec 20/Jan 21)		26,757.54	
CIP Projects Levied - Budget Remaining - TABLE A		(3,796,367.96)	
Secured Grant Funds (CIP Projects Levied)-Not yet received		437,391.99	
2021 Expected Levy for 2020/2021 Projects		630,080.00	
<b>Closed Projects Remaining Balance</b>		<b>1,037,036.09</b>	
2015 - 2018 Anticipated Tax Levy Revenue - TABLE C		1,429.11	
2019 Anticipated Tax Levy Revenue - TABLE C		4,499.30	
<b>Anticipated Closed Project Balance</b>		<b>1,042,964.50</b>	
Proposed & Future CIP Project Amount to be Levied - TABLE B		4,003,700.00	

**TABLE A - CIP PROJECTS LEVIED**

	Approved Budget	Current Expenses	2021/22 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget	Grant Funds Received- included in Cash Balances	Secured Grant Funds	2021 Expected Levy for 2020/2021 Projects
<b>Current Projects</b>								
Four Seasons Mall Area Water Quality Proj (NL-2)	990,000	0.00	0.00	185,236.56	804,763.44			
<b>2014</b>								
Schaper Pond Enhance Feasibility/Project (SL-1)(SL-3)	612,000	1,442.50	1,442.50	432,950.95	179,049.05			
Twin Lake Alum Treatment Project (TW-2)	163,000	0.00	0.00	91,037.82	71,962.18			
<b>2017</b>								
Main Stem Cedar Lk Rd-Dupont (2017CR-M)	2017 Levy 400,000 2018 Levy 664,472	1,064,472	0.00	0.00	132,029.25	932,442.75		
<b>2018</b>							150,300	
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	1,066,648.32	56,702.68			
<b>2019</b>								
Decola Ponds B&C Improvement(BC-2,BC-3,BC-8)	1,600,000	0.00	0.00	1,507,985.31	92,014.69	34,287	34,287	
Westwood Lake Water Quality Improvement Project(Feasibility)	404,500	0.00	0.00	223,640.96	180,859.04			
<b>2020</b>								
Bryn Mawr Meadows (BC-5)	912,000	133.00	133.00	102,264.03	809,735.97	200,000	200,000	412,000
Jevne Park Stormwater Mgmt Feasibility (ML-21)	500,000	0.00	0.00	56,390.75	443,609.25			
Crane Lake Improvement Proj (CL-3)	380,000	0.00	0.00	387,600.00	(7,600.00)			
Sweeney Lake WQ Improvement Project (SL-8)	568,080	6,515.50	6,515.50	335,251.09	232,828.91	277,195	52,805	218,080
	<b>8,317,403</b>	<b>8,091.00</b>	<b>8,091.00</b>	<b>4,521,035.04</b>	<b>3,796,367.96</b>	<b>511,482</b>	<b>437,391.99</b>	<b>630,080.00</b>

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

	Approved Budget - To Be Levied	Current Expenses	2021/22 YTD Expenses	INCEPTION To Date Expenses	Remaining Budget		
<b>2021</b>							
Main Stem Dredging Project (BC-7)	3,259,000	511.50	511.50	81,396.72	3,177,603.28	125,000	125,000.00
Mt Olivet Stream Restoration (ML-20)	178,100	0.00	0.00	35,993.92	142,106.08		
Parkers Lake Stream Restoration (PL-7)	485,000	0.00	0.00	57,547.12	427,452.88		
Purchase High Efficiency Street Sweeper (ML-23)	81,600	0.00	0.00	0.00	81,600.00		
2021 Project Totals	4,003,700	511.50	511.50	174,937.76	3,828,762.24		
<b>2022</b>							
DeCola Ponds/Wildwood Park/SEA School Flood Control (BC-2,3,8,10)	0	6,918.00	6,918.00	43,670.89	(43,670.89)		
Medley Park Stormwater Treatment Feasibility (ML-12)	0	12,146.00	12,146.00	69,173.61	(69,173.61)		
2022 Project Totals	0	19,064.00	19,064.00	114,287.00	(112,844.50)		
Total Proposed & Future CIP Projects to be Levied	4,003,700	19,575.50	19,575.50	289,224.76	3,715,917.74		

**BCWMC Construction Account**

Fiscal Year: February 1, 2021 through January 31, 2022

(UNAUDITED)

March 2021 Financial Report

**TABLE C - TAX LEVY REVENUES**

	County Levy	Abatements / Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception To Date Rec'd	Balance to be Collected	BCWMO Levy
2020 Tax Levy	1,500,000.00	1,239.74	1,501,239.74	0.00	0.00	1,474,482.20	26,757.54	1,500,000.00
2019 Tax Levy	1,436,000.00	(4,500.13)	1,431,499.87	0.00	0.00	1,427,000.57	4,499.30	1,436,000.00
2018 Tax Levy	1,346,815.00	(8,893.33)	1,337,921.67	0.00	0.00	1,335,639.00	2,282.67	947,115.00
2017 Tax Levy	1,303,600.00	(16,571.62)	1,287,028.38	0.00	0.00	1,288,055.03	(1,026.65)	1,303,600.00
2016 Tax Levy	1,222,000.00	(11,662.58)	1,210,337.42	0.00	0.00	1,210,242.31	95.11	1,222,000.00
2015 Tax Levy	1,000,000.00	(103.70)	999,896.30	0.00	0.00	999,818.32	77.98	1,000,000.00
				0.00			32,685.95	
				0.00				

**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	107,850.15	27,149.85
TOTAL TMDL Studies	135,000	0.00	0.00	107,850.15	27,149.85
<b>Flood Control Long-Term</b>					
Flood Control Long-Term Maintenance Transfer to GF - Flood Control Proj Inspections Transfer from General Fund	699,980	3,640.00	3,640.00	484,266.41	
Less: State of MN - DNR Grants		(14,064.50)	(14,064.50)	(159,142.90)	
TOTAL Flood Control Long-Term	699,980	(10,424.50)	(10,424.50)	325,123.51	374,856.49
<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 Transfer from General Fund	415,950		0.00	267,073.30	
TOTAL Channel Maintenance	440,950	0.00	0.00	267,073.30	173,876.70
<b>Next Generation Plan Development Savings Account</b>					
Next Generation Plan-setup in 2019 Transfer from General Fund	12,000	0.00	0.00	0.00	
TOTAL Next Generation Plan Development	30,000	0.00	0.00	0.00	30,000.00
<b>Metro Blooms Harrison Neighborhood CWF Grant Project</b>					
BWSR Grant	134,595	0.00	0.00	136,501.00	(1,906.00)
	134,595	(13,459.00)	(13,459.00)	1,906.00	
Total Other Projects	1,885,525	(23,883.50)	(23,883.50)	567,357.96	1,073,977.04

Bassett Creek Construction Project Details

2/10/2020

CIP Projects Levied

	Total	2013	2014	2014	2017	2018	2019	2019	2020	2020	2020	2020
	CIP Projects Levied	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem-Cedar Lk Rd to Dupont (CR-M)	Bassett Cr Pk & Winnetka Ponds Dredging (BCP-2)	DeCola Ponds B&C Improve (BC-2,BC-3,BC-8)	Westwood Lake Water Quality (Feasibility)	Bryn Mawr Meadows (BC-5)	Jevne Park Feasibility (ML-21)	Crane Lake Improve Proj (CL-3)	Sweeney Lake WQ Improve Project (SL-8)
Original Budget	8,194,052	990,000	612,000	163,000	1,064,472	1,000,000	1,600,000	404,500	912,000	500,000	380,000	568,080
Added to Budget	114,301					114,301						
Reduce Budget	9,050					9,050						
Trans from Chan Maint	9,050					9,050						
Expenditures:												
Feb 2004 - Jan 2019	1,152,836.53	162,907.34	376,054.86	91,037.82	132,029.25	132,812.80	85,810.06	41,064.20	95,503.56	30,454.29	5,162.35	
Feb 2019-Jan 2020	1,049,753.26	12,124.22	52,307.59			930,335.52	20,787.50	8,090.00	2,183.47	15,936.46	6,838.50	1,150.00
Feb 2020-Jan 2021	2,310,354.25	10,205.00	3,146.00			3,500.00	1,401,387.75	174,486.76	4,444.00	10,000.00	375,599.15	327,585.59
Feb 2020-Jan 2022	8,091.00		1,442.50						133.00			6,515.50
Total Expenditures:	4,521,035.04	185,236.56	432,950.95	91,037.82	132,029.25	1,066,648.32	1,507,985.31	223,640.96	102,264.03	56,390.75	387,600.00	335,251.09
Project Balance	3,796,367.96	804,763.44	179,049.05	71,962.18	932,442.75	56,702.68	92,014.69	180,859.04	809,735.97	443,609.25	(7,600.00)	232,828.91

	Total	2013	2014	2014	2017	2018	2019	2019	2020	2020	2020	2020
	CIP Projects Levied	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem-Cedar Lk Rd to Dupont (CR-M)	Bassett Cr Pk & Winnetka Ponds Dredging (BCP-2)	DeCola Ponds B&C Improve (BC-2,BC-3,BC-8)	Westwood Lake Water Quality (Feasibility)	Bryn Mawr Meadows (BC-5)	Jevne Park Feasibility (ML-21)	Crane Lake Improve Proj (CL-3)	Sweeney Lake WQ Improve Project (SL-8)
Project Totals By Vendor												
Barr Engineering	843,969.20	86,405.26	163,732.27	15,712.00	111,939.39	61,069.25	85,967.56	41,064.20	100,264.03	46,390.75	12,000.85	119,423.64
Kennedy & Graven	5,021.50	2,471.95	993.40	1,058.65	318.40	179.10						
City of Golden Valley	1,713,075.20		254,875.28	66,812.17			1,391,387.75					
City of Minneapolis												
City of Plymouth	75,759.35	75,759.35										
City of New Hope												
City of Crystal	997,406.27					997,406.27						
City of St Louis Park	174,486.76						174,486.76					
City of Minnetonka	367,999.15								367,999.15			
MPCA	2,500.00				2,500.00							
Blue Water Science	3,900.00			3,900.00								
Metro Blooms												
Keystone Waters	427.45										427.45	
Regents of U of MN												
Solitude Lake Mgmt	215,000.00										215,000.00	
Misc												
2-2.5% Admin Transfer	121,490.16	20,600.00	13,350.00	3,555.00	17,271.46	7,993.70	30,630.00	8,090.00	2,000.00	10,000.00	7,600.00	400.00
Transfer to General Fund												
Total Expenditures	4,521,035.04	185,236.56	432,950.95	91,037.82	132,029.25	1,066,648.32	1,507,985.31	223,640.96	102,264.03	56,390.75	387,600.00	335,251.09

	Total	2013	2014	2014	2017	2018	2019	2019	2020	2020	2020	2020
	CIP Projects Levied	Four Seasons Mall Area Water Quality Project (NL-2)	Schaper Pond Enhancement Feasibility / Project (SL-1) (SL-3)	Twin Lake In-Lake Alum Treatment Project (TW-2)	Main Stem-Cedar Lk Rd to Dupont (CR-M)	Bassett Cr Pk & Winnetka Ponds Dredging (BCP-2)	DeCola Ponds B&C Improve (BC-2,BC-3,BC-8)	Westwood Lake Water Quality (Feasibility)	Bryn Mawr Meadows (BC-5)	Jevne Park Feasibility (ML-21)	Crane Lake Improve Proj (CL-3)	Sweeney Lake WQ Improve Project (SL-8)
Levy/Grant Details												
2010 -2019 Levies	2,964,372	824,000	534,000	142,200	1,064,472	399,700						
2019-2020 Levy	1,436,000						1,031,500	404,500		500,000	380,000	20,000
2020-2021 Levy	1,500,000						500,000		100,000			
Construction Fund Balance	166,000	166,000										
BWSR Grant- BCWMO												
DNR Grants-LT Maint												
Total Levy/Grants	5,666,672	990,000	534,000	142,200	1,064,472		1,531,500	404,500	100,000	500,000	380,000	20,000

Bassett Creek Construction Project Details

Proposed & Future CIP Projects (to be Levied)

Total	2021	2021	2021	2021	2022	2022
Proposed & Future CIP Projects (to be Levied)	Main Stem Dredging Project (BC-7)	Mr Olivet Stream Restoration (MN-20)	Parkers Lake Stream Restoration (PL-7)	High Efficiency Street Sweeper (ML-23)	2022 DeCola Ponds/ Wildwood Park/ SEA School Glood Control (BC-2,3,8,10)	Medley Park Stormwater Treatment Feasibility (ML-12)
4,003,700	3,259,000	178,100	485,000	81,600		
96,760.36	42,194.72	21,583.42	32,982.22			
171,446.40	38,690.50	14,410.50	24,564.90		36,752.89	57,027.61
19,575.50	511.50				6,918.00	12,146.00
287,782.26	81,396.72	35,993.92	57,547.12		43,670.89	69,173.61

Total	2021	2021	2021	2021	2022	2022
Proposed & Future CIP Projects (to be Levied)	Main Stem Dredging Project (BC-7)	Mr Olivet Stream Restoration (MN-20)	Parkers Lake Stream Restoration (PL-7)	High Efficiency Street Sweeper (ML-23)	2022 DeCola Ponds/ Wildwood Park/ SEA School Glood Control (BC-2,3,8,10)	Medley Park Stormwater Treatment Feasibility (ML-12)
3,715,917.74	3,177,603.28	142,106.08	427,452.88	81,600.00	(43,670.89)	(69,173.61)
287,712.26	81,326.72	35,993.92	57,547.12		43,670.89	69,173.61
70.00	70.00					
287,782.26	81,396.72	35,993.92	57,547.12		43,670.89	69,173.61

Total	2021	2021	2021	2021	2022	2022
Proposed & Future CIP Projects (to be Levied)	Main Stem Dredging Project (BC-7)	Mr Olivet Stream Restoration (MN-20)	Parkers Lake Stream Restoration (PL-7)	High Efficiency Street Sweeper (ML-23)	2022 DeCola Ponds/ Wildwood Park/ SEA School Glood Control (BC-2,3,8,10)	Medley Park Stormwater Treatment Feasibility (ML-12)

**Other Projects**

	Total							
	Other Projects	TMDL Studies	Flood Control Emergency Maint	Flood Control Long-Term Maint	Channel Maint	Next Generation Plan Dev	Metro Blooms Harrison Project	Totals - All Projects
<b>Original Budget</b>	<b>1,282,373.00</b>	<b>105,000.00</b>	<b>500,000.00</b>	<b>752,373.00</b>	<b>175,000.00</b>	<b>12,000.00</b>	<b>134,595.00</b>	<b>13,480,125.00</b>
Added to Budget	(250,000.00)			(250,000.00)		18,000.00		(135,699.00)
Reduce Budget	159,142.90			159,142.90			134,595.00	293,737.90
Trans from Chan Maint	493,557.00	30,000.00		197,607.00	265,950.00			493,557.00
<b>Expenditures:</b>								
Feb 2004 - Jan 2019	704,835.16	107,765.15		341,450.41	255,619.6		23,876.84	1,857,671.69
Feb 2019-Jan 2020	48,126.50			48,126.50			64,016.05	1,194,640.12
Feb 2020-Jan 2021	102,588.20	85.00		91,049.50	11,453.70		48,608.11	2,584,388.85
Feb 2020-Jan 2022	3,640.00			3,640.00				31,306.50
<b>Total Expenditures:</b>	<b>859,189.86</b>	<b>107,850.15</b>		<b>484,266.41</b>	<b>267,073.30</b>		<b>136,501.00</b>	<b>5,668,007.16</b>
<b>Project Balance</b>	<b>1,075,883.04</b>	<b>27,149.85</b>	<b>500,000.00</b>	<b>374,856.49</b>	<b>173,876.70</b>	<b>30,000.00</b>	<b>(1,906.00)</b>	<b>8,588,168.74</b>

	Total							
	Other Projects	TMDL Studies	Flood Control Emergency Maint	Flood Control Long-Term Maint	Channel Maint	Next Generation Plan Dev	Metro Blooms Harrison Project	Totals - All Projects
<b>Project Totals By Vendor</b>								
Barr Engineering	482,399.50	104,973.70		377,425.80				1,614,080.96
Kennedy & Graven	2,648.25	1,164.30		1,099.35	384.60			7,669.75
City of Golden Valley	66,741.20				66,741.20			1,779,816.40
City of Minneapolis	38,823.35				38,823.35			38,823.35
City of Plymouth	100,209.15				100,209.15			175,968.50
City of New Hope	29,240.00				29,240.00			29,240.00
City of Crystal	31,675.00				31,675.00			1,029,081.27
City of St Louis Park								
City of Minnetonka								
MPCA								2,500.00
Blue Water Science								3,900.00
Metro Blooms	136,501.00						136,501.00	136,501.00
Keystone Waters								
Regents of U of MN								70.00
Solitude Lake Mgmt								
Misc	5,704.41	1,712.15		3,992.26				5,704.41
2-2.5% Admin Transfer								121,490.16
Transfer to General Fund	101,749.00			101,749.00				101,749.00
<b>Total Expenditures</b>	<b>859,189.86</b>	<b>107,850.15</b>		<b>484,266.41</b>	<b>267,073.30</b>		<b>136,501.00</b>	<b>5,046,594.80</b>

	Total							
	Other Projects	TMDL Studies	Flood Control Emergency Maint	Flood Control Long-Term Maint	Channel Maint	Next Generation Plan Dev	Metro Blooms Harrison Project	Totals - All Projects
<b>Levy/Grant Details</b>								
2010 -2019 Levies		30,000.00		192,200.00	225,000.00			
2019-2020 Levy	transfer to BCP-2				(9,050.00)			
2020-2021 Levy				(19,593.00)	25,000.00			
Construction Fund Balance	50,000.00			25,000.00	25,000.00			
BWSR Grant- BCWMO								
DNR Grants-LT Maint	93,000.00			93,000.00				
<b>Total Levy/Grants</b>	<b>586,557.00</b>	<b>30,000</b>		<b>290,607</b>	<b>265,950</b>			





## Memorandum

**To:** Bassett Creek Watershed Management Commission (BCWMC)  
**From:** Barr Engineering Co. (Barr)  
**Subject:** Item 4D: Crystal 2021 Utility Reconstruction (Louisiana Avenue Culvert Replacement) – Crystal, MN  
BCWMC March 18, 2021 Meeting Agenda  
**Date:** March 10, 2021  
**Project:** 23270051.52 2021 2243

### **4D Crystal 2021 Utility Reconstruction (Louisiana Avenue Culvert Replacement) – Crystal, MN BCWMC 2021-04**

#### **Summary:**

**Proposed Work:** Replacement of arch culvert under Louisiana Avenue that conveys the North Branch of Bassett Creek

**Basis for Review at Commission Meeting:** Work within Bassett Creek

**Impervious Surface Area:** Decrease 0.03 acres

**Recommendation:** Approval

#### **General Project Information**

The proposed project is located in two locations in Crystal, MN as shown in the enclosed figure. The first location is along the right of way of Idaho Avenue North between Medicine Lake Road and 30th Avenue North and the second location is along the right of way of Louisiana Avenue from 36th Avenue North to just north of the intersection with Markwood Drive. The work in the Louisiana Avenue right of way will be a bid-alternate for the project. The proposed project includes street reconstruction, utility improvements including water main, sanitary sewer, storm sewer, and gas main, and replacement of an arch culvert under Louisiana Avenue that conveys the North Branch of Bassett Creek. The proposed project results in 2.31 acres of disturbance. The overall project creates 1.46 acres of fully reconstructed impervious surfaces and a decrease of 0.03 acres of impervious surfaces from 1.49 acres (existing) to 1.46 acres (proposed).

#### **Floodplain**

The proposed project includes work in the BCWMC 1% (base flood elevation, 100-year) floodplain of Bassett Creek. The February 2021 BCWMC Requirements for Improvements and Development Proposals (Requirements) document states that projects within the floodplain must maintain no net loss in floodplain storage and no increase in flood level at any point along the trunk system (managed to at least a precision of 0.00 feet). This precision is based on the Minnesota Department of Natural Resources

(MnDNR) requirements pertaining to no-rise certificates in Federal Emergency Management Agency (FEMA) floodplain “AE” zones (zones where there are published flood elevations).

The Commission provided the Phase 2 XP-SWMM model to the City for use in the evaluation of the Louisiana Avenue culvert replacement. The Phase 2 XP-SWMM model was provided to demonstrate relative change in the 100-year flood elevation (e.g. no rise in the proposed conditions upstream and downstream of the proposed project).

The applicant created a proposed conditions model to reflect the proposed project drawings. Specifically, the arch culvert was modified from corrugated metal pipe to concrete pipe, which resulted in increased flow through the culvert. In order to achieve no-rise, a weir set 3 inches above the arch culvert outlet invert was added. This weir is expected to be constructed by bolting a piece of stainless steel over the end of the flared end section. The proposed conditions model provided by the applicant indicates that the proposed 100-year flood level in the pipe and structures immediately upstream of the Louisiana Avenue is expected to decrease approximately 0.2 feet, and there are no expected increases in the 100-year flood elevation in the channel section downstream of Louisiana Avenue, as shown in Table 1. The proposed project meets the BCWMC floodplain requirements and policies.

**Table 1 – Peak Water Surface Elevation Results (Arch Culvert Material Change Only) – 100-year**

Location	Node Name	Existing 100-yr Peak W.S.E (ft. NAVD)	Proposed 100-yr Peak W.S.E (ft. NAVD)	Rise (ft.)
36th Avenue N	N-BPP-099	886.43	886.43	0.00
36th Avenue N	N-BPP-098	885.98	885.97	-0.01
South of 36th Avenue N	BPP-054	886.26	886.25	0.00
North of 36th Avenue N	N-BPP-097	885.37	885.22	-0.15
Subject Manhole	BPP-046	885.00	884.77	-0.23
Subject Culvert Outlet	BPP-018A	881.20	881.20	0.00
Open Channel Downstream	BPP-104B	881.18	881.18	0.00
Open Channel Downstream	BPP-018	881.17	881.17	0.00
Open Channel Downstream	N-BPP-094	881.03	881.03	0.00
Open Channel South of 36th Ave N	BPP-055	880.74	880.74	0.00

## Wetlands

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

## 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.

**To:** Bassett Creek Watershed Management Commission (BCWMC)  
**From:** Barr Engineering Co. (Barr)  
**Subject:** Item 4D: Crystal 2021 Utility Reconstruction (Louisiana Avenue Culvert Replacement) – Crystal, MN  
**Date:** March 10, 2021  
**Page:** 3

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## **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. The proposed linear project includes a reduction of impervious surfaces, which provides some water quality benefit.

## **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, floating silt curtain, and storm drain inlet protection. Permanent erosion and sediment control features include riprap at the pipe outlets and stabilization with sod.

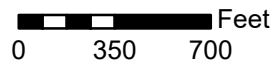
## **Recommendation**

Approval





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



BCWMC #2021-04  
 2021 CRYSTAL UTILITY  
 RECONSTRUCTION  
 (LOUISIANA AVENUE  
 CULVERT REPLACEMENT)  
 Crystal, MN  
 LOCATION MAP





BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

A RESOLUTION OF APPRECIATION FOR THE SERVICES OF PATRICK NOON  
TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

WHEREAS, the Bassett Creek Watershed Management Commission (the “Commission”) is a joint powers organization formed by the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale and St. Louis Park; and

WHEREAS, the Commission serves as the duly constituted watershed management organization for the Bassett Creek watershed pursuant to the Metropolitan Surface Water Management Act); and

WHEREAS, under the Act and the Commission’s joint powers agreement the Commission is charged with responsibility for the management of storm water to protect persons and property from flooding and to protect and preserve the water quality of lakes, streams and wetlands of the Bassett Creek Watershed and downstream receiving waters; and

WHEREAS, Patrick Noon served as a representative from the City of St. Louis Park for six years from March 2015 to March 2021; and

WHEREAS, Patrick actively served on the Commission’s Education Committee which included planning the BCWMC 50<sup>th</sup> Anniversary Celebration; and

WHEREAS, Patrick gave generously of his time and talents, without compensation, to protect and improve the environment and to serve the public with integrity, vision, and respect for others.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Bassett Creek Watershed Management Commission, its member cities, and the public hereby express its sincere and grateful appreciation to Patrick Noon for his distinguished service to the public.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 18<sup>th</sup> day of March, 2021.

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Chair



**CURLY-LEAF PONDWEED TREATMENT PROGRAM  
SERVICES AGREEMENT**

**THIS CURLY-LEAF PONDWEED TREATMENT PROGRAM SERVICES**

**AGREEMENT** (“Agreement”) made and entered into by and between the Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the “Commission”), and PLM Lake and Land Management (the “Contractor”). The Commission and the Contractor may hereinafter be referred to individually as a “party” or collectively as the “parties.”

1. **SERVICES.** The Contractor will provide all labor, materials, supplies, and equipment needed to perform the Curly-leaf pondweed treatment services as set out in the attached Exhibit 1 in accordance with the terms and conditions of this Agreement (collectively, the “Services”).
2. **TIMING OF SERVICES.** The Contractor shall fully perform and complete delivery of the Services to the reasonable satisfaction of the Commission by July 1, 2021.
3. **PAYMENT FOR SERVICES.** The Contractor shall be paid based on the price in its quote, attached hereto as Exhibit 2, and in accordance with the provisions in Exhibit 1. The Contractor shall provide the Commission a detailed invoice for the completed Services in accordance with the requirements of Minnesota Statutes, section 471.38. The Commission shall pay the Contractor within 40 days of receipt of the invoice.
4. **INSURANCE.** The Contractor shall carry, during the entire term of this Agreement, insurance coverage in values indicated below and shall furnish a certificate of insurance to the Commission prior to commencing the Services. The Commission shall be named an additional insured on the Contractor’s Commercial General Liability policy.

TYPE	MINIMUM LIMITS
Commercial General Liability	\$1,000,000
Automobile Liability	\$1,000,000
Workers Compensation	State of MN Statutory Limits
Employer’s Liability	\$500,000

5. **INDEPENDENT CONTRACTOR.** The Contractor acknowledges and agrees that it is an independent contractor and that nothing herein shall be construed to create the relationship of employer and employee between the Commission and the Contractor. No employee related withholdings or deductions shall be made from payments due the Contractor. The Contractor shall not be entitled to receive any benefits from the Commission and shall not be eligible for workers’ compensation or unemployment benefits. The Contractor shall at all times be free to exercise initiative, judgment, and discretion in how best to perform or provide the Services identified herein.
6. **COMPLIANCE WITH LAWS.** The Contractor shall comply with all applicable federal, state and local laws, regulations or ordinances in performance of the Contractor’s duties hereunder, such laws including but not limited to those relating to non-discrimination in hiring or labor practices. The Contractor shall also be required to, at its own cost, obtain any permits, licenses, or

permissions that may be required to provide the Services, except that the Commission shall obtain, at its own cost, a permit from the MnDNR for the treatment. The Contractor shall adhere to the MnDNR permit issued for this project. Any violation of federal, state, or local laws, statutes, ordinances, rules or regulations, as well as loss of any applicable license, permit, or certification by the Contractor shall constitute a material breach of this Agreement, regardless of the reason and whether or not intentional, and shall entitle the Commission to terminate this Agreement effective as of the date of such violation, failure, or loss.

7. **TERM AND TERMINATION.** This Agreement shall be effective \_\_\_\_\_ and it shall continue in effect until final payment by the Commission after satisfactory completion of the Services. The Commission may terminate this Agreement if the Contractor fails to make sufficient progress toward completion, or fails to complete, the Services in accordance with the timeline established herein. Either party may terminate this Agreement if the other party is in breach of any material term of this Agreement if the breaching party fails to complete the cure the breach within 20 days' written notice of breach provided by the non-breaching party.
8. **AMENDMENTS.** This document, together with the attached exhibits and quote (which are incorporated herein by reference), constitutes the entire Agreement between the parties and no modifications of its terms shall be valid unless reduced to writing and signed by both parties.
9. **DATA PRACTICES.** Any data created, collected, received, stored, used, maintained, or disseminated by the Contractor in performing the Services is subject to the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, ("Act") and the Contractor must comply with those requirements as if it were a government entity. The Contractor does not have a duty to provide access to public data to the public if the public data is available from the Commission. The Contractor shall immediately notify the Commission if it receives a request under the Act and shall work with the Commission to ensure the response complies with the Act.
10. **AUDIT.** The Contractor agrees that for a period of six years after completion of the Services the Commission, the State Auditor, and the Legislative Auditor, or any of their duly authorized representatives, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, and records that are relevant to and involve transactions relating to this Agreement.
11. **INDEMNIFICATION.** Any and all claims that arise or may arise against the Contractor, its agents, servants, or employees as a consequence of any act or omission on the part of the Contractor or its agents, servants, or employees while engaged in the performance of the Agreement shall in no way be the obligation or responsibility of the Commission. The Contractor shall indemnify, hold harmless, and defend the Commission, its officers, agents, and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney fees which the Commission, its officers, agents, or employees may hereafter sustain, incur, or be required to pay, arising out of or by reason of any act or omission of the Contractor, its agents, servants or employee, in the execution, performance, or failure to adequately perform the Contractor's obligations pursuant to this Agreement. Nothing in this



Agreement shall constitute a waiver by the Commission of any statutory limits or immunities from liability.

12. **APPLICABLE LAW.** The law of the State of Minnesota shall govern all interpretations of this Agreement, and the appropriate venue and jurisdiction for any litigation that may arise under this Agreement will be in and under those courts located within the County of Hennepin, State of Minnesota, regardless of the place of business, residence, or incorporation of the Contractor.
13. **NO AGENCY.** The Contractor is an independent contractor and shall not be considered to be the agent or servant of the Commission for any purpose and shall have no authority to enter into any contracts, create any obligations, or make any warranties or representations on behalf of the Commission.
14. **NOTICES.** Any notice or demand, authorized or required under this Agreement shall be in writing and shall be sent by certified mail to the other party as follows:

To the Contractor:                      Patrick Selter  
   PLM Lake and Land Management  
   1511 Maras Avenue  
   Shakopee MN 55379  
   866-687-5253

To the Commission:                      Laura Jester, Administrator  
   BCWMC  
   c/o 16145 Hillcrest Lane  
   Eden Prairie MN 55346  
   952-270-1990

15. **AUTHORITY.** Each of the undersigned parties warrants that it has the full authority to execute this Contract, and each individual signing this Contract on behalf of a corporation hereby warrants that he or she has full authority to sign on behalf of the corporation and that he or she represents and binds such corporation thereby.
16. **NO WAIVER.** The waiver by any party of a breach or violation of, or failure of any party to enforce, any provision of this Contract shall not operate or be construed as a waiver of any subsequent breach or violation or as a relinquishment of any rights hereunder.
17. **SERVERABILITY.** If any part of this Contract is invalid or unenforceable under applicable law, that part shall be ineffective only to the extent of such invalidity or unenforceability without in any way affecting the remaining parts of the provision or this Contract.

**IN WITNESS WHEREOF**, the parties have executed this Agreement effective as of

\_\_\_\_\_.

**CONTRACTOR**

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

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

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

**BASSETT CREEK WATERSHED  
MANAGEMENT COMMISSION**

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

Chairperson

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

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

Secretary

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

**EXHIBIT 1**  
General Service Requirements

**1. LOCATION & SCOPE OF SERVICES**

The purpose of the Services is to do follow up control of Curly-leaf pondweed regrowth. The location of the Services shall only be on Medicine Lake within the Cities of Plymouth and Medicine Lake, Minnesota. The Services shall include furnishing and applying herbicide, furnishing and installing signage throughout the project area during the spring of 2021. The work shall be done in accordance with Minnesota Department of Natural Resources (MnDNR) guidelines for herbicide application.

**2. MATERIALS**

- A. Herbicide. The herbicides used will be Diquat at locations and at a concentration specified in MnDNR herbicide application permit.
- B. Signage. The Contractor will place all necessary signage in the project area according to approved MnDNR standards.

**3. APPLICATION**

- A. MnDNR Guidelines. The Contractor shall follow all of MnDNR's guidelines for herbicide application and will install all necessary signage throughout the project area and public access areas.
- B. Treatment Times. The herbicide treatment, if feasible, will be conducted during mid-week (Tuesday-Thursday) to minimize impact on lake users. Once the herbicide application has begun, it must be completed within seven days. Treatment should be done between 4/1/2021 and 7/1/2021. No treatment should be done 5/29/21 to 5/31/21 for the Memorial Day holiday.

**4. TREATMENT AREA**

Specific locations for treatment will be determined by an early spring aquatic vegetation survey. Total treated areas will not exceed 60 acres on Medicine Lake. There will be no treatment of the lake closer than 150 feet off the shore.

**5. WEATHER AND TEMPERATURE LIMITATIONS**

The treatment must happen when the lake water temperature is between 55 and 65 degrees Fahrenheit. The Contractor is responsible to take lake water temperature readings at approximately 2-3 feet depth, at least once every day starting April 15, 2021 and each day until the project is completed. If the temperature of the lake water is at 55 degrees Fahrenheit and there is a risk that it may decrease below 55 degrees Fahrenheit, then the herbicide application must be postponed. All water temperature readings must be provided to the Commission on a daily basis. The decision to

begin, postpone, or continue the herbicide application will be made by the Bassett Creek Watershed Management Commission in consultation with the MnDNR. There will be no herbicide application if the water temperature stays over 65 degrees Fahrenheit over four consecutive days.

## **6. GPS DOCUMENTATION**

The Contractor must have Global Positioning System (GPS) technology to record all areas of the lake that are treated and provide the records to the Commission.

## **7. QUESTIONS**

Any questions with regard to these requirements should be directed to Laura Jester, Administrator, Bassett Creek Watershed Management Commission, (952) 270-1990, [laura.jester@keystonewaters.com](mailto:laura.jester@keystonewaters.com). All questions should be in writing, if time permits. Verbal interpretations shall not be considered binding.

## **8. PAYMENT**

- A. Basis. Payment for Curly-leaf pondweed treatment shall be made based on the total number of acres treated, which shall include all labor, equipment, signage, and application.
- B. The amounts shown in the quote are estimates only. Final payment for the Services shown in the quote will be determined by final amount of acres treated.
- C. Subcontractors. The Contractor shall pay any subcontractors in accordance with Minnesota Statutes, section 471.25, subdivision 4a.

## QUOTE FORM

### QUOTE FOR THE 2021 CURLY-LEAF PONDWEED TREATMENT PROGRAM ON MEDICINE LAKE

Bassett Creek Watershed Management Commission

[Laura.jester@keystonewaters.com](mailto:Laura.jester@keystonewaters.com)

To: Laura Jester, Bassett Creek Watershed Management Commission

The undersigned, being familiar with your local conditions, having made the field inspection and investigation, I/we deem necessary, having studied the plans and specifications for the work and being familiar with all factors and other conditions affecting the work and cost thereof, hereby propose to furnish all labor, tools, materials, skills, equipment and all else necessary to complete the treatment in accordance with the instructions to quoters and the service agreement.

#### CURLY-LEAF TREATMENT

TOTAL QUOTE Total cost, inclusive of tax, to treat one (1) surface acre on  
Medicine Lake, assuming up to Sixty (60) acres\* **\$ 135.00 per Acre**  
maximum application, based on an estimated quantity of  
DIQUAT applied per acre of 2 gals/acre.  
Surfactant to increase efficacy, assuming up to 60 acres\* **\$ 0.00 per acre**

**\*NOTE: Total actual acres to be treated as determined by early spring aquatic vegetation survey.**

FIRM NAME: PLM Lake and Land Management Corp

CONTACT NAME: Patrick Selter

ADDRESS: 1511 Maras Street, Shakopee, MN 55379

PHONE NO.: 952-232-9262(cell) 651-383-1150 X 3000 (office)

EMAIL: patrick@plmcorp.net

SIGNATURE: *Patrick Selter*

DATE: March 11, 2021

#### HERBICIDE SUPPLIER

FIRM NAME: Nutrien Ag Solutions

ADDRESS: 972 East Pearl Street, Kasota, MN 56050

PHONE NO.: 507-931-6660



# Performance Review and Assistance Program (PRAP)

BWSR’s Performance Review and Assistance Program (PRAP) was authorized by the legislature (Statute 103B.102) in 2007 as a means to monitor and assess the performance of local water management entities. In addition to conducting reviews, BWSR uses this program to provide organizational improvement or assistance grants to local government units (LGUs) in need and prepares an annual report to the legislature outlining the work conducted under the program.

## PRAP Review

The program uses four levels of review to assess performance ranging from statewide oversight in Level I, to a focus on individual LGU performance in Levels II and III, and to remediation in Level IV.

**Level I** is an annual tabulation of required plans and reports for all LGUs.

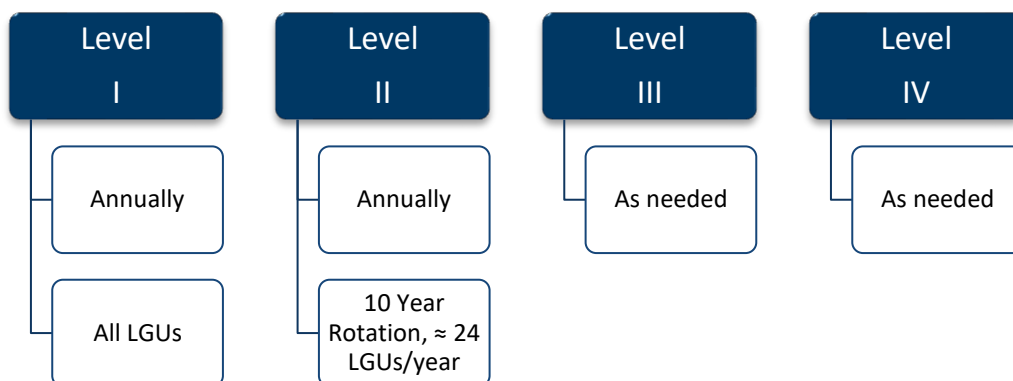
**Level II** is a routine, interactive review intended to cover all LGUs at least once every 10 years. A Level II review evaluates progress on plan implementation, operational effectiveness, and partner relationships. This review includes assessing compliance with Level II performance standards and compliance with the Wetland Conservation Act (added in 2017).

**Level III** is an in-depth assessment of an LGU’s performance problems and issues. A Level III review is initiated by BWSR or the LGU and usually involves targeted assistance to address specific performance needs.

**Level IV** is for those LGUs that have significant performance deficiencies and includes BWSR Board action to assign penalties as authorized by statute. Levels I through III are designed to avoid the need for Level IV.

### Program History

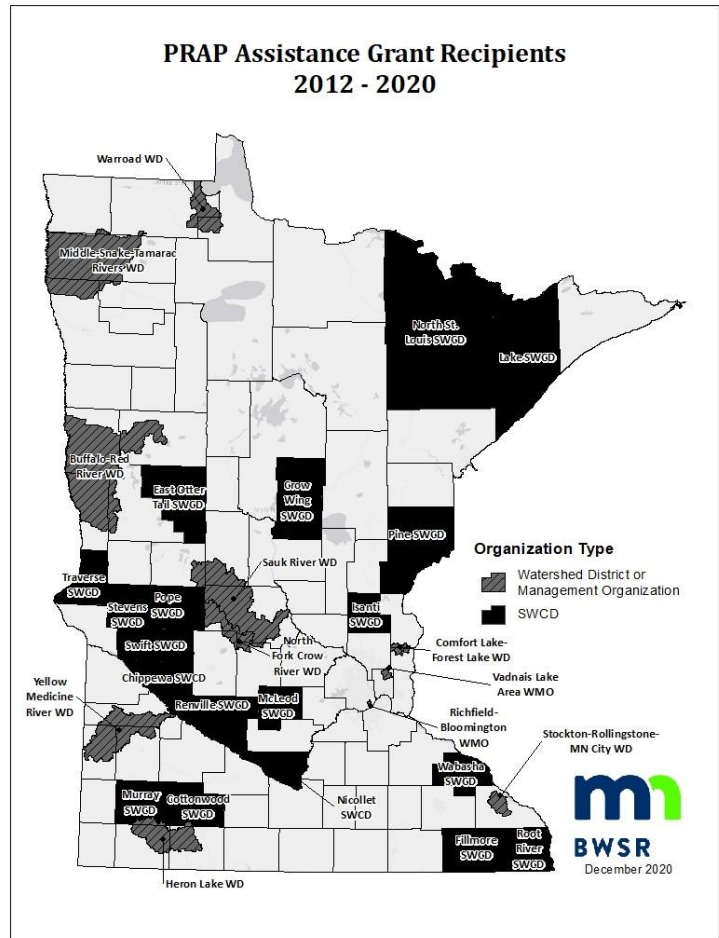
*Since 2008, BWSR’s Performance Review and Assistance Program (PRAP) has assessed the performance of the units of government that constitute Minnesota’s local delivery system for conservation of water and related land resources. The program goal is to assist these local government partners to be the best they can be in their management of Minnesota’s land and water resources. Review of LGU compliance with the Wetland Conservation Act was added in 2017.*



## PRAP Assistance

The “assistance” part of the PRAP program comes through grants made to LGUs to improve operating performance and execute planned goals and objectives. Grant activities typically include facilitation, mediation or consulting services related to organizational improvement activities such as reorganizations/mergers, strategic planning, organizational development, benchmarking, audits, and staff and board capacity assessments. LGUs do not need to have been the subject of a PRAP performance review to apply for these grants, but funding priority is given to activities recommended to an LGU as part of a Level II, III or IV PRAP review.

Since the program began in 2012, more than \$90,000 has been awarded to LGUs around Minnesota.



## PRAP Reporting

BWSR prepares an annual PRAP report for the Minnesota legislature containing the results of the previous year’s program activities as well as a general assessment of the performance of LGUs that provide land and water conservation services and programs. These reports contain Level I data regarding reporting and plan status for all LGUs, as well as summaries and findings from all Level II, III and IV reviews completed during the reporting year.

To learn more about the PRAP program, or to view past Legislative reports, visit the PRAP page of the BWSR website at <http://www.bwsr.state.mn.us/PRAP>





# Metro Watershed Districts & WMOs

## Performance Standards Checklist Guidance

January 2019

### General Instructions

The Performance Standards checklist is to be used as part of BWSR's Level II PRAP review process. The purpose of this part is to provide an overview of your district's operations in four areas: administration, planning, execution, and communication/coordination.

**The performance standards cover basic or required practices (■) and high performance practices (★).** We expect each organization to meet all of the basic practice standards. The high performance standards describe the practices of high performing organizations and are met less frequently. Organizations will receive BWSR commendations for compliance with high performance standards. Any unmet high performance standards can serve as stretch goals for performance improvement.

### Administration

- **Activity report: annual, on-time**  
Annual activity reports are due to BWSR within 120 days of the end of the calendar year. The content is specified in [MN Rule 8410.0150 Subp. 3](#).
- **Financial report and audit completed on time**  
The financial and audit reports are required by [MN Rule 8410.0150](#) and must be submitted within 180 days of the end of the organization's fiscal year.
- **Drainage authority buffer strip report: submitted on time**  
If the organization is the local drainage authority, the annual buffer strip establishment and inspection report required by [MS Chap. 103E.067](#) must be submitted to BWSR by February 1 each year. If the organization is not the drainage authority, enter "N/A" for this item.
- **eLink Grant Report(s): submitted on time**  
Reporting the results of work done with BWSR grant funds is via the web-based eLink system. Grant results reporting must be completed by February 1<sup>st</sup> and meet the content requirements of the particular grant. Organizations without grants requiring eLink reporting should enter N/A.
- **Rules: date of last revision or review**  
Watershed Districts only. The date of the last revision or adoption of district rules (month and year) should be entered in the space on the form. Rules reflect the authority of the district and must be kept relevant to the changing conditions within the district. Organizations other than Watershed Districts should enter N/A.
- **Personnel policy: exists and reviewed/updated within last 5 years**  
A personnel policy includes such procedures as how staff are compensated, hired and dismissed, and also how benefits are provided and used. A written document provides consistency in the board's decisions on staff-related issues. If there are no in-house staff, enter N/A for this standard.

- **Data practices policy: exists and reviewed/updated within last 5 years**  
 A data practices policy describes how the organization responds to requests for information submitted under the Minnesota Data Practices Act (MS Chap. 13). Guidance for local governments is available at <http://www.ipad.state.mn.us/docs/accessmain.html>. To check “yes” the organization must have a local policy and have reviewed it (determined that it is up-to-date) or updated it within the past 5 years.
- **Manager appointments: current and reported**  
 Watershed Districts only. This standard reports compliance with [MS Chap. 103D.311 Subp. 4](#). BWSR is one of the entities that must be notified of appointments made to the board of managers. Organizations other than Watershed Districts should enter N/A.
- **Consultant RFP: within 2 years for professional services**  
[MS Chap. 103B.227 subd. 5](#) requires biennial solicitations for consultant services. Organizations that check “yes” will have requested interest proposals within the previous two years.
- **WD/WMO has an adopting resolution assuming WCA responsibilities and appropriate decision delegation resolutions as warranted.** LGU must have an adopting resolution assuming its responsibilities under the WCA. LGU may through resolution, rule or ordinance place decision-making authority with staff. Copies of resolutions, rules and/or ordinances will be reviewed to determine if the LGU has an appropriate adopting resolution and if all decision-making authorities have been formally and properly delegated. (N/A if not WCA LGU)
- **WD/WMO has a knowledgeable and trained staff member that manages the WCA program and/or has secured a qualified delegate.** WCA rules require an LGU to provide a knowledgeable and trained staff to manage the program or for them to secure a qualified delegate to manage the program on their behalf. BWSR wetland specialists will evaluate the background, training and experience of the LGU’s designated WCA program coordinator to determine if they are qualified to effectively administer the program. (N/A if not WCA LGU)
- ★ **Administrator on staff**  
 Watershed Districts only. Record “yes” if the district contracts for or employs a person designated as the district administrator. In general the administrator serves as lead staff to the board of managers and coordinates the overall administrative, project, regulatory, and public involvement operations of the district. Organizations other than Watershed Districts should enter N/A.
- ★ **Board training: orientation and cont. ed. plan and record for each board member**  
 Organizations who meet these standards will provide for a mandatory orientation session(s) for new board members. There will also be a training plan, which can be individually tailored, for each board member to enhance skills or technical expertise related to their service to the organization. The organization will also maintain a record of what elements of the plan each board member has completed.
- ★ **Staff training: orientation and cont. ed. plan and record for each staff member**  
 Organizations who meet these standards will provide for a mandatory orientation session(s) for new staff members. There will also be a training plan, which can be individually tailored, for each staff person to enhance skills or technical expertise related to their service to the organization. The organization will also maintain a record of what elements of the plan each

staff member has completed. Organizations without in-house staff should enter “N/A” for the staff training item.

- ★ **Operational guidelines for fiscal procedures and conflicts of interest exist and are current**  
Operational guidelines are written procedures and policies that are used to inform and guide the operation of the organization. There is no prescribed format or content for these. However, the Minnesota Office of the State Auditor website <http://www.auditor.state.mn.us/default.aspx?page=pitfalls> has helpful information for local government, including guidelines for fiscal procedures and conflicts of interest. BWSR also has examples of good operating guidelines.
- ★ **Public drainage records: meet modernization guidelines**  
Organizations that serve as the public drainage authority will meet this standard if they have upgraded their drainage system records to meet the Drainage Records Modernization Guidelines. These guidelines are explained at [www.bwsr.state.mn.us/drainage/index.html](http://www.bwsr.state.mn.us/drainage/index.html). Organizations that are not the public drainage authority should enter “N/A” for this item.

## Planning

- **Watershed management plan: up-to-date**  
This standard identifies whether the organization is operating under a management plan that is not overdue for revision.
- **City/twp. local water plans not yet approved**  
Record the total number of cities or townships that are overdue for approval by the organization.
- **Capital Improvement Program: reviewed every 2 years**  
A capital improvement program is defined in [MS Chap. 103B.205 Subp. 3](#) and is listed as a required management plan component in [MR 8410.0150 Subp. 3e](#). Organizations that meet this standard will review their capital improvement program at least once every 2 years.
- ★ **Biennial Budget Request submitted on time**  
BWSR encourages watershed organizations contemplating applying for competitive grants to use the Biennial Budget Request (BBR) form and process as a planning tool and means to notify funding sources of planned projects in advance. As BBRs are only submitted biennially, the organizations that meet this high performance standard will have submitted a BBR within the past 24 months.
- ★ **Strategic plan identifies short-term activities & budgets based on state and local watershed priorities**  
Organizations that meet this high performance standard will periodically develop and use a short-term, strategic plan to set priorities for annual budgets and work plans based on the watershed management plan objectives, state agency watershed priorities, and the CIP. State watershed priorities include the schedule for intensive watershed monitoring and watershed restoration and protection strategies.

## Execution

- **Engineer Reports: submitted for DNR & BWSR review**  
 Watershed Districts Only: Record a “yes” if during the last five years all required engineer reports for district projects have been submitted for DNR and BWSR review and comment, as required by [MS Chap. 103D.711 Subd.5](#). Organizations other than Watershed Districts should enter N/A.
- **Total expenditures per year (past 10 years)**  
 This is the organization’s total expenditures from all sources of funds with a dollar amount for each of the last 10 years for which data are complete. These data are one indicator of trends in the level of organization activity. A table is provided at the bottom of the Part 2 checklist to enter these amounts.
- **WCA decisions and determinations made in conformance with all WCA requirements.**  
 WCA requires LGUs to make decisions and determinations in conformance with specific noticing, timeline and other procedural and substantive requirements. BWSR wetland specialists will review a sample of decisions and determinations made by the LGU to determine if WCA rules are being followed. (N/A if not WCA LGU)
- **WCA TEP reviews and recommendations appropriately coordinated.** *WCA rules require that the TEP make findings and recommendations to the LGU in regard to decisions and various technical aspects of rule requirements. The LGU must provide a staff member to serve on the TEP and must coordinate TEP reviews and recommendations to insure that they are technically sound and timely. BWSR wetland specialists will review a sampling of various decisions and associated TEP recommendations to determine if this requirement is met. (N/A if not WCA LGU)*
- **Water quality trends tracked for key water bodies**  
 Organizations that meet this standard will have identified key water bodies in their organization and have an established monitoring program to track the water quality of those water bodies as required by [MR 8410.0060 Subp. 1f](#). The water quality data can be used to set priorities for strategic and annual activity planning and projects.
- **Watershed hydrologic trends monitored / reported**  
 Organizations that meet this high performance standard will regularly measure one or more hydrologic parameters for their watershed or sub-watersheds and report the results. Selected parameters should be indicators of the effectiveness of water retention efforts, changes in impervious surface coverage, and hydrologic connectivity and be used to identify trends in peak flows, runoff volumes, baseflow, and other hydrologic characteristics related to the organization’s watershed management objectives.

## Communication and Coordination

- **Website: contains information as required by [MR 8410.0150 Subp. 3a](#), i.e. board meeting information, contact information, water plan, among others**  
 These basic elements must be available for review on the organization’s website and be updated within a reasonable amount of time after changes to any one element. For website grant reporting requirements, see website.

■ **Functioning advisory committee(s): recommendations on projects, reports; maintains 2-way communication with board**

Organizations have both a citizens' and a technical advisory committee or can combine them into one. To meet this standard the organization's advisory committee(s) meets regularly, submits recommendations and/or comments on organization projects and reports, or other products. There is regular communication between the advisory committee(s) and the board.

■ **Communication piece sent within last 12 months; indicate target audience**

A communication piece can be a newsletter, press release for publication in local newspapers, enclosure with regular local government mailings, etc. that highlight the work and program opportunities of the watershed organization. Content requirements are described in MN Rule [8410.0105 Subp. 4](#). Check "yes" if your County has sent out a communication piece within the last 12 months, and indicate who the primary target audience for the piece was.

★ **Track progress for I & E objectives in Plan**

Organizations that meet this high performance standard will have public information and education objectives in their management plan, and will have developed measures and data that they are tracking to determine their progress in meeting those objectives. Types of outcomes could include changed attitudes and behaviors, increased participation in organization programs, and increased demand for organization assistance with water management projects.

★ **Coordination with County Board and City/Township officials**

Organizations that meet this high performance standard will have regular contact and coordination by their managers or staff with their county commissioners, city and township officials. Coordination activities include giving periodic status reports at county or municipal board meetings, inviting local elected officials or staff to attend board of managers meetings, or establishing a liaison person for regular consultation with local government staff.

★ **Partnerships: cooperative projects/tasks with neighboring organizations, such as counties, soil and water districts, watershed districts and non-governmental organizations**

Organizations that meet this high performance standard will have conducted or coordinated programs and projects with other local government, or non-governmental entities (e.g., local lake association). Programs will include sharing in education, monitoring, planning, and project implementation efforts.



## AGREEMENT FOR LEGAL SERVICES

This Agreement for Legal Services (the “Agreement”) is entered into this \_\_\_ day of March, 2021 by the BASSETT CREEK WATERSHED MANAGEMENT COMMISSION, a Minnesota joint powers organization (the “Commission”), and the law firm of KENNEDY & GRAVEN, CHARTERED (the “Commission Attorney”).

### SECTION 1. Background; Findings.

1.01. *Commission Determination.* At a duly called regular meeting of the Commission held on February 18, 2021, the Commission reappointed the law firm of Kennedy & Graven, Chartered to be engaged as Commission Attorney, with David T. Anderson of that firm serving as primary legal counsel for the Commission.

### SECTION 2. Terms and Conditions.

2.01. *Consideration.* In consideration of the mutual promises and conditions contained in this Agreement, the Commission and the Commission Attorney agree to the terms and conditions set forth herein.

2.02. *Attorney Appointment.* The Commission desires to continue its relationship with the law firm of Kennedy & Graven, Chartered as Commission Attorney, with David T. Anderson acting as primary legal counsel for the Commission.

2.03. *Usual and Customary Legal Services.* The Commission Attorney agrees to perform all usual and customary civil legal services for the Commission in accordance with the terms of this Agreement. Such services may include, but are not limited to, the following:

- a) Attend monthly Commission meetings and, as requested, any other meetings.
- b) Draft agreements, resolutions, and correspondence.
- c) Review Commission agenda packets prior to meetings and provide email comments and suggestions regarding the same.
- d) Communicate with and advise the Commission and/or designated staff on general legal matters.
- e) Review Commission contracts as requested, including, but not limited to, joint powers agreements, agreements for construction projects, professional services agreements, agreements related to the purchase of equipment, and grant agreements.
- f) To any extent necessary, represent the Commission in the acquisition of real property interests.
- g) Render legal opinions on any legal matters requested by the Commission.
- h) Meet with the Commission to review the status of any pending legal matters, as necessary or requested.
- i) Provide legal briefings to the Commission and staff regarding new or proposed legislation affecting its operations and activities.
- j) Defend the Commission in litigation, except in those cases where insurance



- companies provide defense.
- k) Review bonds and insurance requirements required by or for Commission contracts or activities.
- l) Perform other legal duties as assigned and at the direction of Commission and its staff.

2.04. *Compensation for Legal Services.* For all legal services provided by the Commission Attorney, the Commission agrees to compensate the Commission Attorney at the rate of \$205/hour.

2.05. *Compensation for Expenses.* The Commission will compensate the Commission Attorney for the following actual and necessary expenses incurred by the Commission Attorney on behalf of the Commission:

Out-of-pocket costs for such things as postage for large projects, mileage, photocopying for large projects, filing fees, recording fees, and similar items.

Photocopying:	\$ .10 per page (only for large projects)
Mileage:	IRS-approved business reimbursement rate
Other charges such as:	
Messenger service	
Express mail	Actual cost charged
Filing/recording fees	

The Commission Attorney’s monthly billing statements will provide an itemized detail for all fees and costs included.

2.06. *Billing Statements.* Billings by the Commission Attorney to the Commission for services will be on a monthly basis, except as may otherwise be agreed upon by the parties. The billing statement shall be of sufficient detail to adequately inform the Commission concerning the tasks performed, the attorney performing them, the time spent on each task and the nature and extent of costs and disbursements. The statement shall also contain a summary that shows the total time spent for each category and the total fees, charges and disbursements for each category.

2.07. *Term of Agreement.* The term of this Agreement shall be indefinite until it is otherwise terminated in accordance with Section 2.10, and the hourly rates specified in this Agreement will remain in effect through February 1, 2023. Thereafter, rates may be adjusted by letter supplement and only upon agreement by the Commission and the Commission Attorney.

2.08. *Primary Legal Counsel.* It is the intention of the parties and it is hereby agreed by the Commission Attorney, that the term “primary legal counsel” as used herein means and refers to David T. Anderson who will, except in the case of extraordinary circumstances involving disability, unavoidable conflict or other good and substantial reasons, perform, supervise and be responsible to the Commission for the civil legal services to be provided.

2.09. *Entire Agreement.* This Agreement shall constitute the entire agreement between the Commission and the Commission Attorney, and supersedes any other written or oral

agreements between the Commission and the Commission Attorney. This Agreement can only be modified in writing signed by the Commission and the Commission Attorney.

2.10. *Termination.* This Agreement may be terminated by the Commission at any time or by the Commission Attorney upon 60 days' written notice.

2.11. *Conflict of Interest.* The Commission Attorney shall use best efforts to meet all professional obligations to avoid conflicts of interest and appearances of impropriety in representation of the Commission. In the event of a conflict, the Commission Attorney, with the consent of the Commission, shall seek appropriate waivers or arrange for suitable alternative legal representation. It is the intent of the Commission Attorney to refrain from handling legal matters for any other person or entity that may pose a conflict of interest.

2.12. *Agreement Not Assignable.* The rights and obligations created by this Agreement may not be assigned by either party.

2.13. *Agreement Not Exclusive.* The Commission retains the right to hire other legal representation for specific legal matters.

2.14. *Independent Contractor Status.* All services provided by the Commission Attorney pursuant to this Agreement shall be provided by the Commission Attorney as an independent contractor and not as an employee of the Commission for any purpose, including but not limited to: income tax withholding, workers' compensation, unemployment compensation, FICA taxes, liability for torts and eligibility for employee benefits.

2.15. *Work Products.* All records, information, materials and other work products prepared and developed in connection with the provision of services pursuant to this Agreement shall become the property of the Commission.

2.16. *Insurance.* The Commission Attorney agrees to maintain a valid policy of Professional Liability Insurance for the duration of this Agreement in the minimum amount of \$2,000,000.

2.17. *Data Practices Act Compliance.* Data provided to the Commission Attorney under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.

2.18. *Choices of Law and Venue.* This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota. Any disputes, controversies, or claims arising out of this Agreement shall be heard in the state or federal courts of Minnesota, and all parties to this Agreement waive any objection to the jurisdiction of these courts, whether based on convenience or otherwise.

2.19. *Non-Discrimination.* Commission Attorney will comply with all applicable federal and state laws, rules and regulations related to civil and human rights and will not discriminate against any employee or applicant for employment because of race, creed, color, religion, ancestry,

national origin, sex, affectional preference, disability or other handicap, age, marital status, or status with respect to public assistance.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed by their proper officers and representatives as of the day and year first above written.

**THE COMMISSION:**

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

By: \_\_\_\_\_  
Its: Secretary

**KENNEDY & GRAVEN, CHARTERED:**

By: \_\_\_\_\_  
David T. Anderson  
Shareholder



March 18, 2021

Catherine Cesnik, Chair  
Bassett Creek Watershed Management Commission  
c/o 16145 Hillcrest Lane  
Eden Prairie, MN 55346

**Re: Agreement for Engineering Services  
Bassett Creek Watershed Management Commission**

Dear Chair, Cesnik:

Thank you for retaining Barr Engineering Co. (Barr) as the Commission Engineers. We will do our best to justify your expression of confidence in us. This letter, together with our Standard Terms (attached) sets forth the Agreement between Bassett Creek Watershed Management Commission (Commission or Client) for engineering and planning services as assigned and approved by the Commission in accordance with the attached terms and conditions and fee schedule.

During the term of this Agreement, Barr agrees to maintain the following types of insurance and policy limits:

- a. Workers' Compensation and Employers' Liability
  - 1. Coverage A: Per State Statute
  - 2. Coverage B: \$500,000 Each Accident
    - \$500,000 Disease – Policy Limit
    - \$500,000 Disease – Each Employee
  
- b. Commercial General Liability
  - 1. \$2,000,000 General Aggregate
  - 2. \$2,000,000 Products – Completed Operations Aggregate
  - 3. \$1,500,000 Each Occurrence (death, injury, property damage)
  
- c. Commercial Automobile Liability
  - \$1,000,000 Combined Single Limit Bodily Injury and Property Damage

The Commercial Automobile Liability provides coverage for the following automobiles:

  - 1. All Owned Automobiles
  - 2. All Non-Owned Automobiles
  - 3. All Hired Automobiles
  
- d. Umbrella Liability
  - 1. \$10,000,000 Each Claim
  - \$10,000,000 Annual Aggregate

The Umbrella Liability provides excess limits for the Commercial General Liability, Employers' Liability, and Commercial Automobile Liability policies.

e. Professional and Pollution Incident Liability

Professional Liability insurance including Pollution Incident Liability coverage with limits of not less than \$5,000,000 Per Claim/\$5,000,000 Annual Aggregate.

The Commission shall be named as an additional insured on the Commercial General Liability, Employers' Liability, and Commercial Automobile Liability policies.

This Agreement will be effective until terminated and may be terminated by the Commission or Barr at any time. For the services provided, you will pay us according to the attached Standard Terms.

If this Agreement is satisfactory, please sign this letter in the space provided, and return it to us.

Sincerely yours,

**BARR ENGINEERING CO.**



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Jim Herbert

Its Vice President

Accepted this 18 day of March, 2021

**BASSETT CREEK WATERSHED MANAGEMENT COMMISSION**

By \_\_\_\_\_

Its Commission Chair

**BASSETT CREEK WATERSHED MANAGEMENT COMMISSION**

By \_\_\_\_\_

Its Commission Secretary

Attachments

Standard Terms—Professional Services—Bassett Creek Watershed Management Commission  
BCWMC Addressing Potential Conflicts of Interest, Approved November 17, 2020  
Fee Schedule



## STANDARD TERMS—PROFESSIONAL SERVICES – Bassett Creek WMC

Our Agreement with you consists of the accompanying letter or other authorization, Work Orders, and these Standard Terms – Professional Services.

### Section 1: Our Responsibilities

- 1.1 We will provide the professional services (“Services”) described in this Agreement. We will use that degree of care and skill ordinarily exercised under similar circumstances by reputable members of our profession practicing in the same locality.
- 1.2 We will select the means, methods, techniques, sequences, or procedures used in providing our Services.
- 1.3 We will acquire all licenses applicable to our Services and we will comply with applicable law.
- 1.4 Our duties do not include supervising your contractors or commenting on, supervising, or providing the means and methods of their work unless we accept any such duty in writing. We will not be responsible for the failure of your contractors to perform in accordance with their undertakings.
- 1.5 We will provide a health and safety program for our employees, but we will not be responsible for contractor, job, or site health or safety unless we accept that duty in writing.
- 1.6 Estimates of our fees or other project costs will be based on information available to us and on our experience and knowledge. Such estimates are an exercise of our professional judgment and are not guaranteed or warranted. Actual costs may vary. You should add a contingency.
- 1.7 The information you provide to us will be maintained in confidence except as required by law.
- 1.8 Barr will work to the best of its ability to stay within the budget of specific BCWMC Operating Budget lines and will communicate with the BCWMC administrator when it discovers or becomes apparent that budgets are not aligned.
- 1.9 We will comply with the “BCWMC Addressing Potential Conflicts of Interest”, Approved November 17, 2020, attached to this Agreement.

### Section 2: Your Responsibilities

- 2.1 You will provide access to property.
- 2.2 You will provide us with prior reports, specifications, plans, changes in plans, and other information about the project that may affect the delivery of our Services.
- 2.3 You agree to provide us with information on contamination and dangerous and hazardous substances and processes we may encounter in performing the Services and related emergency procedure information.
- 2.4 You agree to make disclosures required by law.
- 2.5 You agree to consult with us when developing the Operating Budget and communicate the budget figures to direct our work.

### Section 3: Reports and Records

- 3.1 We will allow you, or your duly authorized agents, and the state auditor or legislative auditor reasonable access to our books, records, documents, and accounting procedures and practices that are pertinent to all services provided under this Agreement for a minimum of six years from the termination of this Agreement.
- 3.2 Monitoring wells are your property and you are responsible for their permitting, maintenance and abandonment unless we accept that duty in writing. Samples remaining after tests are conducted and field and laboratory equipment that cannot be adequately cleansed of contaminants are your property. They will be discarded or returned to you, at our discretion, unless within 15 days of the report date you give written direction to store or transfer the materials at your expense.
- 3.3 Our reports, notes, calculations, and other documents prepared for you will be “works made for hire” as defined under 17 U.S.C. §101, for which you have the sole and exclusive right, title and interest, including all rights to ownership and copyright or patent. We will retain the right to all software, intellectual property, and templates that are not a project-specific deliverable as well as to individual features of any design which we would reasonably expect to be able to recreate in whole or in part for other projects.
- 3.4 Because electronic documents may be modified intentionally or inadvertently, you agree that we will not be liable for damages resulting from change in an electronic document occurring after we transmit it to you. In case of any difference or ambiguity between an electronic and a paper document, the paper document shall govern. When accepting document transfer in electronic media format, you accept exclusive risk relating to long-term capability, usability, and readability of documents, software application packages, operating systems, and computer hardware.
- 3.5 If you do not pay for the Services in full as agreed, we may retain reports and work not yet delivered to you and you agree to return to us our reports and other work in your possession or under your control. You agree not to use or rely upon our work for any purpose until it is paid for in full.

### Section 4: Compensation

- 4.1 You will pay for the Services as agreed or according to our then current fee schedules if there is no other written agreement as to price. An estimated cost is not a firm figure unless stated as such and you should allow for a contingency in addition to estimated costs.
- 4.2 You agree to notify us of billing disputes within 15 days and to pay undisputed portions of invoices within 35 days of invoice date. For balances not paid under these terms, you agree to pay interest on unpaid balances beginning 10 days after invoice date at the rate of 1.5% per month, but not to exceed the maximum rate allowed by law.

- 4.3 If you direct us to invoice another, we will do so, but you agree to be responsible for our compensation unless you provide us with that person's written acceptance of the terms of our Agreement and we agree to extend credit to that person.
- 4.4 You agree to compensate us in accordance with our fee schedule if we are asked or required to respond to legal process arising out of a proceeding to which we are not a party.
- 4.5 In consideration of our providing insurance to cover claims made by you, you hereby waive any right of offset as to payment otherwise due us.

**Section 5: Disputes, Damage, and Risk Allocation**

- 5.1 Each of us will exercise good faith efforts to resolve disputes without litigation. Such efforts will include a meeting attended by each party's representative empowered to resolve the dispute. Disputes (except collections) will be submitted to mediation as a condition precedent to litigation.
- 5.2 Each of us waives against the other and its subcontractors, agents, and employees all rights to recover for losses covered by our respective property/casualty or auto insurance policies.
- 5.3 If you fail to pay us within 60 days following invoice date, we may consider the default a total breach of our Agreement and, at our option, we may terminate all of our duties without liability to you or to others.
- 5.4 If we are involved in legal action to collect our compensation, you agree to pay our collection expenses, including reasonable attorneys' fees.
- 5.5 The law of the state of Minnesota will govern all disputes. Each of us waives trial by jury. No employee acting within the scope of employment will have any individual liability for his or her acts or omissions and you agree not to make any claim against individual employees.

**Section 6: Miscellaneous Provisions**

- 6.1 We will provide a certificate of insurance to you upon request. Any claim as an Additional Insured will be limited to losses caused by our sole negligence.
- 6.2 This Agreement is our entire agreement, and it supersedes prior agreements. Only a writing signed by an authorized representative for each of us making specific reference to the provision modified may modify it.
- 6.3 Neither of us will assign this Agreement without the written approval of the other. No other person has any rights under

this Agreement.

- 6.4 Only a writing may terminate this Agreement. We will receive an equitable adjustment of our compensation as well as our earned fees and expenses if our work is terminated prior to completion.
- 6.5 We will not discriminate against any employee or applicant for employment because of race, color, creed, ancestry, national origin, sex, religion, age, marital status, affectional preference, disability, status with regard to public assistance, membership or activity in a local human-rights commission, or status as a specially disabled, Vietnam-era, or other eligible veteran. We will take affirmative action to ensure that applicants are considered, and employees are treated during their employment, without regard to those factors. Our actions will include, but are not limited to notifications, hiring, promotion or employment upgrading, demotion, transfer, recruitment or recruitment advertising, layoffs or terminations, rates of pay and other forms of compensation, and selection for training or apprenticeship.
- 6.6 Neither we nor you, including our officers, employees, and agents, are agents of the other, except as agreed in writing. Except as agreed in writing, nothing in this Agreement creates in either party any right or authority to incur any obligations on behalf of, or to bind in any respect, the other party. Nothing contained herein will prevent either party from procuring or providing the same or similar products or services from or to any third person, provided that there is no breach of any obligations pertaining to confidentiality.
- 6.7 All services provided pursuant to this Agreement shall be provided by us as an independent contractor and not as an employee of BCWMC for any purpose. Any and all officers, employees, subcontractors, and agents of BCWMC, or any other person engaged by us in the performance of work or services pursuant to this Agreement, shall not be considered employees of BCWMC. Any and all actions which arise as a consequence of any act or omission on the part of us, our officers, employees, subcontractors, or agents, or other persons engaged by us in the performance of work or services pursuant to this Agreement, shall not be the obligation or responsibility of BCWMC.
- 6.8 Data provided, produced or obtained under this Agreement shall be administered in accordance with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13. We will immediately report to you any requests from third parties for information relating to this Agreement. We agree to promptly respond to inquiries from you concerning data requests.

*End of Standard Terms*

BCWMC Addressing Potential Conflicts of Interest  
Approved November 17, 2020

This framework is meant to clarify the process for addressing potential Commission Engineer COI so that staff has clear direction and staff and commissioners have congruent expectations.

Barr will continue to operate within the provisions of MN Administrative Rule 1805.0300. In all cases of actual or potential conflicts, transparency about the situation and reporting by and to all parties is of utmost importance.

Administrative review (no approval needed)

- Projects in the Bassett Creek watershed related to water or natural resources that do not require commission review or approval (such as natural resources protection plans, environmental impact statements, response action plans, etc.)
  - a. This is for scenarios where the provisions in Minn. R. 1805.0300 do not apply because there is no actual conflict, nor is the Commission Engineer being compensated by the commission for the same project

Administrative waiver (Administrator, Chair and Attorney):

- Projects where the administrator documents in writing findings on the clear unity of interest, secures the consent of the chair and advice of attorney, and the timeframe of the work is either emergency in nature or requires an expedited timeline such that there is not time for Commission approval; and the administrative waiver is disclosed at the next Commission meeting. (Administrator can always choose to bring the matter to the commission.)

Commission waiver required:

- Projects that require Commission review and approval (whether by the commission proper or the administrator under delegated authority)
  - a. In these scenarios, the Commission will determine whether to:
    - a. waive the conflict
    - b. waive the conflict and contract with an outside firm for review or other remedies deemed appropriate
    - c. decline to waive the conflict





## Fee Schedule—2021

Rev. 12/26/2020

Description	Rate* (U.S. dollars)
Principal	\$160-295
Consultant/Advisor	\$185-250
Engineer/Scientist/Specialist IV	\$155-180
Engineer/Scientist/Specialist III	\$125-150
Engineer/Scientist/Specialist II	\$95-120
Engineer/Scientist/Specialist I	\$65-90
Technician IV	\$155-180
Technician III	\$125-150
Technician II	\$95-120
Technician I	\$65-90
Support Personnel III	\$155-180
Support Personnel II	\$95-150
Support Personnel I	\$65-90

Rates for litigation support services will include a 30% surcharge.

A ten percent (10%) markup will be added to subcontracts for professional support and construction services to cover overhead and insurance surcharge expenses.

Invoices are payable within 30 days of the date of the invoice. Any amount not paid within 30 days shall bear interest from the date 10 days after the date of the invoice at a rate equal to the lesser of 18 percent per annum or the highest rate allowed by applicable law.

For travel destinations within the continental U.S. (CONUS) and Canada, meals will be reimbursed on a per diem basis. The per diem rate will be as published by the U.S. Internal Revenue Service (IRS) based on the High-Low method. Full day per diem rates will be pro-rated on travel days. For travel destinations outside the continental U.S. (CONUS) and Canada, meals will be reimbursed based on actual expenses incurred.

All other reimbursable expenses including, but not limited to, costs of transportation, lodging, parking, postage, shipping and incidental charges will be billed at actual reasonable cost. Mileage will be billed at the IRS-allowable rate.

Materials and supplies charges, printing charges, and equipment rental charges will be billed in accordance with Barr's standard rate schedules.

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Principal category includes consultants, advisors, engineers, scientists, and specialists who are officers of the company.

Consultant/Advisor category includes experienced personnel in a variety of fields. These professionals typically have advanced background in their areas of practice and include engineers, engineering specialists, scientists, related technical professionals, and professionals in complementary service areas such as communications and public affairs.

Engineer/Scientist/Specialist categories include registered professionals and professionals in training (e.g. engineers, geologists, and landscape architects), and graduates of engineering and science degree programs.

Technician category includes CADD operators, construction observers, cost estimators, data management technicians, designers, drafters, engineering technicians, interns, safety technicians, surveyors, and water, air, and waste samplers.

Support Personnel category includes information management, project accounting, report production, word processing, and other project support personnel.

\*Rates do not include sales tax on services that may be required in some jurisdictions.



# Bassett Creek Watershed Management

Item 5C.  
BCWMC 3-18-21

## MEMO

To: BCWMC Commissioners and Alternate Commissioners  
From: BCWMC Technical Advisory Committee  
Date: March 10, 2021

**RE: Recommendations on 5-year Capital Improvement Program**

The BCWMC Technical Advisory Committee met on March 5<sup>th</sup> to discuss several items. Discussion is summarized below along with TAC recommendations for the 5-year CIP. Attendees included:

City/Partner	Technical Advisory Committee Members and Others
Crystal	Mark Ray
Golden Valley	Jeff Oliver, Eric Eckman, RJ Kakach, Marshall Beugen
Medicine Lake	Susan Wiese
Minneapolis	Liz Stout, Katie Kowalczyk
Minnetonka	Leslie Yetka, Chris Long
New Hope	Megan Hedstrom
Plymouth	Ben Scharenbroich, Chris La Bounty
Robbinsdale	Marta Roser, Richard McCoy
St. Louis Park	Erick Francis
Minneapolis Park and Rec Board	Rachael Crabb
Others	Laura Jester, Administrator; Karen Chandler and Jen Koehler, Commission Engineers; Stacy Harwell, Ceil Strauss, Suzanne Jiwani, and Jeff Weiss, MnDNR; Commissioner Welch, Alt. Commissioner Crough

### 1. FEMA Modeling/Mapping Project – Tasks and Timelines

TAC members, BCWMC Engineers, and staff with the MnDNR discussed issues related to the FEMA modeling and mapping project including:

- Methods used to generate the upstream storage polygons on maps
- Expectations related to the management and protection of upstream storage areas
- Methods of protection for upstream storage areas including
  - Easements or public property
  - Surface water management plans
  - City code/ordinances
  - WCA/wetland regulations

- Recorded agreements that include provisions around development, maintenance, and/or operation of storm water facilities

Next steps in the process were identified:

- MnDNR will supply the cities with additional information on maps and mapping methodologies
  - a. MnDNR staff will provided “cleaned up” map
  - b. MnDNR staff will provide clarification on what the minimum polygon size is for consideration as upland storage
- Cities will review revised maps and provide feedback to the MnDNR regarding storage areas/polygons to remove from the map (30 days)
- MnDNR will re-run the model with city feedback

## **2. Recommendations on 5-year Capital Improvement Program**

The TAC discussed five CIP projects proposed by member cities, reviewed the scores for the proposed projects in the CIP Prioritization Matrix, reviewed changes to the existing 5-year CIP, and discussed impacts on the total projected levy for years 2022 – 2027. Discussion items of note include:

- Cities use the prioritization maps and scoring matrix to determine if potential projects would fit well into Commission priorities before bringing projects for consideration.
- Cities assessed potential projects and compared them against other options; the impacts and benefits of the potential projects are understood.
- Many of the proposed projects will address flooding and/or improve resiliency to future high precipitation.
- The “low hanging fruit” of less expensive projects have already been implemented, space for projects is getting tighter and projects are getting more complicated, resulting in higher costs.

Below is the list of TAC-recommended projects for the 5-year CIP along with other recommended changes to the CIP. Additional project information and maps can be found in the project fact sheets attached. The prioritization matrix and complete recommended CIP table are also attached.

### **Recommended Additions, Deletions, and Changes to the 5-year CIP (fact sheets & table attached)**

#### Changes to Existing 5-year CIP (changes shown in red in attached table)

- The feasibility study for the Medley Park Stormwater Facility Project (ML-12) in Golden Valley is currently underway and is estimating much higher costs than originally earmarked in CIP. Total project costs may be around \$2,000,000; Golden Valley to provide about \$500,000. The Commission will review a draft feasibility study at their May meeting. CIP table includes the updated potential total project cost at \$1.5M.
- The Main Stem Lagoon Dredging Project (BC-7) total project cost was reduced by \$500,000 for lower-than-expected engineering and was reduced by \$325,000 for grants received to date. The CIP table was adjusted accordingly.
- Due to an accounting error, BWCMC will have lower than expected closed project funds available over the next few years. Use of the Closed Project Funds was adjusted accordingly in the CIP table.

#### Deletions from Existing 5-year CIP (changes shown in red in attached table)

- Project BC-9, the restoration and stabilization of historic Bassett Creek channel, Main Stem was removed from the 5-year CIP due to its low priority and unknown impacts from future Blue Line LRT.

Additions to 5-year CIP (shown in orange in attached table; further details in attached fact sheets)

- Beacon Heights 2nd Addition Stormwater Improvement Project: \$150,000; matrix score = 12.5  
This project in the City of Plymouth will add stormwater treatment to an area that currently has little or no water quality treatment and drains to Medicine Lake. This project would be constructed in conjunction with a street reconstruction project in 2022.
- Cost share purchase of high efficiency street sweeper: \$150,000; matrix score = 13.0  
This project will help the City of Golden Valley upgrade an existing street sweeper from a mechanical sweeper to an enhanced regenerative sweeper. The project would follow the [BCWMC's CIP Equipment Purchase Policy](#) by targeting the timing and location of its use in subwatersheds of impaired waterbodies, and evaluating and reporting its effectiveness (consistent with the requirements placed on the City of Plymouth for their sweeper purchase).
- Toledo Ave/Minnaqua Pond Stormwater Improvements & Flood Reduction: \$700,000; matrix score = 13.5. This project in the City of Golden Valley will improve water quality and reduce flooding in the Minnaqua Pond area.
- Plymouth Creek Restorations (2) Dunkirk to Yuma and Vicksburg to Cty Rd 9: \$600,000 total; matrix scores 9.5 and 10.5, respectively. These stream restoration projects would expand on the previous Plymouth Creek restoration projects and will repair eroding streambanks, improving water quality and near stream and in-stream habitats.
- Flood Control Project Double Box Culvert Repairs: \$1.2M; not scored in matrix  
This project was recommended by the Commission Engineer after the 2019 inspection of the Bassett Creek Tunnel Double Box Culvert for needed repairs within the tunnel.

### 3. Private Development Cost Share Program

The TAC had a fairly lengthy discussion about the possibility of recommending that the Commission start a cost share program to incentivize private developers to expand planned BMPs or add BMPs for “above and beyond” (BCWMC development requirements) pollutant removals. The discussion points of note include:

- The Four Seasons Mall redevelopment project is an example of where BCWMC CIP funding is being used to achieve higher than required pollutant removals.
- Plymouth is likely to experience significant redevelopment in the next 10-20 years and would like to capitalize on the opportunity to expand treatment through financial incentives.
- Minneapolis is also likely to experience significant redevelopment directly adjacent to the creek in the Bassett Creek Valley.
- Some cities (like Crystal, New Hope and Robbinsdale) wouldn't be able to take advantage of such a program due to small areas in the watershed that are limited to residential land.
- The timeline of the Commission's CIP program does not fit well with the pace of how quickly redevelopment projects typically happen.
- The Commission may not have the staff capacity to run a cost share program for private developers due to the amount of time negotiations and contracting can take.
- The pros and cons of using CIP funds versus operating funds for a cost share program.

At the end of the conversation there was consensus that although needed, the time was not right for the Commission to embark on this type of program. There was also consensus that this program should be thoroughly reviewed and considered during development of the 2025 Watershed Management Plan.



**BCWMC 5-year Capital Improvement Program: 2022 – 2027 CIP List – TAC Recommendations (Changes to existing 5-year CIP shown in red text; new proposed projects in orange rows)**

Project Name	City	Number	2020	2021	2022	2023	2024	2025	2026	2027	2028	Totals
Medicine Lake Rd & Winnetka Ave Long Term Flood Mitigation Plan Project (DeCola Ponds B&C Improvement Proj. + DeCola Pond F Flood Storage & Diversion Project + SEA School Flood Storage)	GV, Crystal, New Hope	BC-2,3,8, 10	\$500,000		\$300,000	\$1,000,000		<del>\$1,100,000</del> \$600,000	<del>\$200,000</del> \$700,000			\$4,131,500
Water quality improvements in Bryn Mawr Meadows, Main Stem Watershed	MPLS	BC-5	\$100,000 <sup>1</sup>	\$412,000 <sup>1</sup>								\$512,000
Medley Park Stormwater Treatment Facility <sup>3</sup>	GV	ML-12			<del>\$200,000</del> \$400,000	\$300,000	\$800,000					<del>\$500,000</del> \$1,500,000
<del>Restoration and stabilization of historic Bassett Cr channel, Main Stem</del>	<del>MPLS</del>	<del>BC-9</del>							\$500,000			\$500,000
Mt. Olivet Stream Restoration Project	PLYM	ML-20		\$178,100								\$178,000
Dredging accumulated sediment in Main Stem Bassett Creek Lagoons, Wirth Park <sup>4</sup>	GV/MPLS	BC-7		\$600,000	<del>\$1,400,000</del> \$1,100,000	<del>\$659,000</del> \$534,000	<del>\$600,000</del> \$200,000					<del>\$3,259,000</del> \$2,434,000
Stormwater Pond in Jevne Park to alleviate flooding/improve water quality	Medicine	ML-21	\$500,000									\$500,000
Crane Lake Improvement Project @ Ridgedale Dr.	Minnetonka	CL-3	\$380,000									\$380,000
Parkers Lake Drainage Improvement Project	Plymouth	PL-7		\$485,000								\$485,000
Bassett Creek Main Stem Restoration - Regent Ave to Golden Valley Rd	Golden Valley	2024-CR-M					<del>\$400,000</del> \$100,000	<del>\$300,000</del> \$600,000				\$700,000
Bassett Creek Park WQ Improvement Project	Minneapolis	BC-11					<del>\$500,000</del> \$200,000	\$300,000				\$500,000
Ponderosa Woods Stream Restoration	Plymouth	ML-22					\$475,000					\$475,000
Sweeney Lake Water Quality Improvement Project (alum + carp management)	Golden Valley	SL-8	\$20,000 <sup>2</sup>	\$218,080 <sup>2</sup>								\$238,080
Cost share purchase of high efficiency street sweeper	Plymouth	ML-23		\$81,600								\$81,600
Crane Lake Chloride Reduction Demonstration Project at Ridgedale Mall	Minnetonka	CL-4							\$300,000			\$300,000
Plymouth Creek Restoration Project Old Rockford Rd. to Vicksburg Ln.	Plymouth	2026CR-P							\$500,000			\$500,000
Beacon Heights 2 <sup>nd</sup> Addition Stormwater Improvement Project	Plymouth	XX			\$90,000	\$60,000						\$150,000
Cost share purchase of high efficiency street sweeper	Golden Valley	XX						\$150,000				\$150,000
Toledo Ave/Minnaqua Pond Stormwater Improvements & Flood Reduction	Golden Valley	XX								\$300,000	\$400,000	\$700,000
Plymouth Creek Restoration Dunkirk to Yuma and Vicksburg to Cty Rd 9	Plymouth	XX								\$600,000		\$600,000
Flood Control Project Double Box Culvert Repairs	Minneapolis	XX								\$700,000	\$500,000	\$1,200,000
Estimated Total Project Cost			\$1,500,000	\$1,974,780	<del>\$1,900,000</del> \$1,890,000	<del>\$1,959,000</del> \$1,894,000	\$1,775,000	<del>\$1,400,000</del> \$1,500,000	\$1,500,000	\$1,600,000		
Estimated Use of BCWMC Closed Project Account Funds			\$0	\$500,000	<del>\$300,000</del> \$100,000	<del>\$200,000</del> \$100,000	<del>\$200,000</del> \$100,000	\$0	\$0	\$0		<del>\$1,200,000</del> \$800,000 <sup>5</sup>
<b>Estimated Total Levy</b>			<b>\$1,500,000</b>	<b>\$1,474,780</b>	<del><b>\$1,600,000</b></del> <b>\$1,790,000</b>	<del><b>\$1,759,000</b></del> <b>\$1,794,000</b>	<del><b>\$1,775,000</b></del> <b>\$1,675,000</b>	<del><b>\$1,400,000</b></del> <b>\$1,650,000</b>	<b>\$1,500,000</b>	<b>\$1,600,000</b>		<del><b>\$11,008,780</b></del> <b>\$12,683,780</b>

<sup>1</sup>Total project cost estimated at \$912,000, received \$400,000 Clean Water Fund grant.

<sup>2</sup>Total project cost estimated at \$568,080, received \$330,000 Federal 319 grant.

<sup>3</sup>Feasibility study estimates total project costs at \$2,000,000 due to contaminated sediment; Golden Valley to provide estimated \$500,000

<sup>4</sup>Total project cost reduced by \$500,000 for lower-than-expected engineering; \$325,000 in grants received

<sup>5</sup>Lower than expected closed project funds available due to accounting error in 2020

BCWMC Project Prioritization Scoring Matrix																	
		Primary Benefit Factors					"Jurisdiction" Factors			Opportunity Factors		Secondary Benefit Factors					
Project Name		Protects/improves water quality of priority waterbody (reduces phosphorus loading)	Located in a total phosphorus loading "hot spot": 0 pt for <0.15 mg/L 1 pt for 0.15 - 0.20 mg/L 2 pt for 0.20 - 0.25 mg/L 3 pt for 0.25 - 0.30 mg/L 4 pt for >0.3 mg/L	Protects/improves WQ of priority waterbody by reducing chloride loading 1 point = reduction of impervious surface; 2 points = significant reduction of impervious surface; 3 points = project with the aim of reducing chlorides	Addresses approved TMDL or WRAPS	Addresses a flooding concern: 1 pt reduces local flooding <5 structures 2 pt reduces local flooding >5 structures 3 pt reduces intercommunity flooding <5 structures 4 pt reduces intercommunity flooding >5 structures	Part of Trunk System	Protects/restores previous BCWMC investments in infrastructure (CIP projects and Flood Control Project)	Intercommunity watershed	Partnership with significant stakeholders (% funding threshold from non-BCWMC/City?)	Coordinated with redevelopment or City/agency infrastructure projects	Protect and enhance riparian or upland wildlife habitat as a secondary benefit	Increase quality and quantity of wetlands	Reduce runoff volume	Public education or demonstration value is emphasized through specific project elements	Minimize the spread and impact of AIS as a secondary benefit	Total Score
Score Range		2	0-4	2	2	1-4	1	1	1	1	1	0.5	0.5	0.5	0.5	0.5	
DeCola Pond F flood storage and diversion	2025 & 2026 Portions of BC-2, 3, 8, 10	2	2	2	0	3	0	0	1	1	0	0.5	0	0	0	0	11.5
SEA School flood storage		2	1	1	0	3	0	0	1	1	1	0.5	0	0	0.5	0	11
Medley Park Stormwater Treatment Facility	ML-12	2	4	0	2	2	0	0	1	0	1	0.5	0.5	0	0.5	0	13.5
Mt. Olivet Stream Restoration Project	ML-20	2	0	0	2	0	0	0	0	1	0	0.5	0	0	0.5	0	6
Dredging of accumulated sediment in Main Stem Bassett Creek just north of Hwy 55, Wirth Park	BC-7	2	0	0	0	1	1	1	1	0	0	0	0	0	0.5	0	7.5
Parkers Lake Drainage Improvement Project	PL-7	2	4	0	0	0	0	0	1	0	0	0.5	0	0	0.5	0	8
Bassett Creek Main Stem Restoration - Regent Ave to Golden Valley Rd	2021-CR_M	2	3	0	0	0	1	1	1	0	0.5	0	0	0.5	0	0	10
Bassett Creek Park Water Quality Improvement Project	BC-11	2	0	0	0	0	0	0	1	1	0.5	0.5	0	0.5	0	0	5.5
Ponderosa Woods Stream Restoration	ML-22	2	3	0	2	0	0	1	0	0	0.5	0.5	0	0.5	0	0	9.5
Sweeney Lake Alum/Carp Mgmt	SL- 8	2	0	0	2	0	1	1	1	0	0	0	0	0	0	0.5	8.5
Crane Lake Improvement Project	CL-3	2	0	0	0	0	0	0	1	1	0.5	0	0.5	0.5	0	0	5.5
Jevne Park Stormwater Improvement Project	ML-21	2	0	0	2	1	0	0	0	0	0.5	0.5	0	0.5	0	0	6.5
Bryn Mawr Meadows Water Quality Improvement Project	BC-5	2	4	0	0	0	0	0	1	1	0	0	0	0.5	0	0	8.5
Plymouth Enhanced Street Sweeper		2	4	0	2	0	1	1	0	0	0	0.5	0	0.5	0	0	11
Crane Lake Chloride Study		2	0	3	2	0	1	1	0	0	0.5	0.5	0	0.5	0.5	0	11
<b>PROPOSED PROJECTS</b>																	
Beacon Heights Stormwater Improvement Project	Plymouth	2	4	1	2	1	0	0	0	1	0	0.5	0.5	0.5	0	0	12.5
Plymouth Cr Restoration - Dunkirk Ln to Yuma	Plymouth	2	0	0	2	2	1	1	0	0	0.5	0.5	0	0.5	0	0	9.5
Plymouth Cr Restoration - Vicksburg Ln to CR9	Plymouth	2	0	0	2	2	1	1	0	1	0.5	0.5	0	0.5	0	0	10.5
Minnaqua Pond/Toledo Ave Stormwater Improvement	Golden Valley	2	3	1	0	3	1	0	1	1	0.5	0.5	0.5	0	0	0	13.5
Golden Valley Enhanced Street Sweeper	Golden Valley	2	4	1	2	0	1	1	1	0	0	0.5	0	0.5	0	0	13



**Project Category:** Water Quality/Water Capacity

**Project Title:** Beacon Heights 2<sup>nd</sup> Addition Stormwater Improvement Project

**Total Estimated Cost:** \$150,000

**BCWMC Project Number:** [Staff will assign number]

**Description:**

This project in the City of Plymouth will add stormwater treatment to an area that has minimal, if any water quality treatment currently. This project would be constructed in conjunction with a street reconstruction project in 2022. The project would propose to install water quality BMP(s) such as a hydrodynamic separator, ponding or rain gardens in the area shown.

Source of Project Funding	2018	2019	2020	2021	2022
CIP Account – BCWMC ad valorem tax levy through Hennepin County					

Staff will assign funding year.

**Justification:**

This project will improve downstream water quality in Medicine Lake. It would remove sediment from storm water runoff and depending on project design, control rates leaving this development to assist in downstream flooding. The drainage area for the proposed BMP includes parts of State Highway 55 and areas on the south side of the highway. Currently there are no water quality BMPs within the subwatershed

As a part of the project, staff will include educational outreach to the neighborhood.

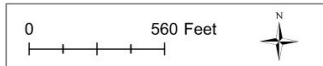
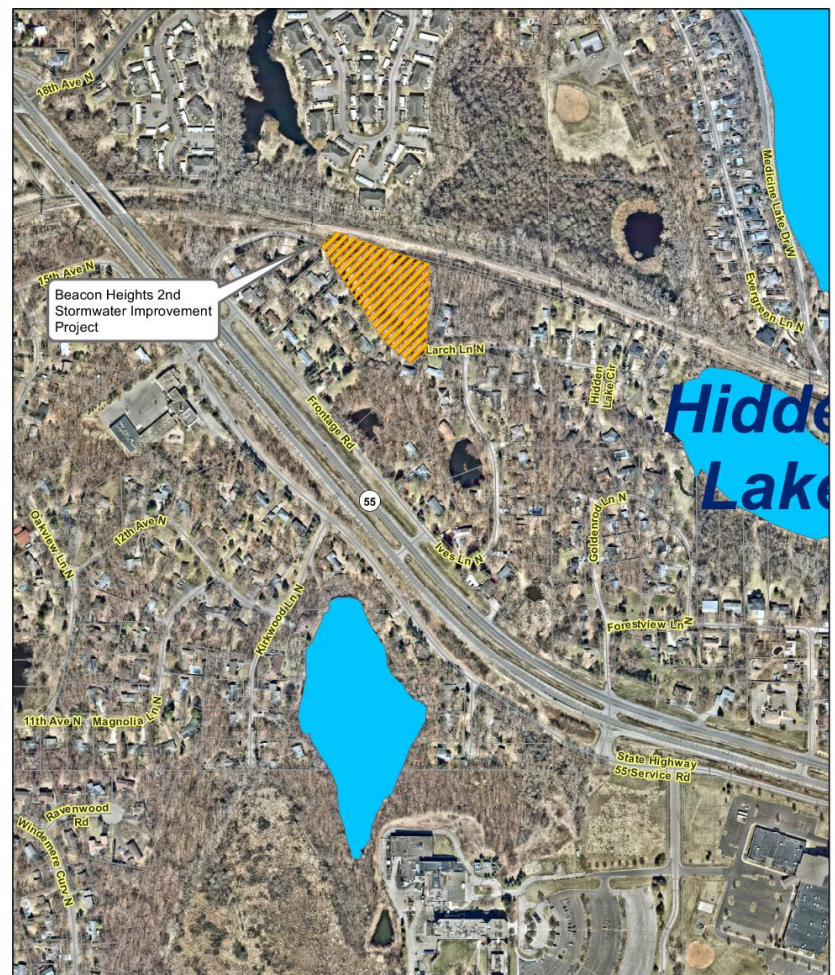
**Scheduling and Project Status:**  
[Staff will provide this information.]

**Relationship to BCWMC Plan and Other Projects:**

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. This project would assist in meeting the goals of the Medicine Lake Total Maximum Daily Load project.

**Effect on Annual Operations Costs:**

This project has no effect on BCWMC Annual Operations Costs.

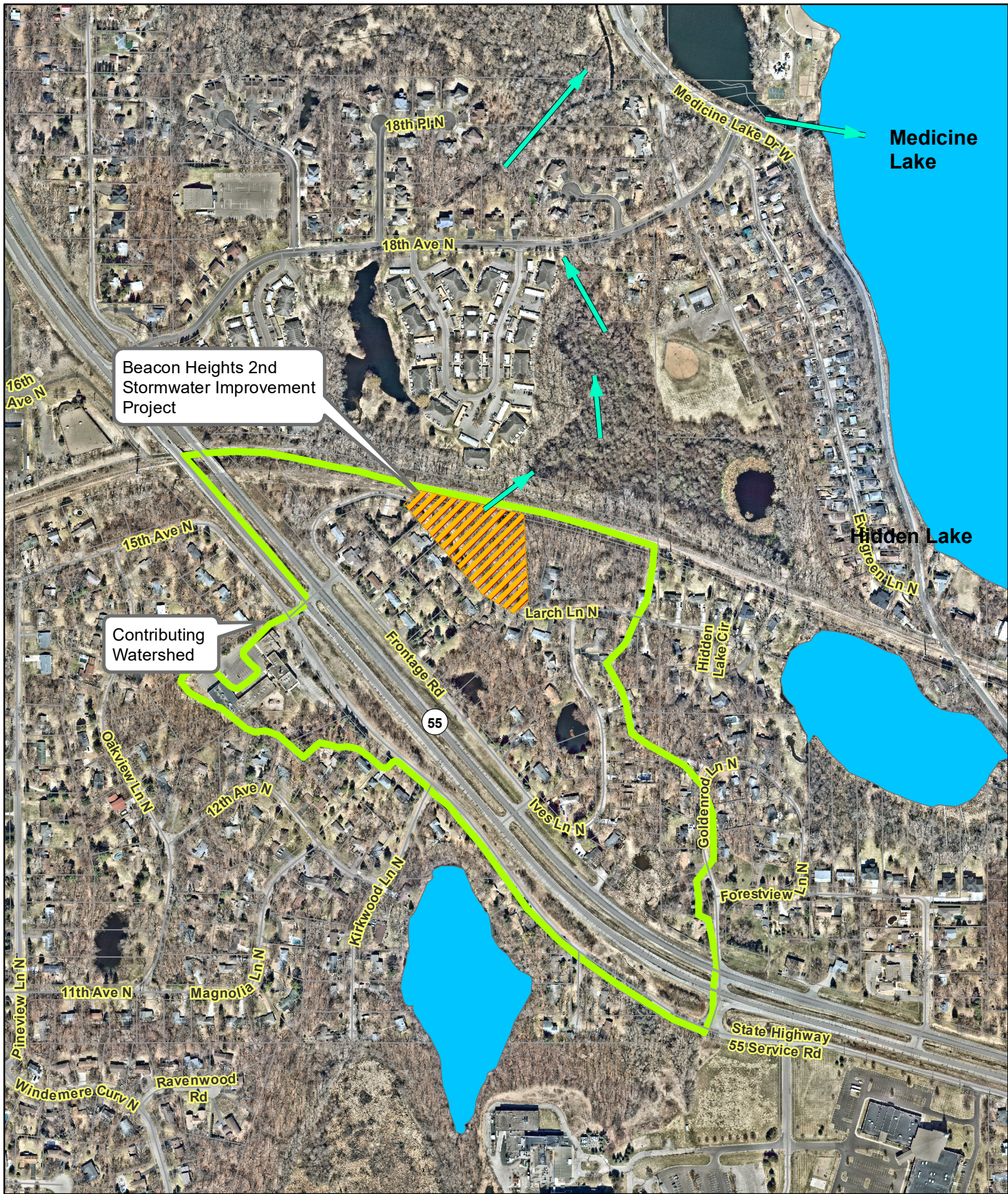


Beacon Heights 2nd Stormwater Improvement Project



THIS REPRESENTS A COMPILATION OF INFORMATION AND DATA FROM CITY, COUNTY, STATE AND OTHER SOURCES THAT HAS NOT BEEN FIELD VERIFIED. INFORMATION SHOULD BE FIELD VERIFIED AND COMPARED WITH ORIGINAL SOURCE DOCUMENTS.

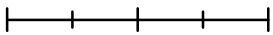




Beacon Heights 2nd Stormwater Improvement Project

Contributing Watershed

0 680 Feet



**Beacon Heights 2nd Stormwater Improvement Project**



February 2021



**Project Category:** Water Quality  
**Project Title:** Enhanced Street Sweeper  
**Total Estimated Cost:** \$150,000  
**BCWMC Project Number:** [Staff will assign number]

**Description:** This project will help the City of Golden Valley upgrade an existing street sweeper from a mechanical sweeper to an enhanced regenerative sweeper. Street sweeping is one of the most cost-effective best management practices for improving water quality and reducing pollutant loading to impaired waters. Utilizing an enhanced street sweeper in Golden Valley will improve the City’s street sweeping program and provide direct benefits to water resources.

Source of Project Funding	2018	2019	2020	2021	2022
CIP Account – BCWMC ad valorem tax levy through Hennepin County					

Staff will assign funding year.

**Justification:**

The City is seeking to purchase a high-efficiency street sweeper to upgrade from a mechanical sweeping machine. Per the BCWMC CIP equipment purchase policy, only the incremental cost of the upgrade to better equipment is eligible for CIP funds.

The new sweeper will be used to expand pollutant load-reducing activities by capturing and removing finer particles that cannot be captured by mechanical means. Enhanced sweepers are effective at collecting fine sediment and residual pollutants, chlorides, pollens and leaf litter debris, and small debris that isn’t effectively collected by standard mechanical sweepers.

The new sweeper will be used to address nutrient impairments in Medicine and Sweeney Lakes, biota impairments in Bassett Creek, and chloride impairments in Medicine Lake, Sweeney Lake, and Bassett Creek.

The city will expand on its existing subwatershed prioritization process in targeting use of the new sweeper. The city will evaluate and prioritize early spring sweeping to focus on subwatersheds with nutrient (and chloride) impaired waters, late spring sweeping during leaf out period to focus on subwatersheds with nutrient impaired waters and high mature tree canopy, and fall sweeping in subwatersheds with nutrient impaired waters and high tree canopy area with phased sweeping based on prevalence of tree species and timing of leaf drop.

**Effectiveness Documentation:**

The city currently use technology (Precise AVL/GPS, GIS, and Cartegraph) to track and document sweeping routes and frequencies and bulk material collected, and storm sewer sumps inspected (with sediment measured) and maintained and bulk material collected. The city will meet the 5-yr documentation requirement by reporting the same information above, also used for MS4 Permit reporting. The city is in the process of evaluating and updating our MS4 Permit and will inform the BCWMC of any changes made to the City’s sweeping program.

**Scheduling and Project Status:**

For purchase within the next 5 years.

**Relationship to BCWMC Plan and Other Projects:**

This request meets the CIP “gatekeeper questions” in Policy 110 and the equipment purchase policy. There are impaired waters located within and downstream of Golden Valley. The City is fully developed leaving few opportunities for BMPs, including chloride reduction. Increased or enhanced street sweeping is listed in the BCWMC Plan and TMDL Implementation Plans as a BMP that can improve impaired waters.

Street sweeping is included in the City’s Surface Water Management Plan as a BMP to address water quality impairments.

**Effect on Annual Operations Costs:**

This project has no effect on BCWMC Annual Operations Costs.

**Project Category:** Water Quality/Flood Reduction

**Project Title:** Toledo Avenue/Minnaqua Pond Stormwater Improvements

**Total Estimated Cost:** \$4,000,000  
(BCWMC portion \$700,000; HSEM 2,250,000; City 750,000, TRPD 300,000)

**BCWMC Project Number:** BC-xx

**Description:**

This project in the City of Golden Valley will include water quality and flood reduction improvements in the Minnaqua Pond area. Key partnerships and funding sources will be utilized to lower flood risk, relocate infrastructure out of the floodplain and improve water quality in Bassett Creek. A redesigned Minnaqua Pond & Bassett Creek will include stormwater treatment, expanded native vegetation buffers, and additional flood storage.

Source of Project Funding	2023	2024	2025	2026	2027
CIP Account – BCWMC ad valorem tax levy through Hennepin County					\$350,000

**Justification:**

Streets, driveways, and regional trail near Minnaqua Pond are impassable for residents and emergency response vehicles due to frequent flooding. In addition, Bassett Creek flows through Minnaqua Pond depositing sediment and phosphorus at a rate that requires more frequent maintenance and creates a nuisance condition. Bassett Creek is an impaired water.

Relocating infrastructure, creating flood storage, and redesigning the pond/stream interface will lower flood risk and damage, improve water quality of Bassett Creek and downstream waters, improve maintenance, and enhance vegetation and wildlife habitat.

**Scheduling and Project Status:**

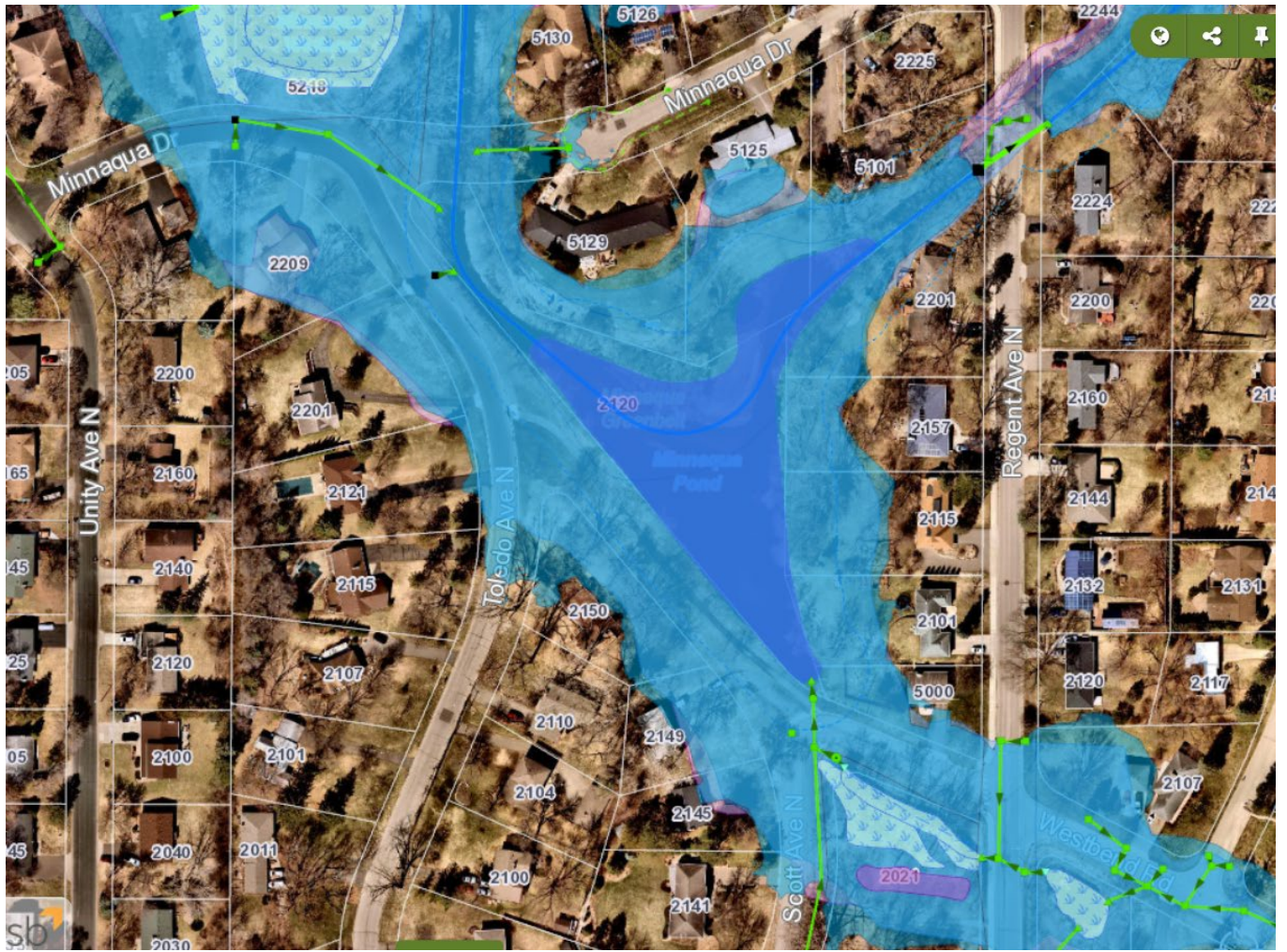
A Feasibility Study will need to be prepared for this project.

**Relationship to BCWMC Plan and Other Projects:**

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. It meets the “gatekeeper” criteria (policy 111) of addressing flooding concerns, and would also improve water quality in a priority waterbody (Bassett Creek). The project is also included in the City of Golden Valley CIP.

**Effect on Annual Operations Costs:**

This project has no effect on BCWMC Annual Operations Costs.





**Project Category:** Water Quality/Water Capacity

**Project Title:** **Plymouth Creek Stream Restoration – Dunkirk Lane to Yuma Lane**

**Total Estimated Cost:** \$350,000

**BCWMC Project Number:** [Staff will assign number]

**Description:**

This project in the city of Plymouth will repair erosion and sedimentation that is occurring in Plymouth Creek from Dunkirk Lane to Yuma Lane. Various methods of repairing erosion will be investigated including installing of storm sewer pipe, bioengineering techniques, rip rap and gabion installation.

Source of Project Funding	2018	2019	2020	2021	2022
CIP Account – BCWMC ad valorem tax levy through Hennepin County					

Staff will assign funding year.

**Justification:**

This stream restoration project will remove sediment from storm water runoff and repair erosion and sedimentation within this segment of Plymouth Creek.

As a part of the stream restoration project, educational efforts including outreach and signage along the trail will be included

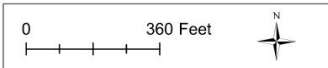
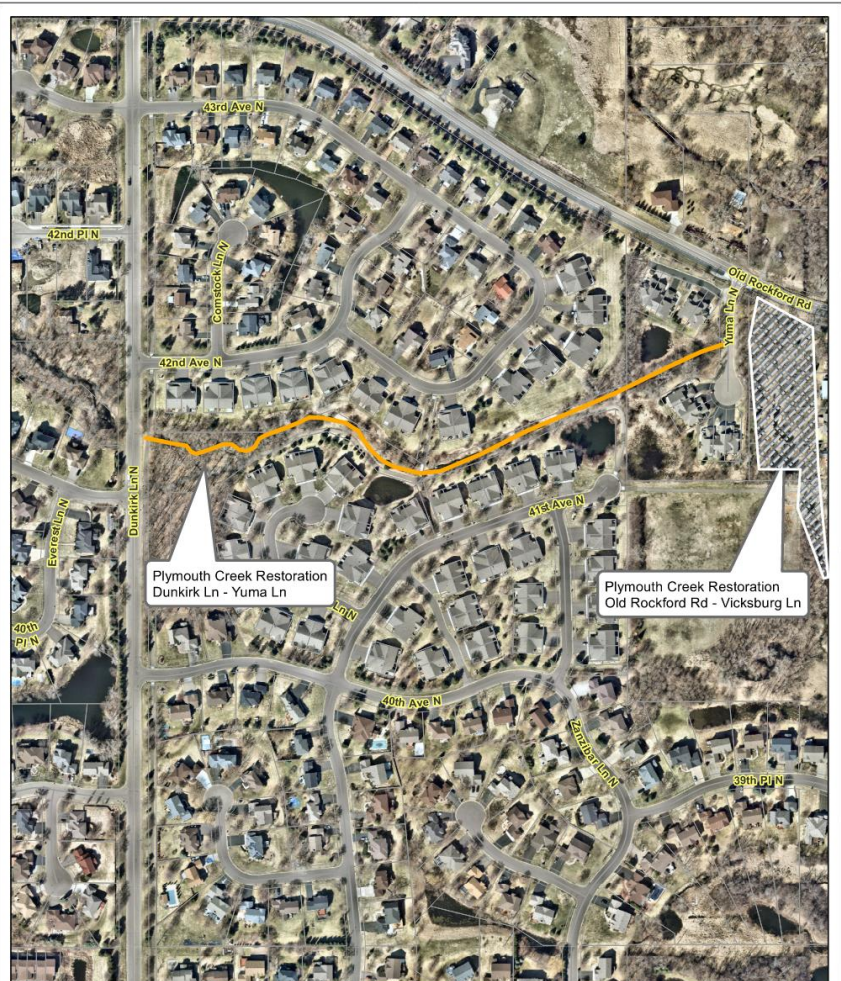
**Scheduling and Project Status:**  
[Staff will provide this information.]

**Relationship to BCWMC Plan and Other Projects:**

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. This project would assist in meeting the goals of the Medicine Lake Total Maximum Daily Load project.

**Effect on Annual Operations Costs:**

This project has no effect on BCWMC Annual Operations Costs.



**Plymouth Creek Restoration  
Dunkirk Lane to Yuma Lane**



THIS REPRESENTS A COMPILATION OF INFORMATION AND DATA FROM CITY, COUNTY, STATE AND OTHER SOURCES THAT HAS NOT BEEN FIELD VERIFIED. INFORMATION SHOULD BE FIELD VERIFIED AND COMPARED WITH ORIGINAL SOURCE DOCUMENTS.



**Project Category:** Water Quality/Water Capacity

**Project Title:** **Plymouth Creek Stream Restoration – Vicksburg Lane to County Road 9**

**Total Estimated Cost:** \$250,000

**BCWMC Project Number:** [Staff will assign number]

**Description:**

This project in the city of Plymouth will repair erosion and sedimentation that is occurring in Plymouth Creek from Vicksburg Lane to County Road 9. Various methods of repairing erosion will be investigated including installing of storm sewer pipe, bioengineering techniques, rip rap and gabion installation.

Source of Project Funding	2018	2019	2020	2021	2022
CIP Account – BCWMC ad valorem tax levy through Hennepin County	Staff will assign funding year.				

**Justification:**

This stream restoration project will remove sediment from storm water runoff and repair erosion and sedimentation within this segment of Plymouth Creek.

As a part of the stream restoration project, educational efforts including outreach and signage along the trail will be included

**Scheduling and Project Status:**  
[Staff will provide this information.]

**Relationship to BCWMC Plan and Other Projects:**

This project is consistent with the goals and policies of the BCWMC Watershed Management Plan. This project would assist in meeting the goals of the Medicine Lake Total Maximum Daily Load project.

**Effect on Annual Operations Costs:**

This project has no effect on BCWMC Annual Operations Costs.



Plymouth Creek Restoration  
Vicksburg Lane to County Road 9



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## Bassett Creek Watershed Management

# MEMO

Date: March 11, 2021  
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 Feb):** 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 was ongoing through the winter. As of early June 2020, earth work and infrastructure work by Dahn Construction is nearly complete and trail paving is complete. Vegetative restoration by AES is underway including soil prep and seeding. Plants, shrubs, and trees will begin soon along with placement to goose protection fencing to help ensure successful restoration. The construction phase of this project was completed in June with minor punch list items completed in September. The restoration and planting phase is complete except for minor punch list items and monitoring and establishment of vegetation over three growing seasons. A final grant report for BWSR's Watershed Based Implementation Funding was submitted at the end of January. 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 the subject of an article in the Southwest Journal in February: <https://www.southwestjournal.com/voices/green-digest/2020/02/state-awards-grant-to-bryn-mawr-runoff-project/>. In early September, Minneapolis and MPRB staff met to review the implementation agreement and maintenance roles. BCWMC developed options for contracting and implementation which were presented at the November meeting. At that meeting staff was directed to develop a memorandum of understanding or agreement among BCWMC, MPRB, and city of Minneapolis to more formally recognize and assign roles and responsibilities for implementation. The draft agreement was sent to MPLS and MPRB staff earlier this week in advance of a meeting with them about the project scheduled for January 14<sup>th</sup>. The agreement is being reviewed by MPLS and MPRB. A meeting among the partners to review comments on the agreement will be scheduled for late March or early April. The Commission Engineer plans to bring a proposal for project design to the April Commission meeting. Project website: <http://www.bassettcreekwmo.org/projects/all-projects/bryn-mawr-meadows-water-quality-improvement-project>

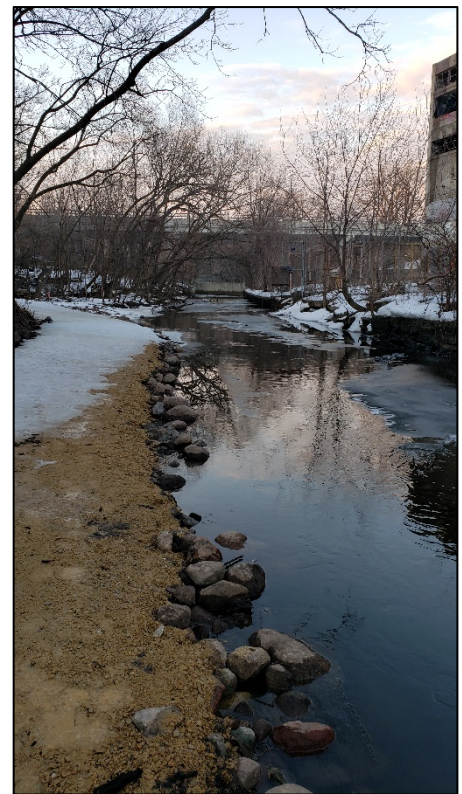
**2020 Jevne Park Stormwater Improvement Project (ML-21) Medicine Lake (No change since Oct 2019):** At their meeting in July 2018, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The study got underway last fall and the city's project 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 (No change since October 2020):** 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 2017 meeting and was finalized over the winter. The Sun Sailor printed [an article](#) on the project in October 2018. The project is largely complete and a ribbon cutting by the city was held September 13<sup>th</sup>. The building and site are open to the public and being used to educate students. There are still punch list items which must be addressed by the contractor to finalize the work. The system is capturing stormwater runoff from roof and paving, and the runoff is being stored underground and pumped via solar or hand pumps into the engineered creek. None of the

captured water is flowing over land into Westwood Lake. The educational sign indoors is installed. Project website: <http://www.bassettcreekwmo.org/projects/all-projects/westwood-lake-water-quality-improvement-project>.

**2017 Main Stem Bassett Creek Streambank Erosion Repair Project (2017CR-M) (no change since Feb):** 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. Construction was to begin summer of 2018 but was delayed until 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 ongoing negotiations with Pioneer Paper.

Construction began in November 2020 with clearing and grubbing to have access to the creek and to remove trees from the work area. In the Fruen Mill Reach work was completed per design plans on the south side of the creek, including stabilizing the existing MPRB trail, installing riprap toe protection and grading the bank. In the Cedar Lake Road to Irving Avenue Reach, the City was unable to come to an agreement with Pioneer Paper to get the amount of access needed to install the VRSS on the north side of the creek. The property owner allowed access to the streambank but instead of installing VRSS through this reach the City installed riprap toe protection, removed debris, completed bank grading and live staking and seeding, and installed the in-stream rock vanes to divert flows away from the steep banks. In Irving Avenue to the tunnel reach, the work was completed according to design plans with the installation of live staking, rock vanes within the stream channel, removal of brush and invasive species, and the installation of live stakes and fascines to encourage native plant growth and minimize bank erosion. Construction was completed in December 2020. An ERF grant report and RAP report are currently being developed. Vegetation will be established this spring. Project Website:



[www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-erosion-repair-project-cedar-lake-ro](http://www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-erosion-repair-project-cedar-lake-ro)

**2014 Schaper Pond Diversion Project, Golden Valley (SL-3):** 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. At

the October 2020 meeting, the Commission received a report on the carp surveys and recommendations for carp removal and management. Carp removals were performed through the Sweeney Lake Water Quality Improvement Project. Results were presented at the February 2021 meeting along with a list of options for long term carp control. Commission took action approving evaluation of the long-term options to be paid from this Schaper Pond Project. Commission and Golden Valley staff met in March 2021 to further discuss pros and cons of various options. Evaluation results will be presented at a future meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=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 are available online. The curly-leaf pondweed herbicide treatment was completed in May. Carp Solutions performed carp tracking and setting nets in early June. The first round of netting resulted in 334 carp removed from Sweeney Lake (mean length 620 mm, mean weight 3.1 kg), representing an estimated 29% of the total population. From Schaper Pond 82 carp removed which likely represents about 17% of the initial population. After another round of carp removals in late July, 118 additional carp were netted from Sweeney. Based on preliminary estimates, approximately 40% of the carp population was removed from Sweeney this summer. The carp biomass was reduced from approximately 129 kg/ha to 79 kg/ha, which is below the threshold where adverse impacts on water quality are expected. The first round of alum treatment was completed in late October. A grant report and payment request were submitted at the end of January. A report on the results of the carp removals and recommendations for future management were presented at the February 2021 meeting. Long term carp management evaluation will happen through the Schaper Pond Diversion Project funding. I am developing a fact sheet on 2020 project outcomes for the Sweeney Lake Association. The project website: [Sweeney Lake Water Quality Improvement Project, SL-8](http://www.bassettcreekwmo.org/index.php?cID=277)).

**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?cID=278>.

**2013 Four Seasons Area Water Quality Project/Agora Development (NL-2) (No change since Oct 2020):** 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 were approved May 2020 and project designers coordinated with Commission Engineers to finalize plans per conditions. The redevelopment

project is scheduled to be before the Plymouth City Council again on November 24<sup>th</sup> for approval of various items including final plat, the stormwater grant agreement, and site improvement performance agreement. If approved, Dominion is scheduled to close on the property in the first half of 2021 and potentially begin construction later next year. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=282>.

**2021 Parkers Lake Drainage Improvement Project (PL-7) (No change since January):** The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to design and construct the project. The city hired WSB for project design which is currently underway. [www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project](http://www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project)

**2021 Parkers Lake Chloride Reduction Project (PL-7):** The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to implement the project in coordination with commission staff. City staff and I have had an initial conversation about this project. The city plans to collect additional chloride data this winter in order to better pinpoint the source of high chlorides loads within the subwatershed. Partners involved in the Hennepin County Chloride Initiative (HCCI) are interested in collaborating on this project. A proposal from Plymouth and BCWMC for the “Parkers Lake Chloride Project Facilitation Plan” was approved for \$20,750 in funding by the HCCI at their last meeting. The project will 1) Compile available land use data and chloride concentrations, 2) Develop consensus on the chloride sources to Parkers Lake and potential projects to address these sources, and 3) Develop a recommendation for a future pilot project to reduce chloride concentrations in Parkers Lake, which may be able to be replicated in other areas of Hennepin County, and 4) help target education and training needs by landuse. Project website: [www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project](http://www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project)

**2021 Mt. Olivet Stream Restoration Project (ML-20) (No change since January):** The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to design and construct the project. The city hired WSB for project design which is currently underway. [www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project](http://www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project)

**2021 Main Stem Lagoon Dredging Project (BC-7) (No change since Feb):** The feasibility study for this project was approved in May 2020 with Alternative 2-all (dredge all three lagoons to 6-foot depth) being approved. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020. Rather than entering an agreement with a separate entity to design and construct this project, the Commission will implement the project in close coordination with the MPRB. At their meeting in November, the Commission approved a timeline for implementation and the Commission Engineer was directed to prepare a scope of work for project design and engineering. That scope is presented in 5C at this meeting. Design and permitting should get underway in summer 2021. Dredging of all three lagoons is planned for winter 2022/2023. A grant agreement for the \$250,000 Watershed Based Implementation Funding grant was approved at the January meeting. The agreement and work plan have been submitted to BWSR. Unfortunately, we were not successful at receiving a Hennepin County ERF this round. However, we’ll receive almost \$75,000 from the Hennepin County Opportunity grant (pending County Board approval in March). Project website: [www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-lagoon-dredging-project](http://www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-lagoon-dredging-project)

**2021 Cost-share Purchase of High Efficiency Sweeper (ML-23) (No change since Dec):** Because the Commission had not entertained a project like this in the past (to cost share equipment purchase), this proposed project was discussed by the Commission in February and April, 2020 after being recommended for approval by the TAC. The Commission approved a [policy](#) regarding the use of CIP funds for equipment purchases at their April 2020 meeting. The project was added to the CIP through a Watershed Plan Amendment adopted in August 2020 and was officially ordered by the Commission on September 17, 2020 after a public hearing. The Commission entered an agreement with the city of Plymouth which includes reporting requirements for street sweeper use and effectiveness. The first report is expected spring 2021.



**2022 Medley Park Stormwater Treatment Facility (ML-12):** The feasibility study for this project is underway after the Commission Engineer's scope of work was approved last August. City staff, Commission Engineers and I collaborated on developing materials for public engagement over the fall/early winter. A project kick-off meeting was held in September, an internal public engagement planning meeting was held in October, and a Technical Stakeholder meeting with state agencies was held in November. A [story map of the project](#) was created and a survey to gather input from residents closed in December. Commission Engineers reviewed concepts and cost estimates have been reviewed by city staff and me. Another public engagement session will be held in April to showcase and receive feedback on concept designs. A draft feasibility report is expected in May. [www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility](http://www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility)

**2022 SEA School-Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10):** The feasibility study for this project is underway after the Commission Engineer's scope of work was approved last August. A project kick-off meeting with city staff was held in late November. Meetings with city staff, Robbinsdale Area School representatives, and technical stakeholders were held in December, along with a public input planning meeting. A storyboard and video are being developed for the public, to be available late March or early April. A virtual open house may be held in April, if needed. A draft feasibility study report is expected in May. [www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project](http://www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project).

## Other Work

### CIP Project Work and Technical Assistance

- Participated in meetings and correspondence on FEMA modeling and mapping project with DNR and Commission Engineers including Flood Risk Review meeting
- Discussed Parkers Lake Chloride Reduction Project with city staff, reviewed proposal from Young Environmental, provided input and assisted Plymouth staff with presenting proposal to Hennepin County Chloride Initiative group
- Assisted cities with updating proposed CIP project fact sheets, updated existing CIP with needed changes, added proposed projects into 5-year CIP
- Continued discussions and review of options for carp management with Commission Engineer and Golden Valley staff.
- Visited Westwood Nature Center and Main Stem Erosion Repair Project to look at projects, take photos
- Reviewed and commented on SEA School-Wildwood Flood Reduction Project concepts and public engagement materials
- Reviewed and commented on Medley Park Stormwater Treatment Facility Project concepts, cost estimates, and public engagement materials; discussed public engagement with Commission Engineer and city staff
- Discussed curly-leaf pondweed growth in Lost Lake with CAMP volunteer
- Discussed various items with MPRB staff including Twin Lake riparian vegetation, ski wax use near Twin Lake, Lagoon Dredging Project grant opportunities
- Working to find curly-leaf pondweed herbicide applicator, applying for MnDNR permit, applying for MnDNR grant
- Discussions on proposed city of Medicine Lake wetland dredging project with Commissioner Carlson, Commission Engineers, and Medicine Lake Councilmember Heim; participated in pre-technical evaluation panel discussion
- Assisting with Hennepin County Chloride Initiative (HCCI) agenda development; assisting with finding technical advisors for Winter Maintenance Site Management Plan template development project; meeting with BSWR and RPBCWD staff re: future coordination of HCCI

### Administration and Education

- Assisted with ideas for walking tour of Bassett Creek project sites with Minnesota Stormwater Committee
- Participated in Blue Thumb's Environmental Justice Hub sub-committee meeting on plan reviews
- Participated in MAWD's Handbook Committee meeting; worked on revisions to Chapters 1 and 2
- Assisted with financial audit, reviewed March financial statements and invoices, developed accounting codes for Redpath
- Participated in WMWA meeting
- Arranged, prepared agenda and materials; prepped for and hosted BCWMC TAC meeting

- Updated website with new committee members and officers, posted revised Requirements Document
- Participated in meeting of Minnesota Association of Watershed Administrators and MAWD/SWCD collaboration meeting
- Reviewed and posted education videos; reviewed education article
- Prepare and submit invoice to city of Minneapolis for Irving Ave. Sanitary Sewer Project review expenses
- Coordinate CAMP volunteers; submit information to Met Council
- Responded to residents re: volunteer opportunities, project review needs, riparian vegetation management restrictions
- Meeting with BWSR on PRAP program; submitting contact information for partners, commissioners, staff for future survey
- Performed high level review of MPRB Comp Plan and Hennepin County Climate Action Plan and completed surveys
- Coordinated development of updated contractor service agreements
- Arranged Budget and Education Committee meetings