



## Bassett Creek Watershed Management Commission

### DRAFT Minutes of Regular Meeting Thursday, July 15 2021 8:30 a.m.

Via video conference due to the COVID-19 global pandemic

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

On Thursday, July 15, 2021 at 8:32 a.m. via video conference. Chair Cesnik brought the Bassett Creek Watershed Management Commission (BCWMC) to order.

#### Commissioners, city staff, and others present

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	<i>Vacant Position</i>	Mark Ray
Golden Valley	Stacy Harwell, Treasurer	Jane McDonald Black	Eric Eckman
Medicine Lake	Clint Carlson	<i>Absent</i>	<i>Absent</i>
Minneapolis	Michael Welch, Vice Chair	Jodi Polzin	Katie Kowalczyk
Minnetonka	<i>Absent</i>	<i>Vacant Position</i>	Leslie Yetka
New Hope	<i>Absent</i>	Patrick Crough	Megan Hedstrom
Plymouth	Catherine Cesnik, Chair	James Prom	Ben Scharenbroich, Chris LaBounty
Robbinsdale	Wayne Sicora	<i>Vacant Position</i>	Richard McCoy, Marta Roser
St. Louis Park	Jim de Lambert, Secretary	<i>Absent</i>	Erick Francis
<b>Administrator</b>	Laura Jester, Keystone Waters		
<b>Engineers</b>	Karen Chandler and Jim Herbert, Barr Engineering		
<b>Recorder</b>	Dawn Pape, We All Need Food and Water		
<b>Legal Counsel</b>	Dave Anderson, Kennedy & Graven		
<b>Presenters/ Guests/Public</b>	Brett Arne and Steve Christopher, BWSR Bob Molstad, Sathre-Bergquist, Inc. Dave Gonyea, Gonyea Custom Homes Justin Klabo, Advanced Engineering and Environmental Services, LLC Joe Retka, Enebak Construction Company		

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

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

**3. APPROVAL OF AGENDA**

**MOTION:** Commissioner Welch 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. Item 4E was pulled from the agenda for further review and discussion and added to the meeting agenda.

- A. Approval of Minutes – June 17, 2021 Commission Meeting
- B. Acceptance of July 2021 Financial Report
- C. Approval of Payment of Invoices
  - i. Keystone Waters, LLC – June 2021 Administrative Services
  - ii. Keystone Waters, LLC – June 2021 Printing Expenses
  - iii. Barr Engineering – June 2021 Engineering Services
  - iv. We All Need Food and Water – June 2021 Administrative and Education Services
  - v. Kennedy & Graven – May 2021 Legal Services
  - vi. Stantec – June WOMP Services
  - vii. Redpath – May Accounting Services
  - viii. Metro Watershed Partners – 2021 Contribution
  - ix. Metro Blooms – Lawns 2 Legumes Grant Project
- D. Set Public Hearing on 2022 CIP Projects for September 16, 2021
- E. Direct Staff to Evaluate Clean Water Fund Grant Materials and Apply for Medley Park Stormwater Treatment Facility If Warranted
- F. Approval of Special Projects Funding Request from West Metro Water Alliance (WMWA)

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

Current Assets	Capital Improvement Projects	General Fund	TOTAL
Checking	369,587.51	228,616.31	630,475.82
4MP Fund Investment	3,501,105.22	175.68	3,501,280.90
4M Fund Investment	1,483,511.82	25.08	1,483,536.90
<b>Total Checking/Savings July 2021</b>	5,354,204.55	228,817.07	5,615,293.62

**MOTION:** Commissioner de Lambert 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 Robbinsdale absent from the vote.

**5. BUSINESS**

**A. Review Administrative Services Committee Recommendations**

The committee met on July 7th to discuss a variety of topics. Committee Chair Harwell summarized the conversation and gave some reminders and recommendations regarding meeting conduct and procedures, including the need for early communication between cities and the Commission on large, controversial, or complicated projects; and limiting the use of the “chat” feature during virtual meetings to logistical meeting items.

[Commissioner Sicora joined the meeting.]

**B. Receive Presentation on Level II Performance Review of BCWMC**

The Board of Water and Soil Resources (BSWR) recently completed a Level II PRAP (Performance Review and Assistance Program) performance review of the BCWMC, including a survey of internal and external partners, review of progress toward watershed management plan goals and implementation of policies, a review of performance standards, and a review of wetland work, where applicable. BWSR staff Brett Arne presented the draft report with the findings and recommendations.

Mr. Arne reported that the BCWMC should be commended for their work in implementing core programs, rules, the Wetlands Conservation Act, planning efforts, and building partnerships. The board and staff have positive relationships with their partners. The BCWMC has also made significant progress toward implementing its watershed management plan, including meeting all basic standards and 8 of the 11 higher performance standards. He noted that meeting over 50% of the high-performance standards is considered “really good.”

The BCWMC was commended for meeting all of the basic performance standards including having data practices policies, updated capital improvement program, and completing required annual reports. In addition, it was noted that there is effective administration of the Wetlands Conservation Act. Mr. Arne noted that this report is a testament to the quality of work by the BCWMC and recognition among their partners. Programs and projects are successful due to grant writing, competent staff, and partnerships.

There were a few recommendations made by BWSR based on the data collected through internal and external surveys, including prioritizing development of an education and outreach strategy for BCWMC constituents, conducting a review of the BCWMC capital improvement program (CIP), developing clear and measurable goals for future plan implementation, prioritizing all training opportunities for staff implementing WCA, and considering a WCA appeals fee and clarifying the appeals process.

Mr. Arne stated that BCWMC is “knocking it out of the park” and that there are no immediate action items required because of the great job that is being done. He noted that comments on the draft report are welcome for the next 45-60 days until the report is finalized.

Steve Christopher from BWSR also recognized the outstanding work and very engaged board members.

Alternate Commissioner McDonald Black congratulated the Commission and noted that the BCMWC spends considerably less money doing their work than other similar agencies and that the BCWMC budget is decreasing compared to other watersheds. She suggested comparing budgets with neighboring watersheds. Mr. Christopher said he can send comparison data.

**C. Consider Approval of Hollydale Development in Plymouth**

At the June meeting, the Commission discussed this large project that 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 and creating 34.7 acres of new and fully reconstructed impervious surfaces. After a lengthy discussion, the Commission moved to extend the review period by 60 days to allow for additional analyses.

Chair Cesnik opened the discussion by reviewing the BCWMC’s review process and the decision before the Board at this meeting. Attorney Anderson commented that when BCWMC gets a project review application, they have 60 days to approve or deny it. It can be approved conditionally or the review period can be extended. The board must apply its standards.

Plymouth TAC member Ben Scharenbroich summarized items related to the Wetland Conservation Act (WCA), the wetland buffers that will be incorporated into the project (which meet or exceed BCWMC requirements), and briefly covered items discussed during a meeting with the developer, city staff, BCWMC Administrator and Commission Engineer including Smart Salting techniques. He also noted the city is drafting an operation and maintenance plan for the stormwater BMPs.

Commissioner Welch noted that the Commission should be advised on which requirements are triggered and met or not met, including wetland buffers. Commission Engineer Chandler reminded commissioners that they do not review projects for wetland buffers as that is a city function based on city ordinances (which are required to meet BCWMC standards).

In analyzing volume reduction and water quality treatment, Engineer Chandler explained that stormwater reuse alone cannot meet the Commission's water quality requirements. She walked the Commission through the reuse calculator and the new analysis pointing out the change from an original calculator to an updated calculator.

There was a discussion about the calculators and modeling tools. Commissioner Welch expressed concern about a potential lack of confidence in the calculator. Engineer Chandler clarified that multiple calculators were used to cross reference the results.

Commissioner Harwell asked how climate change is factored into the calculator. Engineer Chandler clarified that the calculator does not factor in future projected rainfall amounts, it only uses past data.

Commissioner Welch called on Commissioner Sicora for opinion. Commissioner Sicora said there is an art to the analyses and that it's an imperfect process because it's a model. He noted it's our best attempt at what we think will happen. He reported he thinks this is the best tool we have and that if the Commission Engineer and city engineers are satisfied, he is satisfied with the model results.

Justin Klabo, the developer's consultant, added a further explanation of the different calculators and how this particular calculator was chosen.

Commissioner Harwell inquired about the site constraints besides the tight soils. Mr. Scharenbroich replied that high groundwater is another site constraint.

Commissioner Harwell stated she was glad to see chloride reduction in the plans but that she is still concerned that salty water may be used to irrigate lawns and vegetation. She would like to incorporate salt education in relation to irrigation to homeowners.

Commission Engineer Chandler explained the "Flexible Treatment Option" process noting that if stormwater best management practices cannot be sized to meet requirements due to site constraints, the applicant must follow the flow chart to consider the Flexible Treatment Options (FTO). When it was determined that the stormwater reuse system would not meet the BCWMC volume reduction requirements, the applicant followed the design sequence flow chart to the first option, FTO #1, which requires that the project achieve volume reduction of at least 0.55 inches from the new and fully reconstructed impervious surfaces and provide 75% removal of total phosphorus.

The applicant provided a report, including soil borings, showing shallow groundwater and soils that are not very conducive to infiltration. They also provided water quality modeling using P8 to determine the total phosphorus loading and removals from the stormwater ponds. Although P8 does not have the capacity to model phosphorus loading and removals from stormwater reuse, Barr Engineering used the model to estimate the water quality treatment provided by reuse by adding a small rate of "artificial" infiltration to the dead storage of Pond 5S. The assumed pond infiltration rate is equivalent to the irrigation application rate of one inch per week over 18.3 acres, converted to a constant flow rate, which is appropriate assumption to account for irrigation in the P8 modeling.

Chair Cesnik summarized that with all the rules that have been triggered, applicant is meeting requirements. Mr. Klabo added more explanation about the reuse calculator.

Developer Dave Goyea said he's open to practices to reduce chlorides as well as increasing the wetland buffer area to exceed requirements. He is open to incorporating native vegetation and would invite help with the planting plan.

The discussion went back to reuse calculators with some commissioners wanting more confidence in them. Engineer Chandler noted that the memo language should be stronger because she is comfortable and confident with the results. Mr. Klabo further explained how the P8 model was used to evaluate removal of total phosphorus. Commissioner Harwell felt reassured by this explanation.

**MOTION:** Commissioner de Lambert moved to approve the Hollydale Development in Plymouth per BCWMC's engineer's recommendations and approve the project's erosion and sediment control plan. Commissioner Welch seconded the motion.

**MOTION:** Commissioner Welch moved to amend the prior motion to add a requirement that the city send the wetland buffer plan to the BCWMC Administrator. Commissioner de Lambert seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and Medicine Lake absent from the vote.

**VOTE ON ORIGINAL MOTION:** Upon a roll call vote, the motion carried 7-0, with the cities of Minnetonka and Medicine Lake absent from the vote.

**D. Receive Presentation on 2020 Lake Monitoring Results**

The BCWMC performed its regular monitoring on Sweeney and Twin Lake and partnered with TRPD on monitoring Medicine Lake in 2020. It was decided to table this presentation until the next meeting.

**5-MINUTE BREAK**

**E. Discuss Potential MAWD Resolutions**

Administrator Jester explained that the Commission could consider drafting and submitting policy recommendations to the MN Association of Watershed Districts for consideration in MAWD's resolutions process. Resolutions would be evaluated by the MAWD membership and voted on at the annual meeting in December. Approved resolutions would become part of MAWD's 2022 legislative platform. Staff does not have any recommended resolutions at this time. If anyone else has suggestions, send them to Administrator Jester.

Commissioner Welch add that there is already a list regarding soil health and agricultural runoff. He noted that the Commission could write a letter of support for existing resolutions and also voice support at the MAWD annual meeting.

**F. Discuss Potential for Fall Watershed Tour**

Administrator Jester explained that the BCWMC typically holds a watershed tour for commissioners, elected officials, and partners about every other year. The last tour was held in 2019 in conjunction with the 50th anniversary celebration. Administrator Jester was seeking direction on whether or not to plan for a fall 2021 bus or bicycling tour of projects and resources.

Commissioner Welch suggested a social gathering and or a bike/drive tour in September starting at Wirth Chalet to vie several past and future project locations along the Main Stem in Wirth Park and Minneapolis and end at Utepils Brewery on the creek.

**G. Appoint TAC Meeting Liaison (5 min)**

The next TAC meeting is scheduled for Thursday July 29th, 10:30 – 12:00 at Brookview. Discussion topics will include the benefits and timing for recommending adoption of an updated XP-SWMM model, and 2) options and timing for implementing the Four Seasons CIP Project under city ownership.

Commissioner Harwell volunteered to serve as that meeting liaison.

**6. COMMUNICATIONS**

A. Administrator’s Report

- i. Met Council Water Resources Policy Advisory Group. Administrator Jester was asked by Met Council to serve on the advisory group. Chair Cesnik thought that this was a good opportunity. There will a few meetings per year. Commissioner Welch asked Jester to report back after the first couple of meetings to see if it’s valuable.

B. Chair—nothing to report

C. Commissioners

- i. Report on Outreach Event in Harrison Neighborhood  
Commissioner Welch attended the event at Redeemer Lutheran. There were about 20 people in attendance.
- ii. Commissioner Welch reminded the Commission about attending Metro MAWD meetings.

D. TAC Members – no update

E. Committees

Administrative Services Committee met last week (report in Item 5A); Education Committee meeting is upcoming.

F. Education Consultant

- i. New Video about the residential raingarden in Golden Valley as part of the “Making Connections” Series.

Ms. Pape noted that her comments on the PRAP survey included a comment that there’s room for improvement with the BCWMC education and outreach program. She liked the idea of comparing what other watersheds spend. She noted that BCWMC supports many other worthy existing programs like River Watch, Metro Blooms and others, but spends less than \$15,000 in time and materials on targeted education/outreach. Whereas most other watershed districts have a minimum of two full-time staff people engaged with communications, education and outreach. She also suggested that training on the difference between education, outreach, and achieving behavior changes might be helpful.

G. Legal Counsel—nothing to report

H. Engineer – Engineer Chandler noted that monitoring continues on Westwood and Crane Lakes. She noted high chlorides measured in Crane Lake, even in July.

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

- A. [BCWMC Administrative Calendar](#)
- B. [CIP Project Updates](#)
- C. [Grant Tracking Summary and Spreadsheet](#)
- D. [Chair’s Declaration on Meeting Format](#)
- E. [WCA Notice of Decision, Plymouth](#)

**8. ADJOURNMENT**

The meeting was adjourned at 11:10 a.m.

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Signature/Title                      Date

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Signature/Title                      Date