



Bassett Creek Watershed Management Commission

Public Hearing & Regular Meeting

Thursday September 16, 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 885 0493 3318

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 – August 19, 2021 Commission Meeting
- B. Acceptance of September 2021 Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – August 2021 Administrative Services
 - ii. Keystone Waters, LLC – August 2021 Printing Expenses
 - iii. Barr Engineering – August 2021 Engineering Services
 - iv. Kennedy & Graven – July 2021 Legal Services
 - v. Shingle Creek WMC – West Metro Water Alliance Contribution
 - vi. Redpath – August Accounting Services
 - vii. We All Need Food and Water – August 2021 Administrative and Education Services
- D. Approval of Maryland Avenue Deck Improvements Project, Golden Valley

5. PUBLIC HEARING

- A. Receive Comments on Proposed 2022 CIP Projects (15 min)
 - i. Medley Park Stormwater Treatment Facility (ML-12)
 - ii. SEA School-Wildwood Park Flood Reduction Project (BC – 2, 3, 8, 10)

6. BUSINESS

- A. Consider Approval of Resolution 21-05 Ordering 2022 Improvements (15 minutes)
 - i. Ordering 2022 Improvements
 - ii. Making Findings Pursuant to Minnesota Statutes Section 103B.251
 - iii. Certifying Costs to Hennepin County
 - iv. Approving Agreement with City of Golden Valley for Construction of Medley Park Stormwater Treatment Facility (ML-12)
 - v. Approving Agreement with City of Golden Valley for Construction of SEA School-Wildwood Park Flood Reduction Project (BC – 2, 3, 8, 10)

BREAK

- B. Consider Recommendations on Carp Control Options for Schaper Pond and Sweeney Lake (30 min)
- C. Consider Recommendations on Watershed Based Implementation Funding Comments (20 min)
- D. Consider Recommendations for Main Stem Lagoon Dredging Project Permitting Process (10 min)

7. COMMUNICATIONS (10 minutes)

- A. Administrator's Report
 - i. Update on BCWMC Bicycle Tour
 - ii. Indigenous Voices Oral History Project
 - iii. Update on CAMP monitoring for chlorides
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Education Consultant
- G. Legal Counsel
- H. Engineer

8. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. Consider Providing Input on [Hennepin County Natural Resources Strategic Plan](#)
- E. WCA Notice of Decision, Golden Valley
- F. WCA Notices of Application, Plymouth
- G. [MAISRC Research & Management Showcase – Registration Open](#)

9. ADJOURNMENT

Upcoming Meetings & Events

- [MAISRC Research & Management Showcase](#): Wednesday September 22nd, online
- [BCWMC Bicycling Tour and Social Gathering](#): Thursday September 30th, approximately 4:00 start, Utepils Brewery, Minneapolis
- [BCWMC Regular Meeting](#): Thursday October 21st, 8:30 a.m., location to be determined



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: September 7, 2021

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: **Background Information for 9/16/21 BCWMC Meeting**

1. **CALL TO ORDER and ROLL CALL**
2. **PUBLIC FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA (10 minutes)**
 - A. Approval of Minutes – August 19, 2021 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of September 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 – August 2021 Administrative Services
 - ii. Keystone Waters, LLC – August 2021 Printing Expenses
 - iii. Barr Engineering – August 2021 Engineering Services
 - iv. Kennedy & Graven – July 2021 Legal Services
 - v. Shingle Creek WMC – West Metro Water Alliance Contribution
 - vi. Redpath – August Accounting Services
 - vii. We All Need Food and Water – August 2021 Administrative and Education Services
 - D. Approval of Maryland Avenue Deck Improvements Project, Golden Valley – **ACTION ITEM with attachment** –*The proposed project is located in the Sweeney Lake subwatershed in Golden Valley, MN. The proposed project includes a new deck, stairway, and concrete pads, which are in the BCWMC 100-year floodplain. The applicant proposes to mitigate the volume of fill in the floodplain by excavating and creating a raingarden. Staff recommends approval.*
5. **PUBLIC HEARING**
 - A. Receive Comments on Proposed 2022 CIP Projects (15 min) - **PUBLIC INPUT ITEM with attachment -** *The public hearing will be opened and the public will be asked for comments on the 2022 CIP projects. All comments will be entered into the public record and will be considered before the Commission approves the resolution in 6A below. Project webpages are linked below and in the attached public hearing notice. They can also be found at www.bassettcreekwmo.org/projects.*
 - i. [Medley Park Stormwater Treatment Facility](#) (ML-12)
 - ii. [SEA School-Wildwood Park Flood Reduction Project](#) (BC – 2, 3, 8, 10)
6. **BUSINESS**
 - A. Consider Approval of Resolution 21-05 Ordering 2022 Improvements (15 minutes) - **ACTION ITEM WITH ATTACHMENT -** *Pending the outcome of the public hearing in 5A, the attached resolution should be considered for approval to order the projects, designate members responsible for construction, make findings pursuant to MN Statutes 103B.25, certify the costs of the 2022 projects to Hennepin County, and*

approve agreements with the City of Golden Valley for implementation of the two projects in their city. Staff recommends approval of the resolution which approves the following:

- i. Ordering 2022 Improvements
 - ii. Making Findings Pursuant to Minnesota Statutes Section 103B.251
 - iii. Certifying Costs to Hennepin County - The attached memo lists the estimated project costs for the 2022 projects and recommends the Commission direct staff to certify for payment by Hennepin County in 2022 a total (final) tax levy of \$1,700,000.
 - iv. Approving Agreement with City of Golden Valley for Construction of Medley Park Stormwater Treatment Facility (ML-12) - The attached agreement between the City of Golden Valley and the BCWMC includes expectations and requirements of the city and the Commission for implementation of the Project.
 - v. Approving Agreement with City of Golden Valley for Construction of SEA School-Wildwood Park Flood Reduction Project (BC – 2, 3, 8, 10) - The attached agreement between the City of Golden Valley and the BCWMC includes expectations and requirements of the city and the Commission for implementation of the Project.
- B. Consider Recommendations on Carp Control Options for Schaper Pond and Sweeney Lake (30 min) – ACTION ITEM with attachment – At the February 2021 meeting, the Commission Engineer presented results of the 2020 carp removal efforts from Schaper Pond and Sweeney Lake. Staff was directed to evaluate various options for long term control of carp in these waterbodies and to correspond with Golden Valley staff on the options. The attached memo and matrix describe the various options and provides recommendations on moving forward with further evaluation of carp movement and population changes in 2022. Golden Valley staff agree with these recommendations. Staff recommends approval.
- C. Consider Recommendations on Watershed Based Implementation Funding Comments (20 min) – ACTION ITEM with attachment (full document online) – The Minnesota Association of Watershed Districts (MAWD) requests that watershed organizations consider providing comments to the MN Board of Water and Soil Resources (BWSR) on how Watershed Based Implementation Funding is distributed in the metro area. My attached memo (developed in coordination with Commissioner Welch) reviews the issue and presents recommendations on providing comments to BWSR.
- D. Consider Recommendations for Main Stem Lagoon Dredging Project Permitting Process (10 min) – ACTION ITEM with attachment - The design of the Main Stem Lagoon Dredging Project is underway. Commission Engineers have developed preliminary design plans and are drafting the Environmental Assessment Worksheet (EAW) document. The attached memo includes staff recommendations on a process for reviewing and signing the EAW and future permits related to this project.

7. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report – **INFORMATION ITEM with attachment**
 - i. Update on BCWMC Bicycle Tour
 - ii. Indigenous Voices Oral History Project
 - iii. Update on CAMP monitoring for chlorides
- B. Chair
- C. Commissioners
- D. TAC Members
- E. Committees
- F. Education Consultant
- G. Legal Counsel
- H. Engineer

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Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting Thursday, August 19, 2021 8:30 a.m.

Via video conference due to the COVID-19 global pandemic

1. CALL TO ORDER and ROLL CALL

On Thursday, August 19, 2021 at 8:31 a.m. via video conference. Vice Chair Welch 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	Jane McDonald Black	Eric Eckman, Jeff Oliver, RJ Kakach, Drew Chirpich
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch	Jodi Polzin	Liz Stout, Katie Kowalczyk
Minnetonka	Mike Fruen	<i>Vacant Position</i>	Leslie Yetka
New Hope	<i>Absent</i>	Patrick Crough	Megan Hedstrom
Plymouth	<i>Absent</i>	Jim Prom	Ben Scharenbroich
Robbinsdale	<i>Absent</i>	<i>Vacant Position</i>	Marta Roser, Richard McCoy
St. Louis Park	Jim de Lambert	Angela Lawrence	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineers	Karen Chandler and Meg Rattei, Barr Engineering		
Recorder	<i>Absent</i>		
Legal Counsel	Sarah Sonsalla, Kennedy & Graven		
Presenters/ Guests/Public	None present		

2. PUBLIC FORUM ON NON-AGENDA ITEMS

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

3. APPROVAL OF AGENDA

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

Vice Chair Welch made three suggestions for running a smooth meeting: make a motion and a second before having discussions, mute when not speaking and saving the chat for logistical items.

4. CONSENT AGENDA

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

- B. Acceptance of August 2021 Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC - July 2021 Administrator Services
 - ii. Keystone Waters, LLC - July 2021 Expenses
 - iii. Barr Engineering - July 2021 Engineering Services
 - iv. We All Need Food and Water - July 2021 Administrative and Education Services
 - v. Kennedy & Graven – June 2021 Legal Services
 - vi. Stantec – July WOMP Services
 - vii. Redpath – June Accounting Services
 - viii. Talbott Promotions – Dog Waste Bag Dispensers
- D. Approval of West Metro Water Alliance Updated Education and Outreach Plan

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

Current Assets	Capital Improvement Projects	General Fund	TOTAL
Checking	354,473.23	134,728.62	521,473.85
4MP Fund Investment	3,501,105.22	262.12	3,501,367.34
4M Fund Investment	1,483,511.82	37.42	1,483,549.24
Total Checking/Savings August 2021	5,339,090.27	135,028.16	5,506,390.43

MOTION: Commissioner Carlson moved to approve the consent agenda as amended. Commissioner de Lambert seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Plymouth and Robbinsdale absent from the vote.

4A. Minutes of the July 15, 2021 Minutes – Commissioner Welch requested minor changes in a few areas.

MOTION: Alternate Commissioner Crough moved to approve the minutes of the July 15, 2021 BCWMC meeting. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 7-0, with the cities of Plymouth and Robbinsdale absent from the vote.

5. BUSINESS

A. Receive Presentation on 2020 Lake Monitoring Results

Commission Engineer Chandler introduced Meg Rattei to present the 2020 monitoring results on Sweeney Lake, Twin Lake and Medicine Lake.

Sweeney Lake

Ms. Rattei summarized the parameters measured. Sweeney Lake has elevated levels of chlorides with levels rising over the years from an average of 208 mg/l in 2017 to 280 mg/l in 2020 in the North Basin. This is failing to meet the MPCA standard. In 2002, average chloride concentrations were 105 mg/l.

Results of 2020 monitoring show that Sweeney Lake met Minnesota Pollution Control Agency (MPCA) and BCWMC water quality standards for Secchi disc depth (a measure of clarity), total phosphorus, and chlorophyll a. Trend analyses show improving water quality with statistically significant decreases in total phosphorus concentrations and increases in water clarity over the last 10 years. The lake met the MPCA maximum standard for chloride but failed to meet the MPCA chronic standard for chloride.

The lake is suitable for many aquatic invasive species such as: for rusty crayfish, faucet snail, zebra mussel, spiny water flea, and starry stonewort and partially meets the suitability requirements for the Chinese mystery snail.

The numbers of plant species and the quality of the plant community improved, phytoplankton numbers declined, and zooplankton numbers declined because fish were better able to see and prey upon zooplankton.

Both the number of plant species in the lake and Floristic Quality Index (FQI) values (a measure of plant species quality) were better than the MNDNR Plant Index of Biotic Integrity (IBI) thresholds.

In the spring of 2020, an herbicide (diquat) was applied within portions of Sweeney Lake to control invasive curly-leaf pondweed. The successful treatment reduced CLP frequency in the lake (two locations in June 2020 compared with 13 locations in June 2017). Other AIS species observed in 2020 were yellow iris, purple loosestrife, reed canary grass, and narrow-leaved cattail. The appearance of yellow iris is concerning because it spreads rapidly and competes with native shoreland vegetation.

[Alternate Commissioner Prom joins the meeting.]

Recommendations

- Identify management measures to reduce chloride runoff from the lake's watershed
- Communicate with landowner to request removal of yellow iris
- Continue to provide education and information to residents and lake users to reduce the chance of AIS introduction.
- Continue water quality and biological monitoring at a 3-year frequency

Alternate Commissioner McDonald Black and acting Chair Welch asked where do we start with reducing chloride? Commissioner Welch asked the city staff where the salt is coming from. It was noted that Highways 55 and 100 drain to the lake. Commissioner Harwell noted that MNDOT is handling salt application well and thought the smaller applicators are the problem. Commissioner Welch added that the elder care facility adjacent to Schaper Pond is a big impervious area. Eric Eckman agreed that road authorities have reduced salt use. He noted all residents and businesses have responsibilities to reduce salt. Golden Valley is reviewing their MPCA MS4 permit and reviewing policies, including those related to chlorides.

Commissioner Carlson asked about how much the new street sweeper has been used. Has it been used Highways 100 and 55? Mr. Eckman responded that the City of Golden Valley doesn't have a high-efficiency sweeper yet (cost sharing of a new sweeper is a 2024 CIP project). He noted that Highways 100 and 55 are operated by MNDOT, so it's unlikely excess salt is being swept. Commissioner Carlson advocated that new sweeper be used.

Commissioner Welch pointed out that communication with the Sweeney Lake Association and the elder care facility would be beneficial. He would like the Administrator to develop a focused chloride reduction effort to reduce chlorides in the Sweeney Lake subwatershed.

Administrator Jester acknowledged that this is important and to more closely identify where the chloride is coming from. She summarized the work the Commission is doing on chlorides including coordinating the Hennepin County

Chloride Initiative and the Parkers Lake Chloride Reduction Project. She noted the Isaak Walton League has a program that includes a kit to help educate and monitor salt use.

Commissioner Welch asked that this topic be revisited at a future meeting in the next few months.

Commission Engineer Chandler added that we do have a CAMP volunteer for Sweeney Lake and that perhaps it's possible to add chloride to what is being tested. She also pointed out that Medicine Lake has a lot of highways around it but chloride levels are lower. That could be because of the lake size.

Twin Lake

Ms. Rattei reported that chloride levels met standards but did go up slightly between 2017 and 2020. The total phosphorus easily met the MPCA standard and the trend is no change. Chlorophyll-a met MPCA standards and shows a statistically insignificant declining trend. Water clarity also met MPCA standards and shows a statistically insignificant improving trend.

Both the number of plant species in the lake and Floristic Quality Index (FQI) values, a measure of plant species quality, were better than the Minnesota Department of Natural Resources Plant Index of Biotic Integrity (IBI) thresholds. The 2020 summer average zooplankton numbers were the highest to date, a favorable change for the lake.

Aquatic invasive species (AIS) observed in 2020 were curly-leaf pondweed, purple loosestrife, reed canary grass, and narrow-leaved cattail.

Like Sweeney Lake, the lake is suitable for many aquatic invasive species such as: for rusty crayfish, faucet snail, zebra mussel, spiny water flea, and starry stonewort and partially meets the suitability requirements for the Chinese mystery snail.

Recommendations

- Continue to provide education and information to residents and lake users to reduce the chance of AIS introduction.
- Continue water quality and biological monitoring at a 3-year frequency

Commission Engineer Chandler mentioned that there was an alum treatment in 2015 that was very effective and that is what is keeping the lake in good condition. There was another treatment planned but it is not needed yet. Commissioner Harwell asked that the Twin Lake alum treatment be added to our "library of information" regarding alum treatment.

Medicine Lake

Ms. Rattei reported that in 2020, Three Rivers Park District monitored Medicine Lake for water chemistry (nutrients, chlorophyll a, chloride), water clarity and dissolved oxygen, temperature, and specific conductance, as well as macrophytes (aquatic plants). In 2020, BCWMC partnered with TRPD to add phytoplankton and zooplankton to the monitoring program.

Notably, total phosphorus levels in 2020 met MPCA and BCWMC standards. This is the only year on record that the lake met total phosphorus standards, but the data shows a statistically insignificant declining trend.

Results of 2020 monitoring show that Medicine Lake met the applicable MPCA and BCWMC water quality standards for Secchi disc and total phosphorus, but did not meet the MPCA and BCWMC water quality standard for chlorophyll-a. Trend analyses show no significant change in water quality over the last 10 years.

Zebra mussels were first found in 2017, and over the past few years, they have spread and increased in number. Curly-leaf pondweed was treated in 2020 but curly-leaf pondweed was present in many locations in areas outside of

the treatment area. Starry stonewort was discovered in 2018 and is expanding around the lake. Despite efforts by MNDNR to treat for starry stonewort for 3 years, it is still spreading.

In 2020 there were four invasive species recorded: curly-leaf pondweed, Eurasian watermilfoil, starry stonewort, and zebra mussels. Zebra mussels eat so much algae that there may not be enough for other copepods.

Medicine Lake is impaired for fish, but the higher IBI score shows improvement.

Recommendations

- Consider an alum treatment to reduce internal loading and improve water quality.
- Consider completing a Vegetation Management Plan for the lake.
- Assess feasibility of a partial lake drawdown to expose the littoral lake bed to a winter freeze, freezing out curly-leaf pondweed plants and turions (reproductive structures that act like seeds). If feasible and implemented, we recommend working with MNDNR and the Minnesota Aquatic Invasive Species Research Center to monitor impacts of the winter freeze on zebra mussels and starry stonewort.
- Complete an annual herbicide treatment of CLP to reduce total phosphorus loading during plant die off in mid-summer.
- Complete an annual herbicide treatment of starry stonewort to reduce abundance near the boat launch and help minimize its spread.
- Continue water quality and biological monitoring at a 3-year frequency

Commissioner Welch asked the administrator how we take a holistic approach to Medicine Lake management. There was discussion about possibly needing a task force. It was acknowledged that the monitoring data are important to be used to inform management decisions. Administrator Jester suggested collaborating with others (like TPRD, cities of Plymouth and Medicine Lake, and MAISRC) and creating an organized effort. It was noted the BCWMC has an AIS rapid response plan in place and has an APM/AIS budget line.

There was discussion about performing a lake drawdown this year due to the lake's very low water levels and discussion on curly-leaf pondweed treatment locations. However, it was noted that a vast majority of lakeshore owners must agree to the drawdown project and that this is large undertaking that's not possible this year.

Alternate Commissioner Prom offered that the first step should be developing a lake vegetation management plan.

There was consensus that a lake vegetation management plan is a good first step. Commissioner Welch noted he could help determine if a starting a task force is a good idea. Ben Scharenbroich would like to be involved in Medicine Lake discussions. Commissioner Carlson would also like to be involved.

[agenda reordered]

C. Consider Approval of Recommendations from Technical Advisory

The TAC met on July 29th to discuss adoption of a new XP-SWMM model and possible implementation of CIP components by the city of Plymouth at the Four Seasons Mall site, among other minor topics.

Mark Ray reviewed the TAC memo recommendations for the XP-SWMM Model:

- The TAC recommends that the BCWMC direct Commission Engineers to begin the process of updating the H&H model in 2021, starting with the model recently prepared for FEMA (the "storage maintained" version), and complete the update and adopt the updated model as the Commission's official H&H model in 2022. (Work in 2021 would be covered under the Surveys and Studies budget line; the proposed 2022 Operating Budget already includes this modeling work). The Commission Engineers would start by requesting that cities submit 2019 – 2021 data on landscape changes, developments, or projects that would impact the model.
- The TAC recommends that the Commission Engineers annually request that cities submit data for future model updates and that model updates be scheduled not on a regular timeline, but once every few to several years, depending on the amount of new data and changing conditions.

- The TAC recommends that the Commission's Operating Budget include an annual, steady budget for model maintenance to save for years when the more time-consuming (i.e., expensive) model updates are needed and to minimize significant fluctuations in the budget.

Commission Engineer Chandler reminded the group that the current official model (Phase 2) is based on 2015 data. The Commission Engineers updated that model with data current through 2018 to create a new model for FEMA, under an MNDNR grant (the FEMA model). The Commission Engineer would update the FEMA model with the most current data such as new developments, redevelopment, crossings, new surveys, etc. to create the Commission's new official model. There was agreement that it makes sense to update the model.

[Commissioner Harwell departs the meeting; Alternate Commissioner McDonald Black becomes Golden Valley voting member.]

MOTION: Alternate Commissioner Crough moved to approve the TAC recommendations 1A, 1B, 1C. Commissioner de Lambert seconded the motion.

It was noted that Commissioner Harwell attended the TAC meeting and had concerns about the schedule for updating the model moving forward. Administrator Jester read Commissioner Harwell's comments from the Zoom chat window including having a loose plan for updating the model creates a potential for many problems – administratively for the cities and for maintaining the integrity of the model as staffing changes happen.

Alternate Commissioner McDonald Black voiced her agreement with Commissioner Harwell and advocated for scheduling regular updates to the model.

Commission Engineer Chandler noted that during the TAC meeting, there was much discussion about how often to update the model including ideas ranging from once every 3 years to once every 10 years. At the end of the discussion there seemed to be consensus that the model should be updated when there are significant changes in the watershed to warrant an update. She noted that she feels comfortable that after reviewing the data submitted annually by the cities, that the Commission Engineers would be able to make a recommendation on whether or not it was time to update the model. She expressed that updating the model once every ten years isn't wise and that once every 3 to 5 years would work better.

TAC Chair Ray, when asked his opinion, noted that the TAC recommendation was intentionally kept fluid in order to allocate some budget annually to model updates, but to maintain flexibility to address other issues and schedule model updates only when warranted by the data.

Alternate Commissioner McDonald Black expressed concern about not at least scheduling a regular interval to formally check on possible model update needs. There was further discussion about the timing and cost of future model updates.

VOTE: Upon a roll call vote, the motion carried 8-0, with the city of Robbinsdale absent from the vote.

Commissioner Welch noted that this topic should be revisited at the next TAC meeting.

BREAK

B. Consider Approval of 90% Design Plans for Parkers Lake Drainage Project and Mt. Olivet Stream Restoration Project

At the June 2020 meeting, the BCWMC conditionally approved the 60% design plans for the 2021 Mount Olivet Stream Restoration and Parkers Lake Drainage Improvement Projects which were prepared by WSB, the city of Plymouth's consulting engineers. Commission Engineer Chandler walked through the review memo and noted that

the memo includes the responses to all comments from the review of the 60% plans and that the Commission Engineers agreed with the responses. She recommended conditional approval of the 90% plans with minor comments, namely erosion and sediment control.

Commissioner Welch asked about a comparison with a prior cost estimate. It was noted that the cost estimate is within the feasibility study's estimate.

TAC member Ben Scharenbroich noted that the optional culvert crossing of the Mt. Olivet stream was removed from the plans because the property owners don't want to pay for it. Mr. Scharenbroich expected the project to go out for bid in October or November.

MOTION: Commissioner Fruen moved to approve the 90% Design Plans for Parkers Lake Drainage Project and Mt. Olivet Stream Restoration Project with Commission Engineer's comments. Commissioner de Lambert seconded the motion.

Commissioner Welch expressed concern about potentially having more riprap than expected and about the class of rip rap used. Engineer Chandler and Mr. Scharenbroich explained that the larger stones are appropriate for the expected flow velocities and will limit the amount needed. Commissioner Welch also asked who will oversee the tree clearing. Mr. Scharenbroich clarified that city staff will oversee it.

VOTE: Upon a roll call vote, the motion carried 8-0, with the city of Robbinsdale absent from the vote.

C. Consider Approval of Recommendations from Technical Advisory Committee (continued)

TAC chair, Mark Ray, reviewed TAC recommendations related to the implementation of CIP projects at Four Seasons Mall. He explained that the first recommendation is to start work on a detailed agreement to start the process to design and build the CIP project components that the Commission had previously approved. He indicated that what is important to note is that 100 pounds of total phosphorus will be captured with the project components as originally planned.

Commissioner Welch commented that this an unusual and creative approach – to build a CIP project ahead of future redevelopment. Administrator Jester restated that an agreement with the city would be necessary. She reminded the Commission that the 90% plans had already been approved and may not need to be reviewed by the Commission Engineer again. Mr. Scharenbroich echoed Administrator Jester in trying to minimize engineering costs that the Commission would incur.

Commissioner Welch asked Commission Engineer Chandler for her opinion. She stated that the “devil is in the details” and it depends on if or how much the original plans are changed. Mr. Scharenbroich explained that the majority of the water comes from the north and is already routed into the new pond area and wetland restoration area. Engineer Chandler brought up several points and Commissioner Welch acknowledged there were still issues to work out.

[Commissioner Fruen departs the meeting.]

MOTION: Commissioner Welch moved to approve the following:

- The Commission enter an agreement with the city of Plymouth to construct the previously approved BMPs, provide CIP-fund reimbursement for construction with review and approval of the 90% plans by the Commission.
- No BCWMC funding will be used to create storage or water quality benefits that would be required of any proposed development.
- The current impervious surface area of 11.93 acres be set as the “existing condition” upon which future stormwater management requirements would be based, with a sunset clause of 20 years.

Commissioner Prom seconded the motion.

Commissioner Welch noted that the Commission should be flexible in the terms of the agreement with how stormwater management pollutant removal is “divvied up” between the CIP components implemented by the city and the future redevelopment.

Alternate Commissioner McDonald Black asked about the cost per pound was to remove phosphorus. Commission Engineer Chandler quickly reviewed the 90% plan review memo looking for that figure but couldn’t find it.

Alternate Commissioner Prom weighed in that the city won’t tear down the building now because of the disincentive for future development.

VOTE: Upon a roll call vote, the motion carried 6-1, with the Cities of Minnetonka and Robbinsdale absent from the vote and Golden Valley voting against.

[Alternate Commissioner Prom departs the meeting.]

D. Consider Approval of 2022 BCWMC Operating Budget

At the June meeting, the Commission approved the proposed BCWMC Operating Budget and city assessments for 2022. The proposed budget and assessments were sent to all member cities at the end of June with requests for comments to be submitted by August 1st. Administrator Jester did not receive comments from any city. Staff recommends approval of the 2022 budget and city assessments as approved in June. Alternate Commissioner McDonald Black reminded the Commission that BCWMC had low increases in the past couple of years, and the proposed 2022 budget includes using funds from the TMDL budget to keep down the budget increase, but will likely have to have larger increases coming in future years.

MOTION: Commissioner Carlson moved to approve the 2022 BCWMC Operating Budget as presented. Commissioner Anderson seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minnetonka, Plymouth, and Robbinsdale absent from the vote.

E. Consider Approval of Minor Amendment to Watershed Management Plan

In April, the BCWMC submitted a proposed minor plan amendment to review agencies and held a public hearing in May. The purpose of the amendment is to update the Capital Improvement Program by adding five projects and removing one project. There were no comments from review agencies (except to commend the Commission for maintaining an updated CIP) and the Hennepin County Board approved the amendment at its August 10th meeting. At the public hearing in May, the Commission heard comments from a Plymouth resident who had questions about how CIP projects are selected and consideration of the cost benefits of projects. He requested more transparency on the CIP process. Administrator Jester is currently drafting a fact sheet outlining the BCWMC CIP process for use on the website and during future CIP updates and plan amendment procedures. Staff recommends approval of the plan amendment.

MOTION: Commissioner Welch moved to approve the Minor Amendment to Watershed Management Plan with the location of item BC-12 be added to the description. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minnetonka, Plymouth, and Robbinsdale absent from the vote.

Commissioner Carlson noted that he would like the Golden Valley Street sweeper cost share project moved to an earlier year.

F. Discuss Potential MAWD Resolutions

At the July meeting, the Commission was asked if there were any ideas for resolutions that could be considered by the MN Association of Watershed Districts (MAWD) for their annual resolutions process. No new ideas for resolution were brought forward at that time, but commissioners were given a month to consider ideas. Resolutions are due September 1st.

MOTION: Commissioner Welch moved to direct the Administrator to send a letter to MAWD that notes that BCWMC does not have any new resolutions but reinforces BCWMC's support for soil health and chloride limited liability resolutions. Commissioner Carlson seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minnetonka, Plymouth, and Robbinsdale absent from the vote.

6. COMMUNICATIONS

A. Administrator's Report

- i. Comments on PRAP – It was noted that comments should be received soon in order to forward to BWSR so the PRAP report can be finalized.
- ii. Hennepin County Board Levy Decision—Reported on a good meeting with Commissioner Fernando. She is supportive of BCWMC's work and would like the Commission to do even more. She mentioned her desire to hold a large meeting or summit about flooding issues vs. redevelopment in the Bassett Creek Valley.
- iii. Clean Water Fund Grant Application was submitted for the Medley Park Project.
- iv. Report on Salt Symposium—Interesting research happening on different ice melting procedures.
- v. Update on BCWMC Bicycle Tour—Still planned with social gathering outside at Utepils on Bassett Creek

B. Chair

Commissioner Welch introduced Jodi Polzin as the Minneapolis Alternate Commissioner. He also welcomed Katie Kowalczyk with the city of Minneapolis.

C. Commissioners—none

D. TAC Members—none

E. Committees

- i. Report on Education Committee Meeting—They met and discussed the AIS grant project

F. Education Consultant—none

G. Legal Counsel—none

H. Engineer

- i. Report on Work on Hwy. 55 Structure—Reported on newly installed gate by MnDOT which has since been removed and MnDOT understands several permits would be needed for future work.

Administrator Jester showed photos of low water levels around the watershed. There was a brief discussion.

7. INFORMATION ONLY (Information online only)

- A. [BCWMC Administrative Calendar](#)
- B. [CIP Project Updates](#)
- C. [Grant Tracking Summary and Spreadsheet](#)
- D. [Public Notices for Reissuances of MS4 Permits for Multiple BCWMC Cities](#)
- E. WCA Notice of Application, Golden Valley
- F. WCA Notices of Application and Decision, Plymouth
- G. 2021 Minnesota Stormwater Research Council Highlights
- H. [MAISRC Research & Management Showcase – Registration Open](#)

8. ADJOURNMENT

The meeting was adjourned at 11:17 a.m.

Upcoming Meetings & Events

- Bryn Mawr Meadows Park Project Public Open House: September 7th, time and location TBD
- BCWMC Regular Meeting and Public Hearing: Thursday September 16th, 8:30 a.m, Location TBD
- MAISRC Research & Management Showcase: Wednesday September 22nd, online or in person, U of M St. Paul
- BCWMC Bicycling Tour and Social Gathering: Thursday September 30th, approximately 4:00 start, Utepils Brewery, Minneapolis

Item 4B.
BCWMC 9-16-21

BCWMC September 2021 Financial Report - General Ledger		Capital Improvement Projects	Construction Fund	General Fund	Unclassified	TOTAL
ASSETS						
Current Assets						
Checking/Savings						
	101 · Wells Fargo Checking	354,473.23	32,272.00	139,728.62	0.00	526,473.85
	102 · 4MP Fund Investment	3,501,105.22	0.00	262.12	0.00	3,501,367.34
	103 · 4M Fund Investment	1,483,511.82	0.00	37.42	0.00	1,483,549.24
	Total Checking/Savings	5,339,090.27	32,272.00	140,028.16	0.00	5,511,390.43
Accounts Receivable						
	112 · Due from Other Governments	322,201.23	0.00	6,777.00	0.00	328,978.23
	113 · Delinquent Taxes Receivable	322,201.23	0.00	0.00	0.00	322,201.23
	Total Accounts Receivable	644,402.46	0.00	6,777.00	0.00	651,179.46
Other Current Assets						
	114 · Prepays	0.00	0.00	3,223.00	0.00	3,223.00
	Total Other Current Assets	0.00	0.00	3,223.00	0.00	3,223.00
	Total Current Assets	5,983,492.73	32,272.00	150,028.16	0.00	6,165,792.89
TOTAL ASSETS		5,983,492.73	32,272.00	150,028.16	0.00	6,165,792.89
LIABILITIES & EQUITY						
Liabilities						
Current Liabilities						
Accounts Payable						
	211 · Accounts Payable	13,607.64	0.00	47,592.15	0.00	61,199.79
	Total Accounts Payable	13,607.64	0.00	47,592.15	0.00	61,199.79
Other Current Liabilities						
	212 · Unearned Revenue	200,000.00	0.00	1.00	0.00	200,001.00
	251 · Unavailable Rev - property tax	20,717.00	0.00	0.00	0.00	20,717.00
	Total Other Current Liabilities	220,717.00	0.00	1.00	0.00	220,718.00
	Total Current Liabilities	234,324.64	0.00	47,593.15	0.00	281,917.79
	Total Liabilities	234,324.64	0.00	47,593.15	0.00	281,917.79
Equity						
	311 · Nonspendable prepaids	0.00	0.00	3,223.00	0.00	3,223.00
	312 · Restricted for improvements	4,562,582.00	0.00	0.00	0.00	4,562,582.00
	314 · Res for following year budget	0.00	0.00	5,000.00	0.00	5,000.00
	315 · Unassigned Funds	0.00	0.00	493,025.05	0.00	493,025.05
	32000 · Retained Earnings	0.00	0.00	-95,159.98	0.00	-95,159.98
	Net Income	308,912.65	32,272.00	271,862.92	0.00	613,047.57
	Total Equity	4,871,494.65	32,272.00	677,950.99	0.00	5,581,717.64
TOTAL LIABILITIES & EQUITY		5,105,819.29	32,272.00	725,544.14	0.00	5,863,635.43
UNBALANCED CLASSES		575,515.98	0.00	-575,515.98	0.00	0.00

BCWMC September 2021 Financial Report - Operating Budget

		Annual Budget	Aug 20 - Sep 16, 21	Feb 1 - Sep 16, 21	Budget Balance
Income					
	411 · Assessments to Cities	554,900.00	0.00	554,900.00	0.00
	412 · Project Review Fees	62,000.00	5,000.00	34,000.00	28,000.00
	413 · WOMP Reimbursement	5,000.00	0.00	4,500.00	500.00
	414 · State of MN Grants	0.00	0.00	11,777.26	-11,777.26
	415 · Investment earnings	0.00	0.00	299.54	-299.54
	416 · Use of Fund Balance	5,000.00	0.00	0.25	4,999.75
	417 · Transfers from LT & CIP	42,000.00	0.00	0.00	42,000.00
	Total Income	668,900.00	5,000.00	605,477.05	63,422.95
Expense					
	1000 · General Expenses				
	1010 · Technical Services	134,000.00	4,541.00	63,882.50	70,117.50
	1020 · Development/Project Reviews	68,000.00	6,165.50	54,952.01	13,047.99
	1030 · Non-fee and Preliminary Reviews	24,000.00	2,686.56	13,718.06	10,281.94
	1040 · Commission and TAC Meetings	12,000.00	754.00	6,613.70	5,386.30
	1050 · Surveys and Studies	9,000.00	0.00	2,761.41	6,238.59
	1060 · Water Quality / Monitoring	129,000.00	13,206.44	61,231.32	67,768.68
	1070 · Water Quantity	7,000.00	2,058.06	5,173.56	1,826.44
	1080 · Annual Flood Control Inspection	12,000.00	4,547.54	6,110.54	5,889.46
	1090 · Municipal Plan Review	2,000.00	0.00	0.00	2,000.00
	1100 · Watershed Monitoring Program	23,000.00	0.00	9,614.37	13,385.63
	1110 · Annual XP-SWMM Model Updates	0.00	0.00	375.50	-375.50
	1120 · TMDL Implementation Reporting	7,000.00	0.00	0.00	7,000.00
	1130 · APM/AIS Work	14,000.00	0.00	8,533.35	5,466.65
	1140 · Erosion Control Inspections	0.00	0.00	0.00	0.00
	1000 · General Expenses - Other		0.00	0.00	0.00
	Total 1000 · General Expenses	441,000.00	33,959.10	232,966.32	208,033.68
	2000 · Plan Development				
	2010 · Next Gen Plan Development	18,000.00	0.00	0.00	18,000.00
	2000 · Plan Development - Other		0.00	0.00	0.00
	Total 2000 · Plan Development	18,000.00	0.00	0.00	18,000.00
	3000 · Administration				
	3010 · Administrator	67,400.00	5,598.00	47,214.00	20,186.00
	3020 · MAWD Dues	3,750.00	0.00	3,750.00	0.00
	3030 · Legal	15,000.00	816.00	8,323.90	6,676.10
	3040 · Financial Management	4,000.00	1,000.00	5,600.00	-1,600.00
	3050 · Audit, Insurance & Bond	18,000.00	0.00	14,849.00	3,151.00
	3060 · Meeeting Catering	1,300.00	0.00	0.00	1,300.00
	3070 · Administrative Services	8,000.00	386.55	4,703.73	3,296.27
	3000 · Administration - Other		0.00	0.00	0.00
	Total 3000 · Administration	117,450.00	7,800.55	84,440.63	33,009.37
	4000 · Implementation				
	4010 · Publications / Annual Report	1,300.00	0.00	0.00	1,300.00
	4020 · Website	1,800.00	0.00	406.60	1,393.40
	4030 · Watershed Education Partnership	17,350.00	0.00	3,500.00	13,850.00
	4040 · Education and Public Outreach	26,000.00	5,832.50	11,785.87	14,214.13
	4050 · Public Communications	1,000.00	0.00	514.71	485.29
	4000 · Implementation - Other		0.00	0.00	0.00
	Total 4000 · Implementation	47,450.00	5,832.50	16,207.18	31,242.82
	5000 · Maintenance				
	5010 · Channel Maintenance Fund	20,000.00	0.00	0.00	20,000.00
	5020 · Long Term-FEMA Floodplain Model	25,000.00	0.00	0.00	25,000.00
	5000 · Maintenance - Other		0.00	0.00	0.00
	Total 5000 · Maintenance	45,000.00	0.00	0.00	45,000.00
	Total Expense	668,900.00	47,592.15	333,614.13	335,285.87
Net Income		0.00	-42,592.15	271,862.92	-271,862.92

BCWMC September 2021 Financial Report - CIP Budget

	Project Budget	Aug 20 - Sep 16, 21	Feb 1 - Sep 16, 21	Inception to Date Exp	Remaining Budget
Income					
BC2,3,8 · DeCola Ponds B&C Improve		0.00	34,286.00		
BC23810 · Decola Ponds/Wildwood Park	0.00	0.00	0.00		
BC5 · Bryn Mawr Meadows	0.00	0.00	0.00		
BC7 · Main Stem Dredging Project		0.00	125,000.00		
BCP2 · Bassett Creek Park & Winnetka	0.00	0.00	0.00		
ML21 · Jevne Park Stormwater Mgmt	0.00	0.00	0.00		
NL2 · Four Seasons Mall Area	0.00	0.00	0.00		
SL1,3 · Schaper Pond Enhancement	0.00	0.00	0.00		
SL8 · Sweeny Lake Water Quality	0.00	0.00	236,850.01		
TW2 · Twin Lake Alum Treatment	0.00	0.00	0.00		
WST2 · Westwood Lake Water Quality	0.00	0.00	0.00		
Total Income	0.00	0.00	396,455.07		
Expense					
2017CRM · CIP-Main Stem Cedar Lk Rd-Dupor	1,064,472.00	0.00	511.50	132,029.25	932,442.75
BC-238 · CIP-DeCola Ponds B&C	1,600,000.00	0.00	0.00	1,507,985.31	92,014.69
BC-2381 · CIP-DeCola Ponds/Wildwood Pk	0.00	0.00	20,036.50	53,395.89	-53,395.89
BC-5 · CIP-Bryn Mawr Meadows	912,000.00	4,859.26	6,502.54	55,785.93	856,214.07
BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	870.00	4,376.50	106,783.53	2,652,216.47
BCP-2 · CIP- Basset Cr Pk & Winnetka	1,123,351.00	0.00	0.00	1,066,648.32	56,702.68
ML-12 · CIP-Medley Park Stormwater	0.00	568.50	30,191.00	82,843.61	-82,843.61
ML-20 · CIP-Mount Olive Stream Restore	178,100.00	788.50	3,601.50	39,595.42	138,504.58
ML-21 · CIP-Jevne Park Stormwater Mgmt	500,000.00	0.00	0.00	56,390.75	443,609.25
ML-23 · CIP-Purch High Eff St Sweeper	81,600.00	0.00	0.00	0.00	81,600.00
NL-2 · CIP-Four Seasons Mall	990,000.00	0.00	0.00	185,236.56	804,763.44
PL-7 · CIP-Parkers Lake Stream Restore	485,000.00	808.50	3,666.00	61,213.12	423,786.88
SL-1,3 · CIP-Schaper Pond	612,000.00	4,149.50	9,748.00	438,350.95	173,649.05
SL-8 · CIP-Sweeney Lake WQ Improvement	568,080.00	1,563.38	8,908.88	337,644.47	230,435.53
TW-2 · CIP-Twin Lake Alum Treatment	163,000.00	0.00	0.00	91,037.82	71,962.18
WST-2 · CIP-Westwood Lake Water Quality	404,500.00	0.00	0.00	223,640.96	180,859.04
Total Expense	12,680,226.00	13,607.64	87,542.42	4,826,181.89	
Net Income	-12,680,226.00	-13,607.64	308,912.65		

BCWMC September 2021 Financial Report - CIP Budget						
	Total Budget	Aug 20 - Sep 16, 21	Year-to-Date	Inception to Date	Remaining Budget	
Income						
Fid1 · Flood Control Long Term Maint		0.00	14,064.50	169,420.90		
Fid2 · Flood Control Long Term Exp	699,980.00	0.00	5,529.50	484,266.41		
Total	699,980.00	0.00	8,535.00	-314,845.51	385,134.49	
Flood1 · Emergency FCP Income		0.00		0.00		
Flood2 · Emergency FCP Expense	500,000.00	0.00		0.00		
Total	500,000.00	0.00	0.00	0.00	500,000.00	
Gen · Next gen Plan Development Income		0.00		0.00		
Gen1 · Next gen Plan Development Exp	30,000.00	0.00		0.00		
Total	30,000.00	0.00	0.00	0.00	30,000.00	
Qual · Channel Maintenance Fund		0.00				
Qual1 · Channel Maintenance Expense	440,950.00	0.00		267,073.30		
Total	440,950.00	0.00	0.00	-267,073.30	173,876.70	
TMDL1 · TMDL Studies Income		0.00				
TMDL2 · TMDL Studies Expense	135,000.00	0.00		107,850.15		
Total	135,000.00	0.00	0.00	-107,850.15	27,149.85	



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr)
Subject: Item 4D: 170 Maryland Avenue Deck Improvements – Golden Valley, MN
BCWMC September 16, 2021 Meeting Agenda
Date: September 7, 2021
Project: 23270051.52 2021 2261

4D 170 Maryland Avenue Deck Improvements – Golden Valley BCWMC 2021-21

Summary:

Proposed Work: New deck for single-family home

Basis for Review at Commission Meeting: Fill in the floodplain

Impervious Surface Area: Approximately 600 square feet of deck surface

Recommendation: Approval

General Project Information

The proposed project is located in the Sweeney Lake subwatershed at 170 Maryland Avenue in Golden Valley, MN. The proposed project includes a new deck, stairway, and concrete pads, which are in the BCWMC 100-year floodplain. The applicant proposes to mitigate the volume of fill in the floodplain by excavating and creating a raingarden. The proposed project creates an increase of approximately 600 square feet of deck surface.

Floodplain

The proposed project includes work in the BCWMC (West Ring Pond) 1% annual-chance (base flood elevation, 100-year) floodplain. 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). The 1% annual-chance (base flood elevation, 100-year) floodplain elevation of West Ring Pond is 879.4 feet NAVD88. The proposed project will create 23 cubic feet of fill in the floodplain and will be mitigated by providing 25 cubic feet of compensatory storage.

Lakes, Streams, and Wetlands

The project does not include work in wetlands. The City of Golden Valley is the local government unit (LGU) responsible for administering the Wetland Conservation Act; therefore, BCWMC wetland review is not required.

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr)
Subject: Item 4D: 170 Maryland Avenue Deck Improvements – Golden Valley, MN
Date: September 7, 2021
Page: 2

Rate Control

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

Water Quality

The proposed project does not create one or more acres of new or fully reconstructed impervious surfaces; therefore, BCWMC water quality review is not required.






Erosion and Sediment Control

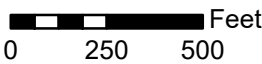
Single family homes are exempt from BCWMC erosion and sediment control requirements.

Recommendation

Approval



-  Project Location
-  Municipality
-  BCWMC Legal Boundary
-  Major Subwatershed
-  BCWMC Hydrologic Boundary



BCWMC #2021-21
 170 MARYLAND AVENUE
 DECK IMPROVEMENTS
 Golden Valley, MN

LOCATION MAP

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

NOTICE OF PUBLIC HEARING

Proposed Improvements Contained in the

Bassett Creek Watershed Management Commission's 2015 Watershed Management Plan

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

Thursday, September 16, 2021 at 8:30 a.m.

Online Via Zoom; Visit <http://www.bassettcreekwmo.org/meeting-events> for log in details

Interested persons are invited to attend. The purpose of the hearing is to hear testimony and comments on two capital improvements proposed to begin in 2022.

- 1. SEA School – Wildwood Park Flood Reduction Project, Golden Valley:** Reduce flooding around DeCola Ponds D, E, and F by creating 8.5 acre-feet of flood storage; improve water quality in ponds and Bassett Creek by removing pollutants; and create 2.3 acres of wetland and prairie habitat. Total estimated cost: \$3.1M. Of this, \$1.3M will come from a Minnesota Flood Reduction Grant from the MnDNR, \$0.4M will come from city funds or other grants, and \$1.3M will come from the BCWMC's Capital Improvement Program funds through 2022 and 2023 ad valorem property taxes collected by Hennepin County on property within the Bassett Creek Watershed. Learn more at: www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project.
- 2. Medley Park Stormwater Treatment Facility, Golden Valley:** Reduce flood risk to surrounding homes by creating 8.3 acre-feet of flood storage; improve water quality in Medicine Lake by removing pollutants; create 1.1 acres of wetland and prairie habitat. Total estimated cost: \$2.0M. Of this, up to \$0.5M would to come from the city while \$1.5M will come from the BCWMC's Capital Improvement Program funds through 2022, 2023, and 2024 ad valorem property taxes collected by Hennepin County on property within the Bassett Creek Watershed. Learn more at: <https://www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility>.

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 21-05

A RESOLUTION ORDERING THE 2022 IMPROVEMENTS,
DESIGNATING ENTITIES RESPONSIBLE FOR CONSTRUCTION,
MAKING FINDINGS PURSUANT TO MINNESOTA STATUTES, SECTION
103B.251, CERTIFYING COSTS TO HENNEPIN COUNTY, AND APPROVING
AGREEMENTS FOR CONSTRUCTION OF THE IMPROVEMENTS

WHEREAS, on September 17, 2015, the Bassett Creek Watershed Management Commission (“Commission”) adopted the *Bassett Creek Watershed Management Commission, Water Management Plan, September 2015* (the “Plan”);

WHEREAS, the Plan, as amended since its adoption, includes a capital improvement program (“CIP”) listing capital projects in Table 5-3 of the Plan;

WHEREAS, the CIP includes the following capital projects for the year 2022 (collectively, the “2022 Projects”):

- a) Medley Park Stormwater Treatment Facility (ML-12); and
- b) SEA School – Wildwood Flood Reduction Project (part of the Medicine Lake Rd & Winnetka Ave Long Term Flood Mitigation Plan Project) (BC-2, 3, 8, 10);

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as a source of funding for said 2022 Projects and one previously ordered 2021 project, Dredging Accumulated Sediment in Main Stem Bassett Creek, Theodore Wirth Regional Park Project;

WHEREAS, on September 16, 2021, following published and mailed notice in accordance with the Commission’s Joint Power Agreement and Minnesota Statutes, section 103B.251, the Commission conducted a public hearing on the 2022 Projects; and

WHEREAS, the 2022 Projects will be conducive to the public health, promote the general welfare and is in compliance with Minnesota Statutes, sections 103B.205 to 103B.255 (the “Act”) and with the Plan as adopted and amended in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Bassett Creek Watershed Management Commission as follows:

1. The 2022 Projects are hereby ordered.
2. The estimated cost of the Medley Park Stormwater Treatment Facility is Two Million Dollars (\$2,000,000). Of this amount, Four Hundred Thousand Dollars (\$400,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2021 for collection in 2022. Additional funds of up to One Million One Hundred Thousand Dollars (\$1,100,000) will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251, levied in years 2022 and 2023 for collection in 2023 and 2024, respectively. Up to \$500,000 is expected to be paid by the City of Golden Valley.

3. The estimated cost of the SEA School – Wildwood Flood Reduction Project is Three Million One Hundred Thousand Dollars (\$3,100,000). Of this amount, Three Hundred Thousand Dollars (\$300,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2021 for collection in 2022. Additional funds of up to One Million Dollars (\$1,000,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2022 for collection in 2023. Another One Million Seven Hundred Thousand Dollars (\$1,800,000) will be paid by state grant funding and the City of Golden Valley.
4. The cost of the Dredging Accumulated Sediment in Main Stem Bassett Creek, Theodore Wirth Regional Park Project was partially paid from a county tax levy collected in 2021 totaling One Hundred Thousand Dollars (\$100,000). Another Three Hundred Twenty-Five Thousand Dollars (\$325,000) will come from grants. Additional funds of up to Eight Hundred Thousand Dollars (\$800,000) will be paid from Commission Closed Project Account funds. The remaining estimated cost of the project is One Million Five Hundred Thirty-Four Thousand Dollars (\$1,534,000). Of this amount, One Million Dollars (\$1,000,000) will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2021 for collection in 2022. Additional funds of up to Five Hundred Thirty-Four Thousand Dollars (\$534,000) will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251 levied in 2022 and 2023 for collection in 2023 and 2024, respectively.
5. The total amount certified to Hennepin County for the 2022 Projects is One Million Seven Hundred Thousand Dollars (\$1,700,000) for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
6. The Commission has received, accepted, and approved the feasibility reports for the 2022 Projects.
7. The costs of the aforementioned projects will be paid by the Commission up to the amount specified in paragraphs 2 - 4 above from proceeds received from Hennepin County pursuant to Minnesota Statutes, section 103B.251 and grant funding, if awarded. Additional costs may be paid by the city constructing the particular project, but no costs will be charged to other members of the Commission.
8. The City of Golden Valley is designated as the member responsible for contracting for the construction of the Medley Park Stormwater Treatment Facility, and the engineer designated for preparation of plans and specifications is the Golden Valley City Engineer, or other engineers selected and retained by the City of Golden Valley. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Golden Valley. The Cooperative Agreement with the City of Golden Valley for the construction of the Medley Park Stormwater Treatment Facility as presented to the Commission on the date of this Resolution is approved, and the Chair and Secretary are authorized to execute said agreement on behalf of the Commission.
9. The City of Golden Valley is also designated as the member responsible for contracting for the construction of the drainage improvement components of the SEA School – Wildwood Flood Reduction Project, and the engineer designated for preparation of plans and specifications is the Golden Valley City Engineer, or other engineers selected and retained by the City of Golden Valley. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Golden Valley. The Cooperative Agreement with the City of Golden Valley for the construction of the SEA School – Wildwood Flood Reduction Project presented to the Commission on the date of this Resolution is

approved, and the Chair and Secretary are authorized to execute said agreement on behalf of the Commission.

10. As provided in Resolution 20-06, the Commission is the entity responsible for contracting for the construction of the Dredging Accumulated Sediment in Main Stem Bassett Creek, Theodore Wirth Regional Park Project, and contracts for construction thereof shall be let in accordance with the requirements of law applicable to the Commission.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 16th day of September, 2021.

Chair

ATTEST: _____
Secretary



Bassett Creek Watershed Management

MEMO

To: BCWMC Commissioners
From: Laura Jester, Administrator
Date: September 7, 2021

RE: Item 6Aiii Certifying Costs to Hennepin County:

Recommendation: Direct staff to certify for payment by Hennepin County in 2022 a total tax levy of \$1,700,000 as laid out in Resolution 21-05 and in the table on the following page.

Background

At their meeting in June 2021, the Commission set a maximum 2022 levy of \$1,700,000 for the projects below. I recommend certifying the same amount to the County for the final 2022 levy.

- 2022 portion of the Medley Park Stormwater Treatment Facility (ML-12) (project split among 2022, 2023, and 2024 levies)
- 2022 portion of the SEA School-Wildwood Park Flood Reduction Project (BC-2,3,8,10) (project split between 2022 and 2023 levies)
- 2022 portion of the Main Stem Lagoon Dredging Project (BC-7) (project split among 2021 – 2024

2022 Final Levy Request

Project Name	City	Number	2021	2022	2023	2024	Other Funding	Total Project Cost
SEA School - Wildwood Park Flood Reduction Project (Medicine Lake Rd & Winnetka Ave Long Term Flood Mitigation Plan Project)	Golden Valley	BC-2,3,8,10		\$300,000	\$1,000,000		\$1,300,000 (MnDNR)	\$2,600,000
Medley Park Stormwater Treatment Facility	Golden Valley	ML-12		\$400,000	\$300,000	\$800,000	\$500,000 (Golden Valley)	\$2,000,000
Dredging accumulated sediment in Main Stem Bassett Creek Lagoons, Wirth Park	Golden Valley & MPLS	BC-7	\$600,000	\$1,100,000	\$534,000	\$200,000	\$325,000 (Grants)	\$2,759,000
TOTAL Estimated BWCMC Costs				\$1,800,000	\$1,834,000	Incomplete list	\$2,125,000*	\$7,359,000
Use of BCWMC Closed Project Funds				-\$100,000	-\$100,000			
TOTAL Levy (Proposed 2022; Projected 2023)				\$1,700,000	\$1,734,000	NA		

*Approximately 30% of total project costs are leveraged from other sources

COOPERATIVE AGREEMENT
(Medley Park Stormwater Treatment Facility Project ML-12)

This Cooperative Agreement (“**Agreement**”) is made as of this ____ day of _____, 2021 by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization (“**Commission**”), and the City of Golden Valley, a Minnesota municipal corporation (“**City**”). The Commission and the City may hereinafter be referred to individually as a “party” or collectively as the “parties.”

RECITALS

- A. The Commission adopted the Bassett Creek Watershed Management Commission Watershed Management Plan on September 17, 2015 (“**Plan**”), a watershed management plan within the meaning of Minnesota Statutes, section 103B.231.
- B. The Plan includes a capital improvement program (CIP) that lists a number of capital improvements including the Medley Park Stormwater Treatment Facility Project (“**Project**”).
- C. The Project is in the City of Golden Valley and will be designed and constructed as described in the feasibility report for the Project prepared by Barr Engineering Co. entitled *Medley Park Stormwater Treatment Facility*, dated June 2021 (“**Feasibility Report**”), which is attached hereto as Exhibit A. The Project will consist of the work identified in the Feasibility Report as Concept 3.
- D. The estimated planning level opinion of cost of the Project, including feasibility study, design, and construction, is \$2 million.
- E. The Plan specifies that the Project will be partially funded, up to \$1.5 million, by the Commission.
- F. On September 16, 2021, the Commission adopted a resolution ordering the Project and directing that it be constructed by the City.
- G. In accordance with the Plan, the first portion of Project costs were certified to Hennepin County, which will levy taxes throughout the watershed for Project costs in 2021 for collection and settlement in 2022, and the Commission intends to certify the remaining portion of Project costs to Hennepin County in 2022 and 2023 for collection and settlement in 2023 and 2024, respectively, all pursuant to Minnesota Statutes, section 103B.251.
- H. The City is willing to construct the Project in accordance with the terms and conditions hereinafter set forth.

AGREEMENT

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

1. Project. The Project will consist of the work identified as Concept 3 in Section 5.3 of the Feasibility Report, plus appendices, which includes dredging and expanding Medley Pond to a bottom elevation of 894 ft MSL and landfilling approximately 1,500 cubic yards of contaminated sediment, diverting the existing intermittent stream into the constructed stormwater pond, and constructing two new stormwater ponds (open water areas with wetland fringe) downstream of the stream diversion, along with other modifications, improvements, and vegetation management, all as specified in the Feasibility Report.
2. Condition of Commission Funding. A condition precedent of the Commission's obligations under this Agreement is that the City receives or commits funding from other sources as needed to fully fund the portion of the Project costs not being reimbursed by the Commission under this Agreement. The City shall provide such documentation to the Commission as may reasonably be needed to demonstrate that the additional funding has been secured before the Commission will take any actions in furtherance of this Agreement or make any reimbursement payments.
3. Design and Plans. The City will design the Project and prepare plans and specifications for construction of the Project. The 50% and 90% plans and specifications shall be submitted to the Commission for approval in accordance with the Commission's CIP project review process. Any changes to the Commission-approved 90% plans and specification must be submitted to the Commission and shall require written approval of the Commission's engineer following a reasonable review period, which shall be no less than 10 business days. Minor change orders may be approved by the City without requiring additional approvals by the Commission. For purposes of this paragraph, "minor change orders" shall mean those changes to the approved plans that do not materially change either the effectiveness of the Project to meet its intended purposes, the aesthetics, form, or function of the Project, or the environmental impacts of the Project.
4. Contract Administration. The City will advertise for bids and award contracts in accordance with the requirements of applicable law. The City will award the contract and supervise and administer the construction of the Project to ensure that it is completed in accordance with the approved plans and specifications. The contract may only be let to a responsible contractor in accordance with Minnesota Statutes, section 16C.285 and the City will require the contractor to provide all payment and performance bonds required by law. The City will further require the contractor to name the Commission as additional insured on all liability policies required by the City and the Commission shall be given the same notification of cancellation or non-renewal as is given to the City. The City will require the contractor to defend, indemnify, protect and hold harmless the Commission and the City, their agents, officers, and employees, from all claims or actions arising from negligent acts, errors or omissions of the contractor. The City will supervise the work of the contractor. However, the Commission may observe and review the work of the Project until it is completed. The City will display a sign at the construction site stating "Paid for by the Taxpayers of the Bassett Creek Watershed."

5. Contract Payments. The City will pay the contractor and all other expenses related to the construction of the Project and keep and maintain complete records of such costs incurred.
6. Commission Reimbursement. The Commission will use its best efforts to secure payment from the County in accordance with Minnesota Statutes, section 103B.251 in the amount of Four Hundred Thousand Dollars (\$400,000) by tax levy in 2021 for collection in 2022 and One Million One Hundred Thousand Dollars (\$1,100,000) by tax levy in 2022 and 2023 for collection in 2023 and 2024. The total reimbursement paid by the Commission to the City for the Project may not exceed the total amount levied, anticipated to be One Million Five Hundred Thousand Dollars (\$1,500,000), less Commission expenses. Out-of-pocket costs incurred and paid by the Commission related to the Project including but not limited feasibility studies, publication of notices, securing County tax levy, preparation of contracts, review of engineering designs, review of proposed contract documents, grant application development, grant administration, administration of this contract, and up to a 2.5% administrative charge shall be repaid from the amount specified above from funds received in the tax settlement from Hennepin County. All such levied funds in excess of such expenses are available for reimbursement to the City for costs incurred by the City in the design and construction of the Project. Reimbursement to the City will be made as soon as funds are available, provided a request for payment has been received from the City that contains such detailed information as may be requested by the Commission to substantiate costs and expenses. The City shall complete and submit with its final reimbursement request to the Commission a final report on the Project using the Commission's final reporting form and providing such other information as may be requested by the Commission.
7. Limits on Reimbursement. Reimbursement to the City will not exceed the amount specified above from the amount received from the County for the Project, less any amounts retained by the Commission for Commission expenses. Reimbursement will not be increased by grants or other revenues received by the Commission for the Project. Reimbursement will not exceed the costs and expenses incurred by the City for the Project, less any amounts the City receives for the Project as grants from other sources. All costs of the Project incurred by the City in excess of such reimbursement, shall be borne by the City or secured by the City from other sources.
8. Audit. All City books, records, documents, and accounting procedures related to the Project are subject to examination by the Commission and either the State Auditor or the Legislative Auditor for at least six years after completion of the Project.
9. Environmental Review. The City will perform all necessary investigations of site contamination and secure all necessary local, state, or federal permits required for the construction of the Project and will not proceed with the Project until any required environmental review and remediation of site contamination is completed or a plan for remediation is approved by appropriate regulatory agencies.
10. Ongoing Maintenance. Upon completion of the Project, the City shall be responsible for its ongoing maintenance. The City agrees to perform, at its cost, such maintenance as may be required to sustain the proper functioning of the improvements constructed as part of the Project for their useful life.

11. Data Practices. The City shall retain and make available data related to the letting of contracts and construction of the Project in accordance with the Minnesota Government Data Practices Act.
12. Term. This Agreement shall be in effect as of the date first written above and shall terminate once the Project is completed and the Commission has completed its reimbursement payments to the City as provided herein.
13. Entire Agreement. The above recitals and the exhibits attached hereto are incorporated in and made part of this Agreement. This Agreement contains the entire understanding between the parties regarding this matter and no amendments or other modifications of its terms are valid unless reduced to writing and signed by both parties.

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

BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION

By: _____
Its Chair

And by: _____
Its Secretary

Date: _____

CITY OF GOLDEN VALLEY

By: _____
Its Mayor

And by: _____
Its City Manager

Date: _____

EXHIBIT A
Feasibility Report

[attached hereto]

COOPERATIVE AGREEMENT
(SEA School-Wildwood Park Flood Reduction Project BC-2, 3, 8, 10)

This Cooperative Agreement (“**Agreement**”) is made as of this ____ day of _____, 2021 by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization (“**Commission**”), and the City of Golden Valley, a Minnesota municipal corporation (“**City**”). The Commission and the City may hereinafter be referred to individually as a “party” or collectively as the “parties.”

RECITALS

- A. The Commission adopted the Bassett Creek Watershed Management Commission Watershed Management Plan on September 17, 2015 (“**Plan**”), a watershed management plan within the meaning of Minnesota Statutes, section 103B.231.
- B. The Plan includes a capital improvement program (CIP) that lists a number of capital improvements including the Medicine Lake Road and Winnetka Avenue Long Term Flood Mitigation Plan Implementation, which includes as a component the SEA School-Wildwood Park Flood Reduction Project (“**Project**”).
- C. The Project is in the City of Golden Valley and will be designed and constructed as described in the feasibility report for the Project prepared by Barr Engineering Co. entitled *SEA School-Wildwood Park Flood Storage Project*, dated June 2021 (“**Feasibility Report**”), which is attached hereto as Exhibit A. The Project will consist of the work identified in the Feasibility Report as Concept 3 – Wet Meadow.
- D. The estimated planning level opinion of cost of the Project, including feasibility study, design, and construction, is \$3.1 million.
- E. The Plan specifies that the Project will be partially funded, up to \$1.3 million, by the Commission.
- F. On September 16, 2021, the Commission adopted a resolution ordering the Project and directing that it be constructed by the City.
- G. In accordance with the Plan, the first portion of Project costs were certified to Hennepin County, which will levy taxes throughout the watershed for Project costs in 2021 for collection and settlement in 2022, and the Commission intends to certify the remaining portion of Project costs to Hennepin County in 2022 for collection and settlement in 2023, all pursuant to Minnesota Statutes, section 103B.251.
- H. The City is willing to construct the Project in accordance with the terms and conditions hereinafter set forth.

AGREEMENT

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

1. Project. The Project will consist of the work identified as Concept 3 – Wet Meadow in Section 5.3 and 8.0 of the Feasibility Report, plus appendices, which includes installing a vegetated basin with iron-enhanced sand trenches (biofiltration basin), installing a diversion manhole with a weir on Duluth Street to divert water into the biofiltration basin area, restoring areas that are expected to be inundated during the 2-year 24-hour Atlas-14 storm event with wet meadow habitat, restoring areas adjacent to the wet meadow with native prairie grasses, increasing the total flood mitigation volume by approximately 8.5 ac-ft from existing conditions through excavation and regrading on the SEA School/Wildwood Park properties, modifying the existing storm sewer between DeCola Ponds D and E, along with other modifications, improvements, and vegetation management, all as specified in the Feasibility Report.
2. Condition of Commission Funding. A condition precedent of the Commission’s obligations under this Agreement is that the City receives or commits funding from other sources as needed to fully fund the portion of the Project costs not being reimbursed by the Commission under this Agreement. The City shall provide such documentation to the Commission as may reasonably be needed to demonstrate that the additional funding has been secured before the Commission will take any actions in furtherance of this Agreement or make any reimbursement payments.
3. Design and Plans. The City will design the Project and prepare plans and specifications for construction of the Project. The 50% and 90% plans and specifications shall be submitted to the Commission for approval in accordance with the Commission’s CIP project review process. Any changes to the Commission-approved 90% plans and specification must be submitted to the Commission and shall require written approval of the Commission’s engineer following a reasonable review period, which shall be no less than 10 business days. Minor change orders may be approved by the City without requiring additional approvals by the Commission. For purposes of this paragraph, “minor change orders” shall mean those changes to the approved plans that do not materially change either the effectiveness of the Project to meet its intended purposes, the aesthetics, form, or function of the Project, or the environmental impacts of the Project.
4. Contract Administration. The City will advertise for bids and award contracts in accordance with the requirements of applicable law. The City will award the contract and supervise and administer the construction of the Project to ensure that it is completed in accordance with the approved plans and specifications. The contract may only be let to a responsible contractor in accordance with Minnesota Statutes, section 16C.285 and the City will require the contractor to provide all payment and performance bonds required by law. The City will further require the contractor to name the Commission as additional insured on all liability policies required by the City and the Commission shall be given the same notification of cancellation or non-renewal as is given to the City. The City will require the contractor to defend, indemnify, protect and hold harmless the Commission and the City, their agents, officers, and employees, from all claims or actions arising from negligent acts, errors or omissions of the contractor. The City will supervise the work of the contractor. However, the Commission may observe and review the work of the Project until it is

completed. The City will display a sign at the construction site stating “Paid for by the Taxpayers of the Bassett Creek Watershed.”

5. Contract Payments. The City will pay the contractor and all other expenses related to the construction of the Project and keep and maintain complete records of such costs incurred.
6. Commission Reimbursement. The Commission will use its best efforts to secure payment from the County in accordance with Minnesota Statutes, section 103B.251 in the amount of Three Hundred Thousand Dollars (\$300,000) by tax levy in 2021 for collection in 2022 and One Million Dollars (\$1,000,000) by tax levy in 2022 for collection in 2023. The total reimbursement paid by the Commission to the City for the Project may not exceed the total amount levied, anticipated to be One Million Three Hundred Thousand Dollars (\$1,300,000), less Commission expenses. Out-of-pocket costs incurred and paid by the Commission related to the Project including but not limited feasibility studies, publication of notices, securing County tax levy, preparation of contracts, review of engineering designs, review of proposed contract documents, grant application development, grant administration, administration of this contract, and up to a 2.5% administrative charge shall be repaid from the amount specified above from funds received in the tax settlement from Hennepin County. All such levied funds in excess of such expenses are available for reimbursement to the City for costs incurred by the City in the design and construction of the Project. Reimbursement to the City will be made as soon as funds are available, provided a request for payment has been received from the City that contains such detailed information as may be requested by the Commission to substantiate costs and expenses. The City shall complete and submit with its final reimbursement request to the Commission a final report on the Project using the Commission’s final reporting form and providing such other information as may be requested by the Commission.
7. Limits on Reimbursement. Reimbursement to the City will not exceed the amount specified above from the amount received from the County for the Project, less any amounts retained by the Commission for Commission expenses. Reimbursement will not be increased by grants or other revenues received by the Commission for the Project. Reimbursement will not exceed the costs and expenses incurred by the City for the Project, less any amounts the City receives for the Project as grants from other sources. All costs of the Project incurred by the City in excess of such reimbursement, shall be borne by the City or secured by the City from other sources.
8. Audit. All City books, records, documents, and accounting procedures related to the Project are subject to examination by the Commission and either the State Auditor or the Legislative Auditor for at least six years after completion of the Project.
9. Environmental Review. The City will perform all necessary investigations of site contamination and secure all necessary local, state, or federal permits required for the construction of the Project and will not proceed with the Project until any required environmental review and remediation of site contamination is completed or a plan for remediation is approved by appropriate regulatory agencies.
10. Ongoing Maintenance. Upon completion of the Project, the City shall be responsible for its ongoing maintenance. The City agrees to perform, at its cost, such maintenance as may be

required to sustain the proper functioning of the improvements constructed as part of the Project for their useful life.

11. Data Practices. The City shall retain and make available data related to the letting of contracts and construction of the Project in accordance with the Minnesota Government Data Practices Act.
12. Term. This Agreement shall be in effect as of the date first written above and shall terminate once the Project is completed and the Commission has completed its reimbursement payments to the City as provided herein.
13. Entire Agreement. The above recitals and the exhibits attached hereto are incorporated in and made part of this Agreement. This Agreement contains the entire understanding between the parties regarding this matter and no amendments or other modifications of its terms are valid unless reduced to writing and signed by both parties.

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

BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION

By: _____
Its Chair

And by: _____
Its Secretary

Date: _____

CITY OF GOLDEN VALLEY

By: _____
Its Mayor

And by: _____
Its City Manager

Date: _____

EXHIBIT A
Feasibility Report

[attached hereto]



Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Co.
Subject: Item 6B: Evaluation of Long-Term Carp Control Options for Schaper Pond and Sweeney Lake
BCWMC September 16, 2021 Meeting Agenda
Date: September 7, 2021

Recommendation:

1. Direct Commission Engineer and Administrator to implement an adaptive management approach to resurvey the carp population in 2022 and assess how quickly the carp population might rebound in the Sweeney Lake and Schaper Pond system. Summarize 2022 carp survey results and develop carp control recommendations for consideration by the Commission.
2. Utilize up to \$8,000 of Schaper Pond Diversion Project CIP funding to implement the adaptive management approach.

1.0 Project Background and Purpose

Several investigations in 2017 and 2018 identified problems with stormwater treatment in Schaper Pond and found carp populations exceeding the 100 kg/ha threshold associated with impacts on water quality (Bajer et al., 2009). In 2019, the Commission was awarded grant funding for the Sweeney Lake Water Quality Improvement Project, which included a goal to reduce carp biomass in Sweeney Lake and Schaper Pond during the spring and summer of 2020. In addition, this project intended to track carp movement to 1) assess the likelihood that carp from Sweeney Lake could re-populate Schaper Pond, and 2) assess the need to prevent movement of juvenile and adult carp from Schaper Pond to Sweeney Lake. The Commission Engineer hired Carp Solutions, LLC as its subconsultant on this investigation (and all previous investigations) to analyze carp impacts in the Sweeney Lake-Schaper Pond system.

At the February 2021 Commission meeting, the Commission Engineer presented the results of the carp removal efforts including:

- Sweeney Lake: 452 carp removed, representing an estimated 43.5% reduction in population; reduction in biomass from 122 kg/ha (kilograms per hectare) to 68 kg/ha (note: carp biomass greater than 100 kg/ha = threshold for impacts to water quality)
- Schaper Pond: 152 carp removed representing an estimated 76% reduction in population; reduction in biomass from 321 kg/ha to 75 kg/ha

Overall, the recent data suggest that carp biomass in both Sweeney Lake and Schaper Pond is currently below 100 kg/ha, with no signs of carp recruitment detected in either water body in 2020. 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 re-populate Schaper Pond and use it as a

nursery, which would compromise stormwater treatment in the pond. As a result, the Commission Engineer and Carp Solutions recommended design and installation of a barrier to prevent movement of juvenile and adult carp from Schaper Pond to Sweeney Lake.

At the February 2021 meeting, the Commission directed Commission and Golden Valley staff to evaluate the feasibility, maintenance, liability and long-term efficacy/costs of carp control options for the Sweeney Lake and Schaper Pond system and bring results to a future Commission meeting.

Of the carp control options recommended by the Commission Engineer for further evaluation, the Commission selected the following carp control options for further consideration and evaluation:

- 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 between Sweeney Lake and Schaper Pond

2.0 Long-Term Control Options and Recommendations

Golden Valley staff and the Commission Administrator met with Commission Engineers earlier this summer to discuss various long-term carp management options. Commission Engineers were asked to develop a matrix of options, costs, and impacts. Table 1 provides a comparison of physical and non-physical migration barriers, along with future carp removals, carp population/migration surveys (as needed) and/or other options, that were considered for long-term control of carp in the Sweeney Lake and Schaper Pond system to minimize the potential for future negative impacts to water quality. (Introduction of toxins with bait was previously discussed but eliminated from further consideration due to concerns of commissioners, lack of a proven track record for efficacy and permitting concerns.)

After evaluation of the various options and discussions with city staff and the Administrator, and considering many of the options require significant investment and construction of barriers, etc., the Commission Engineer recommends implementing an adaptive management approach (carp control option #6 in Table 1) to assess how quickly the carp population rebounds in the Sweeney Lake and Schaper Pond system. It is likely that carp populations in Schaper Pond and Sweeney Lake will begin to rebound as adults migrate from upstream of Schaper Pond or downstream of Sweeney Lake. However, it is difficult to estimate how quickly that will happen. It is expected that just a few adult carp spawning in Schaper Pond could result in the carp population rebounding to past (high) levels within a few years. Gathering additional electrofishing data by re-surveying Schaper Pond in late-summer 2022, to determine how many adult and young-of-year carp are present, would improve our understanding of how quickly the population could rebound after last year's removals.

At a minimum, this adaptive management approach is recommended for 2022 to re-confirm the need and potential timing for future installation of carp control options. Long-term management efforts can be reassessed after the 2022 surveys.

Table 1 Comparison of Long-Term Carp Control Options for Schaper Pond – Sweeney Lake (#6 is recommended option for 2022)

Carp Control Option	Feasibility	Operation & Maintenance Needs	Liability & Limitations	Long-Term Efficacy	Initial Capital Costs	Annual Costs	Related Implementation Examples	Additional Comments
1. Removal through baited box netting and/or electrofishing	Approach was successfully implemented in both Sweeney Lake and Schaper Pond during 2020, resulting in corresponding carp populations of 68 kg/ha and 75 kg/ha, respectively; both below 100 kg/ha threshold associated with water quality impacts	More study of subsequent changes to carp population is needed, but it is expected that carp would be able to reproduce in Schaper Pond and eventually re-populate the pond and Sweeney Lake	We don't currently know how long it would take for carp population to return to pre-removal levels	Depending on the future costs of carp removal and timing for re-population of carp in Sweeney Lake and Schaper Pond, it is possible that this option will be the most cost-effective approach in the long-term	None	\$5,000—\$20,000 Estimated range of costs assume that baited box netting would be required every two to eight years; does not include ongoing monitoring/survey costs	Kohlman Lake, Ramsey-Washington Metro Watershed District	
2. Removal through winter seining (assumed to occur one time)	Approach has been successfully applied at several locations throughout Minnesota, but is typically dependent on commercial fisherman identifying high numbers of carp within manageable area of the lake	More study of subsequent changes to carp population is needed, but it is expected that carp would be able to reproduce and eventually re-populate Schaper Pond and Sweeney Lake	We don't currently know how effective this approach will be at removing significant numbers of carp and how long it would take for the carp population to return to pre-removal levels	Expected to decrease population of common carp below the threshold at which they negatively impact water quality	None	\$9,000—\$10,000 Costs will likely be limited to ongoing monitoring and surveys to assess efficacy (\$7,000-\$8,000 per year), plus any incentives necessary to attract commercial fisherman (up to \$2,000)	Spring Lake, Prior Lake-Spring Lake Watershed District	This method is economical, but not reliable, as it's susceptible to failure, typically as seines snag debris and sediment on the bottom of lakes; carp become better at avoiding seine nets over time
3. Install physical barrier between Sweeney Lake and Schaper Pond	A physical barrier could be installed at or near the existing skimmer/footbridge crossing for the Schaper Pond outlet	Due to high loadings of debris and vegetation that is flushed through Schaper Pond, it is expected that this option will require extensive maintenance or cleaning of barrier every year and/or following large storm events	Debris/vegetation buildup or blockages have the potential to exacerbate potential flooding in Schaper Pond	Expected to maintain the population of adult common carp below the threshold at which they negatively impact water quality unless barrier becomes plugged or is overtopped	\$100,000—\$200,000 for initial construction and installation	\$1,000—\$2,000 for maintenance and cleaning of barrier	Rondeau Lake, MN	Existing skimmer at footbridge crossing already requires maintenance a couple times per year after high water events. Alterations to Schaper Pond water level fluctuations could alter function of diversion curtain and adversely impact aesthetics
4. Install low-voltage electric barrier between Sweeney Lake and Schaper Pond	Approach has been successfully implemented in several Minnesota lakes and could likely be installed at or near the existing skimmer/footbridge crossing for the Schaper Pond outlet	While the electrodes are submerged, it is likely that buildup of debris/vegetation will need to be removed; also, the electrodes need to be removed and power-washed on an annual basis	Signage regarding electrical current will need to be posted and public access limited by buoys/gates/fencing to further minimize the low risk of electric shock	Expected to decrease the population of common carp below the threshold at which they negatively impact water quality and maintain that low-level population	\$5,000—\$7,000 for initial installation and materials	\$15,000—\$18,000, including renting equipment, maintenance, and electricity (~\$100 per month), along with the cost to design and replace in-stream electrode array	Rice Creek Lino Lakes chain of lakes and Long Lake, Rice Creek Watershed District	An option to purchase the equipment and materials (approximately \$80,000) can also be pursued if warranted by cost-effectiveness
Introduction of toxins with bait	Eliminated due to permitting concerns and concerns about proven track record and accepted approach for similar settings							
5. Reduce successful carp spawning with panfish predation by aerating Schaper Pond to improve panfish habitat	Preventing winter anoxia and winterkill of panfish promotes carp egg predation and can reduce or eliminate carp reproduction. If the nursery habitat is relatively small and isolated, preventing winter anoxia with aeration and sustaining a significant sunfish population is possible	Aeration systems have notoriously high maintenance costs and personnel requirements	Additional considerations include insurance needs (MNDNR requires specific insurance policies before granting aeration permits) and public safety, as winter aeration creates thin ice and/or open water during winter	Expected to maintain the population of common carp below the threshold at which they negatively impact water quality, as long as the stocked panfish stay in Schaper Pond long enough to feed on the carp larvae during the spring or early summer period	\$12,000—\$20,000 for initial installation	\$2,000—\$3,000, including electricity, maintenance, insurance and fish stocking costs	Rice Marsh Lake, Riley-Purgatory-Bluff Creek Watershed District; Casey Lake and Markham Pond, Ramsey-Washington Metro Watershed District	Schaper Pond does not currently have the habitat necessary to support panfish reproduction so it is expected that panfish would need to be stocked every year for this option to be successful. Could also be combined with MDNR fishing pier and fish stocking
6. Adaptive Management (monitor only) **	Gather additional electrofishing data by re-surveying (adult and young-of-year) carp in Schaper Pond during late-summer 2022 to compare to past surveys and improve understanding of how quickly the population could rebound after last year's removals	None	Carp populations may rebound very quickly (even in 2022) without barriers or other long term control measures. This "monitor only" option may result in poorer water quality until a permanent solution is implemented.	Long-term water quality benefits of recent carp control efforts will not be maintained due to sediment resuspension and excretion by carp in Schaper Pond and Sweeney Lake	None	\$7,000—\$8,000, for carp survey and PIT monitoring	Past Sweeney Lake and Schaper Pond surveys lay the groundwork for this option to run smoothly.	Costs do not include water quality monitoring

** Recommended option for 2022



Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Administrator Jester
Date: September 5, 2021

RE: Recommendations for Providing Comments to BWSR on the Implementation of Watershed Based Implementation Funding

Background:

BWSR is moving away from distributing Clean Water Funds through a competitive grant program by moving toward a more predictable, stable funding mechanism called the Watershed Based Implementation Funding (WBIF) program. In non-metro areas, the WBIF program has provided funding for projects identified in comprehensive plans developed by large groups of partners on a basin scale. (These partnering groups and their plans are sometimes called "One Watershed One Plan" entities.)

In the metro area, watershed organizations have been developing comprehensive 10-year plans for decades. (Metro-area watershed organizations are not part of a One Watershed One Plan group unless their watershed is geographically tied with a larger basin on the metro-fringe.) So, for the metro area BWSR had to figure out how to distribute WBIF through a different mechanism. During the last two bienniums, BWSR distributed this funding through two different "pilot programs," hoping to zero-in on the most efficient and impactful way to implement the new program.

The pilot programs went well in some areas but weren't well streamlined and the process required considerable local-government staff time. Staff had to meet with and coordinate with other entities within a specific geographic area, develop criteria to rank projects, and determine the best projects to fund among all entities eligible to receive the funds including watersheds, cities, counties, and soil & water conservation districts (SWCDs). (Hennepin County does not have an SWCD.) Further, projects eligible for funding included those that were listed in SWCD annual work plans. While those are often good projects, the annual work plan is not comprehensive and often is not developed with the same amount of stakeholder input and rigorous review process as 10-year watershed plans.

MAWD Request:

The Minnesota Association of Watershed Districts (MAWD) recently requested that member organizations consider sending correspondence to BWSR regarding implementation of the WBIF program in the metro area. MAWD staff, Board, and some members argue that WBIF funding should be distributed only to watershed organizations and that city, county, or soil and water conservation district projects could be funded only if they are included in a watershed management plan. MAWD developed a policy analysis outlining its position and recommendations (Attachment 1).

Recommendation:

After reviewing this issue and MAWD's policy analysis, and consulting with Commissioner Welch due to his knowledge of the issue through his work with watershed clients, I recommend that the BCWMC send a letter to BWSR outlining the following points regarding this issue.

- The BCWMC supports the fundamental concept of dedicating Watershed Based Implementation Funds to a program or plan of coordinated, prioritized, and targeted water-resource improvement projects.
- Watershed Based Implementation Funding should be distributed equitably across the metro as there are high-priority needs and resources in every corner of the area.
- The BCWMC agrees that rigorous public involvement in the identification and prioritization of potential projects is critical to successful implementation.
- Funding policy that provides state grants to projects that are not included in an approved Minnesota Statutes chapter 103B plan undermines comprehensive, stakeholder-engaged watershed planning and significantly undermines the value and effectiveness of watershed organizations. BWSR should only fund projects that are included in an approved 103B plan or that qualify for an incentive program in an approved 103B plan.



Bassett Creek Watershed Management

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Laura Jester, Administrator
Date: September 7, 2021

RE: Main Stem Lagoon Dredging Project EAW, Future Permits, and Signatories

The design of the Main Stem Lagoon Dredging Project is underway. Commission Engineers have developed preliminary design plans using the survey and other data collected from the feasibility study. Using that initial plan set they are drafting the Environmental Assessment Worksheet (EAW) document. The EAW is a brief document designed to lay out the basic facts of a project to determine if an Environmental Impact Statement (EIS) is required for the proposed project. In addition to the legal purpose of the EAW in determining the need for an EIS, the EAW also provides permit information, informs the public about the project, and helps identify ways to protect the environment. The EAW is not meant to approve or deny a project, but instead act as a source of information to guide other approvals and permitting decisions.

The project proposer (in this case, the BCWMC) is responsible for preparing the EAW. The Responsible Government Unit (RGU) is responsible for evaluating the EAW and making the final determination on the need for an EIS. Under Subpart 27 of MN Rules 4410, the RGU for the EAW is the party who serves as the Local Government Unit (LGU) for administering the Wetland Conservation Act (WCA) in the area the project is located. Because this project lies in Golden Valley, and the city is the LGU for WCA, the City will be the Responsible Government Unit for the EAW.

Once the EAW document is completed, the RGU will publicly notice the EAW and submit it to the Minnesota Environmental Quality Board (EQB) for a 30-day comment period. Responses to comments are then prepared and a final determination on the need for an EIS is made by the RGU.

In addition to the EAW process, there are several additional (more specific) permit applications that will be needed for this project, including WCA/USACE Joint Permit, MPRB Construction permit, MnDNR public waters work permit, and City of Golden Valley Stormwater Management Permit.

Staff recommends the following process regarding the EAW and future permits.

1. BCWMC Board of Commissioners reviews and considers approval to submit the draft EAW to the RGU for review and approval by the RGU (suggested for the October consent agenda).
2. BCWMC Board of Commissioners reviews and provides input on the RGU's responses to comments on the EAW. Alternatively, Board of Commissioners could delegate this task to the Administrator.
3. BCWMC Board of Commissioners delegates the review and signing of all other permit applications related to this project to the Administrator.



Bassett Creek Watershed Management Commission

MEMO

Date: September 7, 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 10th and a public hearing on the water level drawdown was held April 16th. 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 developed over several months and multiple conversations among the parties. At the May meeting the Commission approved to waive potential conflict of the Commission legal counsel and reviewed a proposal for project design by the Commission Engineer. The updated design proposal and the design agreement among all three parties were approved at the June 2021 meeting. CIP Project design is underway. A public open house was held in the park on July 27th, and another open house on potential designs will be held September 7th (6:00 – 8:00 p.m., at the park). 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 28th. 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 5th, 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 17th, 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 16th 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. A ribbon cutting by the city was held September 13th. The building and site are open to the public and being used to educate students. 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 was established in the spring. Project Website: www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-erosion-repair-project-cedar-lake-ro

2014 Schaper Pond Diversion Project and Carp Management, Golden Valley (SL-3) (See Item 6B): 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 and recommendations will be presented at this meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?CID=277>.

Sweeney Lake Water Quality Improvement Project, Golden Valley (SL-8) (No change since March): 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 8th 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. A one-page overview of 2020 activities and outcomes was developed for the Sweeney Lake Association and [posted online](#) in March. The project website: [Sweeney Lake Water Quality Improvement Project, SL-8](#).

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

2013 Four Seasons Area Water Quality Project (NL-2): 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. In June 2021, the City of Plymouth purchased the property from Walmart. The TAC discussed a potential plan for timing of construction of the stormwater management BMPs by the city in advance of full redevelopment. At the August 2021 meeting, the Commission approved development of an agreement per TAC recommendations. The draft agreement is expected at the October meeting. Project webpage: <http://www.bassettcreekwmo.org/index.php?CID=282>.

2021 Parkers Lake Drainage Improvement 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 design and construct the project. The city hired WSB for project design which is currently underway. 60% design plans were approved at the June meeting. 90% plans were approved at the August meeting. www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2021 Parkers Lake Chloride Reduction Project (PL-7) (No change since August): 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 meeting in March. 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. The first technical stakeholders meeting was held July 26th. Project website: www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2021 Mt. Olivet Stream Restoration Project (ML-20): 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. 60% design plans were approved in June. 90% plans were approved at the August. www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project

2021 Main Stem Lagoon Dredging Project (BC-7) (See Item 6D): 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. The engineering scope and budget were approved at the May 2021 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 project work plan was approved by BWSR. In the spring the Commission approved a grant agreement for a Hennepin County Opportunity Grant for this project. An Environmental Assessment Worksheet is being developed. At this meeting, the Commission should consider the process for EAW review and approval along with signatures for other permits. Project website: 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 summer 2021.

2022 Medley Park Stormwater Treatment Facility (See Items 5A and 6A): The feasibility study for this project is complete 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 was held in April to showcase and receive feedback on concept designs. The feasibility report was approved at the June meeting with a decision to implement Concept #3. At the July meeting the Commission directed staff to submit a Clean Water Fund grant application, if warranted. A grant application was developed and submitted. Funding decisions are expected in early December. This meeting will include a public hearing on this project along with a resolution to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct. www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility

2022 SEA School-Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10) (See Items 5A and 6A): The feasibility study for this project is complete 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 virtual open house video and comment form were offered to the public including live chat sessions on April 8th. The feasibility study report was approved in June with a decision to implement Concept #3. This meeting will include a public hearing on this project along with a resolution to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct. www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project.

Administrator Report August 11 – September 6, 2021

Subject	Work Progress
Education	<ul style="list-style-type: none"> • Corresponded with Valley Community Presbyterian Church consultant re: indigenous voices project • Corresponded with Robbinsdale resident and staff re: event and use of BCWMC educational items • Corresponded with and coordinated volunteers for SEA School “Walk for Water” event • Scoped out possible bike tour path, stops, and timing with Alt. Commissioner McDonald Black; inquired with Utepils about the event • Posted educational video online • Picked up CAMP samples from volunteers • Met with Plymouth staff re: water softener education materials

	<ul style="list-style-type: none"> Corresponded with private winter maintenance crew manager (for Southview Design) re: arranging or finding funding for Smart Salting training course for 40-person crew; corresponded with TAC members for support; assisted with arranging training through Plymouth (with MTKA financial assistance) Briefly reviewed resumes submitted to WMWA for part time educator
CIP	<ul style="list-style-type: none"> <u>Bryn Mawr Water Quality Improvement Project</u>: Participated in project partner meeting with Commission engineers, and all partners and their consultants; corresponded with Commission Engineers and MnDOT staff re: ability to access Penn Pond now due to vegetation clearing for SWLRT <u>Parkers Lake Chloride Reduction Project</u>: Completed meeting poll to set four additional project team meetings; corresponded with Fortin Consulting, Plymouth staff, and Commission attorney re: compensation for Fortin Consulting time to participate in project <u>Sweeney Lake Water Quality Improvement Project</u>: Inquired with Met Council re: chloride samples via CAMP volunteers <u>Schaper Pond Carp Control Project</u>: Reviewed and revised carp management options matrix and memo for commissioners developed by Commission Engineers <u>Four Seasons Area Project</u>: Reviewed draft agreement developed by Plymouth staff; submitted to Attorney Anderson for review <u>Main Stem Lagoon Dredging Project</u>: Corresponded with Commission Engineer re: EAW approval/submittal; drafted memo with recommendations for Commission Discussed Jevne Park Project with Commissioner Carlson Drafted resolution to officially order 2022 CIP projects; submitted to Attorney Anderson for review
Henn Co. Chloride Initiative	<ul style="list-style-type: none"> Reviewed proposal from S.O.S. and city of Edina for presentation to HCCI “small group” Developed agenda and gathered/sent materials for HCCI “small group” meeting Facilitated HCCI “small group” meeting, prepared meeting notes and sent follow up email Sent email to large HCCI group with draft Chloride Management Plan templates and meeting reminder
MAWD	<ul style="list-style-type: none"> Discussed MAWD’s policy analysis and recommendations re: Watershed Based Implementation Funding with Commissioner Welch, drafted memo for Commission and reviewed with Welch Assisted with updates to MAWD Handbook and participate in MAWA Handbook Committee meeting Worked with MPCA staff to develop abstract for MAWD Annual Meeting re: smart salting trainings and other materials
Environmental Justice	<ul style="list-style-type: none">
Administration	<ul style="list-style-type: none"> Drafted and submitted September 16th public hearing notice for print publications Revised and submitted invoice for project review expenses in excess of \$5,000 for Hollydale project review Updated and submitted commissioner contact information for MN Campaign Finance Board Post 2022 approved budget online Developed agenda; reviewed and submitted invoices; reviewed financial report; finalized minutes; reviewed memos and documents for Commission meeting; disseminated Commission meeting information to commissioners, staff, and TAC; updated online calendar; participated in pre-meeting call with Vice Chair Welch and Commissioner Engineer; drafted meeting follow up email
Other Issues & Projects	<ul style="list-style-type: none"> Participated in short meeting with Plymouth staff and their consultants re: small area planning study at highways 73 and 55 Corresponded with residents concerned about lot split/easement vacating in Crystal Corresponded with resident and Plymouth staff re: options for addressing abundant thistles in wetland