



Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting Thursday, June 17, 2021 8:30 a.m.

Via video conference due to the COVID-19 global pandemic

1. CALL TO ORDER and ROLL CALL

On Thursday, June 17, 2021 at 8:33 a.m. via video conference Chair Cesnik brought the Bassett Creek Watershed Management Commission (BCWMC) to order.

Commissioners and city staff present: 31

| 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 | Eric Eckman |
| Medicine Lake | Clint Carlson | Gary Holter | <i>Absent</i> |
| Minneapolis | Michael Welch | <i>Absent</i> | Katie Kowalczyk |
| Minnetonka | <i>Absent</i> | <i>Vacant Position</i> | Leslie Yetka |
| New Hope | <i>Absent</i> | Patrick Crough | Megan Hedstrom |
| Plymouth | Catherine Cesnik | <i>Absent</i> | Ben Scharenbroich, Chris LaBounty |
| Robbinsdale | Wayne Sicora | <i>Vacant Position</i> | Marta Roser |
| St. Louis Park | <i>Absent</i> | <i>Absent</i> | Erick Francis |
| Administrator | Laura Jester, Keystone Waters | | |
| Engineers | Josh Phillips, Peter Hinck, Michelle Kimble, Katie Turpin-Nagel, and Karen Chandler, Barr Engineering | | |
| Recorder | Dawn Pape, We All Need Food and Water | | |
| Legal Counsel | Dave Anderson, Kennedy & Graven | | |
| Presenters/ Guests/Public | Justin Klabo, AE2S; Laura Rescorla and Jake Newhall, WSB; Jake Walesch and Dave Gonyea, Gonyea Homes; Robert Molstad and Eric Johnson, Sathre Bergquist | | |

2. PUBLIC FORUM ON NON-AGENDA ITEMS

No members of the public were present for the public forum.

3. APPROVAL OF AGENDA

MOTION: Alternate Commissioner Crough moved to approve the agenda. Commissioner Welch seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

4. CONSENT AGENDA

The following items were approved as part of the consent agenda. Item 4E was pulled from the agenda for further review and discussion and added to the business agenda.

- A. Approval of Minutes – May 20, 2021 Commission Meeting
- B. Acceptance of June 2021 Financial Report
- C. Approval of Payment of Invoices
- D. Approval of Feasibility Study for SEA School-Wildwood Park Flood Reduction Project
- E. Approval of Proposal for Bryn Mawr Meadows Water Quality Improvement Project Design by Commission Engineer Conditioned on Fully Executed Bryn Mawr Design Agreement
- F. Approval to Set Technical Advisory Committee Meeting to Discuss Bassett Creek Hydrologic & Hydraulic Model and Four Seasons CIP Project Options
- G. Approval of Reimbursement to Chair Cesnik for Salt Symposium Registration
- H. Approval for Administrator Jester to Attend Salt Symposium

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

| Current Assets | Capital Improvement Projects | General Fund | TOTAL |
|---|------------------------------|----------------------|------------------------|
| Checking | \$ 377,390.51 | \$ 132,778.06 | \$ 542,440.57 |
| 4MP Fund Investment | \$3,501,239.06 | \$ 86.40 | \$ 3,501,325.46 |
| 4M Fund Investment | \$1,483,511.82 | \$ 25.08 | \$ 1,483,536.90 |
| Total Checking/Savings June 2021 | \$ 5,362,141.39 | \$ 132,889.54 | \$ 5,527,302.93 |

MOTION: Commissioner Welch moved to approve the consent agenda as amended. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

5. BUSINESS

A. Consider Approval of 60% Design Plans for Parkers Lake Drainage Project and Mt. Olivet Stream Restoration Project

In September 2020, the Commission entered an agreement with the City of Plymouth to design and construct these two projects. Plymouth TAC member Ben Scharenbroich introduced Engineers Laura Rescorla and Jake Newhall from WSB Engineering. They presented the 60% design plans for each project. The improvements are in line with the feasibility study and include bioengineering with some hard armoring for areas experiencing high

stream velocities and severe erosion. Ms. Rescorla showed a heat map that indicates stream velocity and helps determine which methods would be most effective. The color-coded plan indicated levels of erosion where hard armoring will be necessary. Ms. Rescorla briefly explained the costs and which parties would be responsible for different portions and that 57 low-value trees will need to be removed. Ms. Rescorla also described the wetland restoration associated with the Mt. Olivet Project and noted that total phosphorus removals are expected to be slightly higher than the feasibility study estimates.

Commission Engineer Chandler introduced Peter Hinck from Barr Engineering who would be available to answer questions. She walked through some comments on the plans, particularly related to differences between the feasibility study and the plans, including the use of hard armoring, which was not recommended in the feasibility study. She noted agreement that the different practices proposed in the 60% plans were acceptable and warranted, and recommended conditional approval of the plans with comments that should be addressed prior to submittal of the 90% plans.

Commissioner Harwell asked many questions about the modeling. For example, she was wondering about the boundary conditions and if the modeling was only done for a 100-year event. She wanted to see more detail in the cell size component. She noted that plans should show all riprap locations. Commissioner Harwell also mentioned that the adjacent church (at the Mount Olivet project site) might be willing to engage in education and outreach regarding deicers.

Mr. Newhall explained that field observations were also used in addition to modeling to determine hard armoring location needs.

Commissioner Carlson asked how flow velocities are measured. Mr. Newhall explained that the modeled flow (from the feasibility study) is run through the stream cross section using the HEC-RAS model to estimate the flow velocities. The velocities help provide guidance on riprap sizing.

Commissioner Welch brought up big picture points and questions, i.e. the bridge to be built for the church shouldn't be a Commission expense; the church's chloride management should be appropriate and be included in the agreement with the city; maintenance of the project is critical, and he would like to avoid over riprapping. Commissioner Welch raised a concern that another project done by WSB in Golden Valley was largely riprapped and the Commission didn't find out about it until after the fact.

Ben Scharenbroich responded that the city will work with the church on the stream crossing and with the adjacent apartment complexes and church regarding chloride management, and that the city will maintain this area. He also noted that there was a virtual public open house last night with one member of the public in attendance. The meeting presentation will be posted on the website.

MOTION: Commissioner Harwell moved to conditionally approve the 60% plans with the Commission Engineer's comments to be addressed prior to submittal of the 90% plans. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

B. Consider Approval of Feasibility Study and Choose Concept to Implement for Medley Park Stormwater Treatment Facility Project

At last month's meeting, the Commission received a presentation of the draft feasibility study for this project. After considerable discussion about the three concepts and pollutant removal capabilities, the Commission requested that additional evaluation and information (especially regarding dissolved phosphorus removal) be included in the final report for consideration at this meeting. Commission Engineer Katie Turpin-Nagel presented details on changes made to the report and laid out the site challenges that limit dissolved phosphorus removal.

Staff recommended approval of the report and implementation of Concept #3 since it provides the best flood protection, a high-level of total phosphorus removal, has the lowest cost, and is the easiest to maintain.

Chair Cesnik complimented Engineer Turpin-Nagel for addressing concerns from the last meeting; Commissioners Harwell and Welch complimented Engineer Turpin-Nagel for the great presentation and for fully exploring options for additional phosphorus removal.

MOTION: Commissioner Welch moved to approve the feasibility study and move forward with implementation of Concept #3. Alternate Commissioner Crough seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

G. Consider Approval of Budget Committee Recommendations for Proposed 2022 Operating Budget

[Agenda item G. was moved up on the agenda]

The proposed 2022 Operating Budget was briefly discussed at the May meeting. The Budget Committee met on June 7th to further refine its recommendations. Committee Chair McDonald Black walked the Commission through the memo that outlines the committee's recommendations. She noted the difference between the budget increase of \$38,000 (a 5.7% increase) versus city assessments increase of only 2%. She explained that the committee recommended closing the TMDL long-term account and moving those funds into a general account. She expressed concern about low budget increases over time. She wanted to make sure the Commission understands that the cushion is temporary and that there may need to be additional increases for 2 consecutive years which might result in a higher assessment.

Commissioner Welch agreed that it doesn't make sense to keep the long term TMDL account as there are no plans to use the funds. He recommended informing the cities that future assessments may go up and to explain why they were kept low during the last two years.

There was a brief discussion about Administrator Jester's compensation. She replied that her salary was competitive and that she was comfortable with the status quo.

Staff recommended approval of the proposed budget to be submitted to member cities for review and comment.

MOTION: Commissioner Carlson moved to approve the proposed budget. Commissioner Welch seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

5-MINUTE BREAK

C. Set Maximum Levy for 2022 Capital Improvement Projects

Administrator Jester reminded the Commission that a maximum 2022 levy amount for collection by Hennepin County must be set at this meeting. She recommended a levy of \$1.7M for the projects listed in the table that included approval of Concept 3# for the Medley Park Stormwater Treatment Facility. She noted the Commission can lower the levy request when it submits its final levy amount in September of this year, but it cannot request a higher levy.

MOTION: Commissioner Welch moved to approve a \$1.7M maximum 2022 levy. Alternate Commissioner Crough seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

D. Consider Approval of Hollydale Development Project, Plymouth

Commission Engineer Josh Phillips described the proposed project and noted the development is located within a floodplain, requires filling and grading and is in the Plymouth Creek subwatershed at the former Hollydale Golf Course. The project includes site demolition and construction of a 229 single-family home development including streets, house pads, utilities, and stormwater management resulting in 112 acres of land disturbance. The proposed project creates 34.7 acres of new and fully reconstructed impervious surfaces. The project increases floodplain storage, goes beyond BCWMC requirements for rate control, and meets BCWMC requirements for water quality primarily using stormwater reuse. This is a very large, 135-acre development project. The project includes stormwater reuse to meet the stormwater requirement which is unique. He also noted that while the project is within the BCWMC's jurisdiction, a small portion of the project site drains to the Elm Creek watershed.

Engineer Phillips noted that the scale of the project lead to lengthy comments from the Commission Engineer including one critical comment regarding floodplain impacts. It was noted that the applicant already reviewed the comments and a re-submittal was received yesterday. Although more time is needed to review the re-submittal, it is anticipated that developer will be able to address the comments. If additional concerns or other items are not addressed, this could be brought to a future meeting.

Commissioner Welch urged that the applicant's name be noted on the Commission review memo and that it would be nice to have a table with the lowest floor elevations included in the memo.

Ben Scharenbroich with the City of Plymouth reported that the wetland replacement approval was going to be considered at the upcoming Plymouth City Council meeting. Wetland banking credits would be bought from Plymouth's bank because they are proposing to fill one small wetland.

Commissioner Welch commented that he found the stormwater reuse interesting and wondered what would be watered and how sustainable the reuse system would be. Engineer Phillips replied that common spaces and outlots would be irrigated.

A discussion about the Commission Engineer's comments and expectations of homeowners to follow chloride management plan followed.

Commissioner Harwell expressed concern that the volume reduction and credits given may not be appropriate. Instead, BCWMC should be more concerned about treating more frequent storms. She also wasn't convinced that "C" soils will even need irrigation. She felt strongly that the project needs a more thorough review before she would feel comfortable approving it. She also mentioned the number of driveways would make chloride management an issue.

In response, Engineer Phillips described the stormwater reuse calculator used to calculate the water quality benefits.

Alternate Commissioner McDonald Black stated that this is a huge area in an already very developed watershed. She wants to make sure this opportunity isn't passed up to improve water quality. She wondered about taking a step back and collaborating with the city and developer to explore ways to make this a stronger project.

Commissioner Sicora said he's usually comfortable deferring to the city and the Commission Engineer to work through the details of the Operations and Maintenance Plan (O & M), but he's less comfortable with this one due to the magnitude of the project.

[Erick Francis joined meeting]

Jake Walesch with Gonyea Homes, mentioned that although large rains happen less frequently, these can be most impactful and that the projects goes well beyond the required reductions. The water reuse would be

maintained by the HOA through the agreement with the city. The irrigation system is the system that would be used by homeowners as well.

Commissioner Welch asked about the timeline and Plymouth TAC member Chris LaBounty replied the city council will be reviewing this on Tuesday. The council needs to act on preliminary platting by July 13th. Mr. LaBounty added that density decreased from the original EAW to add conservation easements. He would be happy to meet to discuss opportunities with the Commission and the developer.

Attorney Anderson asked when the application was received to determine whether the Commission needed to act on this immediately.

Commissioner Harwell stated that many items hadn't been fully fleshed out. She's concerned about irrigating with chloride-laden water. She also pointed out that the reuse model was developed by Barr, so they won't question their own modeling.

Engineer Phillips added that the application was received on May 6, 2021. The Commission has 60 days to respond with approval or send initial comments to the developer to bring back an amended plan.

Attorney Anderson clarified that within the first 60 days, the Commission must approve, deny, or extend the review period in writing. The Commission only has discretion to say whether or not it meets requirements.

MOTION: Commissioner Welch moved to extend the review period for Hollydale Development by 60 days to allow for further analysis and to address Commissioners' questions. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minnetonka and St. Louis Park absent from the vote and New Hope abstaining.

E. Consider Approval of Bryn Mawr Design Agreement with Minneapolis Park and Rec Board and City of Minneapolis

This project will be constructed in conjunction with the redevelopment of the Bryn Mawr Meadows Park by MRPB. The feasibility study for this project was approved January 2019 and includes components on parkland and within City of Minneapolis rights-of-way. The Commission Engineer is slated to design the CIP project, in close coordination with MRPB park design consultants. The agreement lays out roles and responsibilities regarding the design phase of this project among the Commission, MPRB, and the city of Minneapolis. It was discussed and negotiated over several months among all parties' staff and legal counsel. Input was also gathered from Commissioner Welch. This agreement is also being considered by the MPRB Board of Commissioners and the Minneapolis City Council this month.

MOTION: Commissioner Welch moved to approve the Bryn Mawr Design Agreement with Minneapolis Park and Recreation Board and City of Minneapolis. Commissioner Harwell seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

4E. Approval of Proposal for Bryn Mawr Meadows Water Quality Improvement Project Design by Commission Engineer Conditioned on Fully Executed Bryn Mawr Design Agreement

Commissioner Welch pulled the item from the consent agenda because he was looking for a brief summary of what changed from the previous version. Engineer Chandler explained that there is only one assumption left due to conversations with the Park Board staff and their design consultants. In addition, another review step was added to align with the provisions in the agreement, the construction observation time was reduced, more refinement was made in the environmental review, and some changes were made to the schedule.

MOTION: Commissioner Welch moved to approve the proposal. Commissioner Harwell seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

F. Review Status of 2021 Operating Budget

Administrator Jester reviewed that the end of May marks one third of the way through the Commission's fiscal year as shown in the June financial report (Item 4B). For the most part, expenses are in line with expectations for this time of year. Expenses for her time were higher than expected because she was busier than usual with grant reporting, Bryn Mawr agreement discussions, Hennepin County Chloride Initiative coordination, work on outreach and reviews of multiple CIPs, Twin Lake riparian issues, MAWD meetings and committee work, and participation on environmental justice committees. She expects that time commitments will be reduced over the remainder of the year and that no budget amendments are recommended at this time.

6. COMMUNICATIONS

A. Administrator's Report

- i. Future Meetings Format and Options. Administrator Jester noted that she is working to secure meeting space for in person meetings starting in August. Attorney Anderson noted that hybrid meetings are logistically difficult to meeting the open meeting law and said we should go back to in person once the governor's executive order is lifted.

B. Chair—nothing to report

C. Commissioners—nothing to report

D. TAC Members

- i. Update on Four Seasons Mall Site: City of Plymouth is in the process of purchasing that site and would like to explore installing the proposed BMP to fulfill the BCWMC's CIP as part of a larger development plan. There isn't a timeline yet.
- ii. Update on Beacon Heights 2nd Addition Stormwater Improvement Project: After additional site surveys, Plymouth asked that this project be removed from the CIP and noted the city will be making improvements with the street reconstruction.

E. Committees

Administrative Services and Education Committee meetings are being scheduled.

F. Education Consultant

- i. New Video and Making Connections Series

G. Legal Counsel—nothing to report

H. Engineer

- i. Update on 2021 Monitoring Activities—Lake sampling on Westwood and Crane Lakes were performed on the 15th and Parkers Lake will be monitored by Three Rivers Park District on behalf of the City of Plymouth. Crane Lake has high chloride levels. In addition, storm sampling was done on Sweeney Branch of Bassett Creek. Finally, Barr staff attended a street sweeping webinar.

Commissioner Harwell mentioned that her daughter and friends got swimmers' itch from Medicine Lake. Ben Scharenbroich replied that city staff is aware of it and that beaches are being treated. He wasn't sure if there was signage about it.

7. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet 4
- D. Freshwater Virtual Gala "Water Connects Us Celebration"
- E. WCA Notices of Application, Plymouth
- F. WCA Notice of Decision, Plymouth

8. ADJOURNMENT

MOTION: Alt. Commissioner Crough moved to adjourn the meeting at 11:44 a.m. Commissioner Carlson seconded the motion.