



Bassett Creek Watershed Management Commission

Regular Meeting
Thursday, May 19, 2022

8:30 – 11:00 a.m.
Brookview, Golden Valley
Bassett Creek North Room

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 – April 21, 2022 Commission Meeting
- B. Acceptance of May 2022 Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – April 2022 Administrative Services
 - ii. Keystone Waters, LLC – April 2022 Meeting Expenses
 - iii. Barr Engineering – April 2022 Engineering Services
 - iv. Kennedy & Graven – March 2022 Legal Services
 - v. Redpath – April 2022 Accounting Services
 - vi. Jan Voit – April 2022 Administrative Services
 - vii. Stantec – WOMP Services
 - viii. Three-One-Six Bar and Grill – Meeting Catering
 - ix. Metro Conservation Districts – Children’s Water Festival Sponsorship
- D. Approval of Resolution 22-06 to Not Waive Monetary Limits on Municipal Tort Liability
- E. Approval of 2021 BCWMC Annual Report
- F. Approval of Agreement with Three Rivers Park District for Medicine Lake Collaboration
- G. Approval of Contract with Met Council for Watershed Outlet Monitoring Program

5. BUSINESS

- A. Consider Approval of 90% Design Plans for Medley Park Stormwater Treatment Facility (ML-12) (30 min)
- B. Review Recommendations on 2023 Operating Budget from Budget Committee (20 min)
- C. Review New Information on Crystal Dog Park Project (30 min)

BREAK (at Chair’s discretion)

- D. Consider Approval of Internship Agreement (15 min)
- E. Receive Report on Equity in Watershed Management Workshop (10 min)
- F. Consider Commission Meeting Location and Catering Options (10 min)

6. COMMUNICATIONS (10 minutes)

- A. Administrator's Report
 - i. July Workshop Planning
 - ii. Update on Convene Meeting Discussions
 - iii. Haha Wakpadanj (Bassett Creek) Community Celebration– June 4th
- B. Chair
- C. Commissioners
- D. TAC Members
 - i. May 4th Meeting Report
 - ii. Next Meeting June 1st – Need Liaison
- E. Committees
- F. Legal Counsel
- G. Engineer
 - i. Update on Proposed Impaired and Delisted Waters

7. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet
- D. Stormwater Summit www.wef.org/StormwaterSummit
- E. Salt Symposium Early Registration www.bolton-menk.com/resources/salt-symposium/

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Technical Advisory Committee Meeting – Wednesday June 1st @ 10:30 a.m., Location TBD
- Haha Wakpadanj Community Celebration – Saturday, June 4th, 11:00 a.m. – 2:00 p.m., Valley Community Presbyterian Church, Golden Valley
- BCWMC Regular Meeting – Thursday June 16th @ 8:30 a.m., Brookview
- Stormwater Summit Sponsored by the Water Environment Federation, July 27 – 29, Minneapolis www.wef.org/StormwaterSummit
- Salt Symposium Livestreamed August 2 & 3, www.bolton-menk.com/resources/salt-symposium/



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: May 11, 2022

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: Background Information for 5/19/22 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **CITIZEN FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**
4. **CONSENT AGENDA**
 - A. **Approval of Minutes – April 21, 2022 Commission Meeting- ACTION ITEM with attachment**
 - B. **Acceptance of May 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 – April 2022 Administrative Services
 - ii. Keystone Waters, LLC – April 2022 Meeting Expenses
 - iii. Barr Engineering – April 2022 Engineering Services
 - iv. Kennedy & Graven – March 2022 Legal Services
 - v. Redpath – April 2022 Accounting Services
 - vi. Jan Voit – April 2022 Administrative Services
 - vii. Stantec – WOMP Services
 - viii. Three-One-Six Bar and Grill – Meeting Catering
 - ix. Metro Conservation Districts – Children’s Water Festival Sponsorship
 - D. **Approval of Resolution 22-06 to Not Waive Monetary Limits on Municipal Tort Liability – ACTION ITEM with attachment - Commission Legal Counsel Anderson recommends the Commission take action (via resolution) to not waive monetary limits on municipal tort liability. This action is taken by the Commission annually.**
 - E. **Approval of 2021 BCWMC Annual Report – ACTION ITEM with attachment (full document online) - According to MN Rules Chapter 8410, the BCWMC is required to submit an annual report to the MN Board of Water and Soil Resources. Staff recommends approval of the attached report and direction to submit the report and post online.**
 - F. **Approval of Agreement with Three Rivers Park District for Medicine Lake Collaboration – ACTION ITEM with attachment - Since 2017, the BCWMC has facilitated curly-leaf pondweed control on Medicine Lake with cost sharing of 17% from TRPD. Due to the high cost of CLP treatment this year, the TRPD is contributing nearly over 50% of the cost. The BCWMC also contributed funds to TRPD for expanded boat inspections at the launch. This agreement includes both activities. It was reviewed by the BCWMC Legal Counsel and is the same agreement used in years past. Staff recommends approval.**
 - G. **Approval of Contract with Met Council for Watershed Outlet Monitoring Program (WOMP) – ACTION ITEM with attachment – Every two years, the BCWMC enters an agreement with Met Council to continue cooperating on water quality and quantity monitoring at the WOMP station. The station is in Minneapolis near the base of the watershed. Data collected there are critical to maintaining the**

Commission's pollutant loading and hydrologic models. Met Council pays for the equipment and lab analyses and contributes \$5,000 per year toward staff expenses to maintain equipment, collect and deliver samples (both tasks performed through a contract with Stantec) and develop the rating curve by taking regular flow measurements (performed by the Commission Engineer). Staff recommends approval.

5. BUSINESS

- A. Consider Approval of 90% Design Plans for Medley Park Stormwater Treatment Facility (ML-12) (30 min) – ACTION ITEM with attachment (plan sets online) – *At the September 2021 meeting, the Commission ordered [this project](#) and entered an agreement with Golden Valley to design and construct the project. Golden Valley is contracting with Barr Engineering for this work. The Commission approved the 50% plan at the February meeting reflecting designs of Concept 3 from the feasibility study which was approved for implementation. Staff recommends approving the 90% plans and authorizing the city to proceed with 100% design, permitting and contract documents.*
- B. Review Recommendations on 2023 Operating Budget from Budget Committee (20 min) – DISCUSSION ITEM with attachment - *The Budget Committee met on March 30th and May 2nd to develop recommendations for the 2023 operating budget and city assessments. The attached budget includes the committee's proposed budget along with expected revenue for some line items, notes, and city assessments. The Commission Engineers and Budget Committee also recommend updating development review fees (see attached) for better alignment with actual costs. The budget is higher than previous years. This is partially due to development of the Watershed Management Plan (although that is partially offset from funds already set aside for the plan), and higher costs for curly-leaf pondweed treatment in Medicine Lake, and a higher amount put into the long-term account for Flood Control Project inspections/maintenance. The budget does NOT include MAWD dues and assumes the Commission would not be a MAWD member in 2023. The budget includes higher than normal increases in city assessments - proposed to be about 8.4% higher on average than 2022 assessments. The Commission can take action to approve a proposed budget at this meeting or can request a revised budget for consideration at the June meeting.*
- C. Review New Information on Crystal Dog Park Project (30 min) – ACTION ITEM with attachments (additional attachments online) – *At the meeting last month, the Commission reviewed plans for a proposed new dog park in Crystal. There was concern about the park being partially in the floodplain along the North Branch of Bassett Creek which is impaired for bacteria. The Commission Engineer, Commission Chair, TAC member Mark Ray, City Manager Anne Norris, Recreation Director John Elholm, and I walked the site of the proposed park last week. We reviewed site drainage and current and planned vegetation, and discussed mitigation measures to protect the creek. See the attached Commission Engineer review and recommendation letter which includes a letter from the city with additional information and responses to concerns. Also attached is a letter from Alternate Commissioner Hauer covering her concerns about the proposed project. Finally, included with online materials is a PowerPoint presentation with additional information about project. With the new information gathered onsite, the city's plans to enlarge an existing swale on the creek side of the park, and plans for expanded educational signage, staff recommends conditional approval of the project.*

BREAK (at Chair's discretion)

- D. Consider Approval of Internship Agreement (15 min) - ACTION ITEM with attachment – *At the Commission meeting in April 2021, staff was directed to further explore development of an internship position with Dougherty Family College. Please see the attached memo and agreement between BCWMC, city of Golden Valley, and Juan Del Valle Lopez.*

- E. Receive Report on Equity in Watershed Management Workshop (10 min) – **INFORMATION ITEM with attachment** – *About 35 people attended the workshop including 7 BCWMC commissioners, 7 BCWMC TAC members, and 3 BCWMC staff. There was a lot of great information, insights, and experiences shared by speakers and good small group discussions. Commissioner Fernando did a wonderful job facilitating! Attached is the agenda and a handout with definitions and resources. All presentations and resources will be posted on the BCWMC Watershed Plan Update webpage in the coming days.*
- F. Consider Commission Meeting Location and Catering Options (10 min) – **DISCUSSION ITEM no attachment** – *At the April Commission meeting, it was apparent the Brookview meeting space may not meet our needs in terms of acoustics and refreshment costs are well outside of the meeting catering budget. Staff would like direction from commissioners on future meeting location, catering, and logistics.*

6. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report - **INFORMATION ITEM with attachment**
 - i. July Plan Workshop Planning
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 - iii. Haha Wakpadanj (Bassett Creek) Community Celebration– June 4th
- B. Chair
- C. Commissioners
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- E. Committees
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- C. Grant Tracking Summary and Spreadsheet
- D. Wetland Conservation Act Notices
- E. Stormwater Summit www.wef.org/StormwaterSummit
- F. Salt Symposium Early Registration bolton-menk.regfox.com/salt-symposium-2022

8. ADJOURNMENT

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- Salt Symposium Livestreamed August 2 & 3, www.bolton-menk.com/resources/salt-symposium/



Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting

Thursday, April 21, 2022

8:30 a.m.

Brookview, Golden Valley, Bassett Creek North Room

1. CALL TO ORDER and ROLL CALL

On Thursday, April 21, 2022 at 8:32 a.m. Chair Cesnik brought the Bassett Creek Watershed Management Commission (Commission) to order.

Commissioners, city staff, and others present

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	<i>Absent</i>	Mark Ray
Golden Valley	Stacy Harwell	Jane McDonald Black	<i>Absent</i>
Medicine Lake	Clint Carlson	Shaun Kennedy	Susan Wiese
Minneapolis	Michael Welch	Jodi Polzin	Liz Stout, Katie Kowalczyk
Minnnetonka	<i>Vacant Position</i>	<i>Vacant Position</i>	<i>Absent</i>
New Hope	Jere Gwin-Lenth	Jennifer Leonardson	Nick Macklem
Plymouth	Catherine Cesnik	Monika Vadali	Chris LaBounty, Ben Scharenbroich
Robbinsdale	<i>Absent</i>	<i>Vacant Position</i>	Richard McCoy, Mike Sorenson
St. Louis Park	<i>Vacant</i>	<i>Absent</i>	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineers	Karen Chandler and Greg Wilson, Barr Engineering		
Recording Secretary	<i>Absent</i>		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Presenters/ Guests/Public	John Elholm, City of Crystal		

First in-person meeting in over two years: introductions were made.

2. PUBLIC FORUM ON NON-AGENDA ITEMS

No comments from the public were made.

3. APPROVAL OF AGENDA

MOTION: Commissioner Carlson moved to approve the agenda. Commissioner Welch seconded the motion. Upon a vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

4. CONSENT AGENDA

The consent agenda was amended to remove items 4D, 4E, and 4J. The following items were approved as part of the consent agenda.

- Approval of March 17, 2022 Meeting Minutes
- Acceptance of April Financial Report
- Approval of Payment of Invoices
 - i. Keystone Waters, LLC – March 2022 Administrative Services
 - ii. Keystone Waters, LLC – March 2022 Meeting Expenses
 - iii. Barr Engineering – March 2022 Engineering Services
 - iv. Kennedy & Graven – February 2022 Legal Services
 - v. Redpath – March 2022 Accounting Services
 - vi. Jan Voit – March 2022 Administrative Services
 - vii. Stantec – WOMP Services
 - viii. MN Association of Watershed Districts – 2022 Membership Dues
 - ix. Three-One-Six Bar and Grill – Meeting Catering
- Approval of Agreement with Met Council for 2022 Citizen Assisted Monitoring Program (CAMP)
- Approval to Execute Lawns to Legumes Grant Agreement
- Approval to Execute Grant Sub-contract with Metro Blooms for Lawns to Legumes Project
- Approval of Bryn Mawr Meadows Park Improvements, Minneapolis
- Conditional Approval of Meadowbrook Elementary School Parking Lot Improvements, Golden Valley

MOTION: Commissioner Welch moved to approve the consent agenda as amended. Commissioner Gwin-Lenth seconded the motion. Upon a vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

5. BUSINESS

***Moved off consent:* 4D. Approval to Appoint Administrator as BCWMC Representative for Watershed Based Implementation Funding (WBIF) Convene Process**

Administrator Jester explained that approximately \$88,000 in non-competitive Clean Water Funds have been awarded to the Bassett Creek Watershed for water quality improvement projects over the next biennium. To access the funds, a meeting must be convened with an official representative from BCWMC, representatives from Hennepin County, Board of Water and Soil Resources (BWSR), and two official city representatives. Attendees at this meeting decide how the funds should be appropriated. Administrator Jester intends to ask that some of the money be used for education in the west metro.

MOTION: Commissioner Welch moved to appoint Administrator Jester as the representative of the BCWMC for the convene WBIF process. Commissioner Harwell seconded the motion. Upon a vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

***Moved off consent:* 4E. Approval to Execute Contract with PLM Lake & Land Management for Curly-leaf Pondweed Treatment, Medicine Lake**

Administrator Jester explained that the Commission annually treats Medicine Lake for curly-leaf pondweed. Treatments should be applied during a specific window of water temperatures and waiting until May to approve the contract would likely be too late. She recommended PLM Lake & Land Management as the company that has been employed in previous years with good results. Since the last Commission meeting, the Department of Natural Resources (DNR) approved a Vegetation Management Plan for Medicine Lake. That plan allows treatment of a larger lake area. The herbicide type and treatment areas are still being explored. The cost is higher than anticipated because of the larger area and the need to use a different herbicide in some areas which is less detrimental to the native plant community. She is seeking the ability to have the Commission Chair execute a contract with PLM Lake & Land Management for a not to exceed price of \$44,000. The Commission has also received a \$10,000 grant from the DNR for treatment. Three Rivers Park District (TRPD) also provides cost-share for treatment. This is generally 17% of the cost because that is the amount of shoreline

they own on the lake; however, TRPD noted that they can contribute more than 17%. The Commission could also seek funding from other partners.

MOTION: Commissioner Welch moved to authorize Chair Cesnik to execute a not-to-exceed contract of \$44,000 for herbicide treatment on Medicine Lake with PLM Lake & Land Management. Commissioner Carlson seconded the motion. Upon a vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

Moved off consent: **4J. Approval of Bassett Creek Dog Park Project, Crystal**

This proposed project is located along the North Branch Bassett Creek in Bassett Creek Park. Mr. Elholm, Parks and Rec Director with City of Crystal gave a brief overview of the project. Discussion was held regarding encouragement of pet waste management program, DNA testing, and that a portion of the proposed dog park is located in a floodplain along a creek with a bacteria impairment. It was noted that most of the proposed project is not in the floodplain.

Commissioners expressed concern about placement of the dog park near the creek. However, the project as proposed meets BCWMC requirements. It was suggested that the Commission consider standards for future placement of dog parks and other activities that could generate bacteria. Commission Attorney Anderson noted that unless there is something in the BCWMC requirements that prohibits the project, it cannot be denied.

There was a question regarding MS4 permit compliance due to the existing bacteria impairment. It was noted that many dog parks have water access (this dog park would not have access to the creek). Mr. Elholm noted the city has not analyzed this project's compliance with the city's MS4 permit. It was also noted that the Commission doesn't have regulatory authority and collaboration with the city is important. Mr. Elholm noted the city is planning to include signage to point out sensitive areas in the park, as well as the potential damage from pet waste. Signage could be done in partnership with the Commission. They want to make sure that dogs are not in the water.

Administrator Jester said that the approval letter to the city could include the encouragements and recommendations to the city to address the potential for bacteria pollution and to work with the Commission on signage and education. She noted that while the Commission doesn't have requirements preventing the dog park placement, it does have policies encouraging cities to preserve natural areas and to take every possible action to preserve and protect natural resources.

MOTION: Commissioner Welch moved to table approval of the Bassett Creek Dog Park Project with direction to the Commission Engineers to work with city staff to incorporate stream protections. Images of the park should be provided at the next meeting. Commissioner Carlson seconded the motion.

Discussion: There was also discussion on the impact of the decision on the bidding process. The bid packets are already out. The city may not be able to approve a contract without the full approval of the Commission. Tabling this until the next meeting will delay the contract award until June.

Discussion was held about floodplains. The Commission Engineer explained that the floodplain referenced in the review memo is the BCWMC jurisdictional floodplain, which may be different than the FEMA-delineated floodplain elevation. The amount of floodplain in the park is relatively small.

Upon a vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

A. Receive Update and Consider Approvals for Schaper Pond Carp Management

Engineer Wilson gave an overview of the Schaper Pond Carp Management Project in Golden Valley. He reviewed the history of the 2017 and 2018 monitoring of the effectiveness of the floating water baffle in removing total phosphorus. The data showed that the water quality got worse as the flow moved through the pond. In 2019, a carp population assessment was done. In 2020 more assessment was done, along with a carp removal project in which 452 carp were removed from the system. The carp population went down below the threshold for water quality impacts.

Engineer Wilson reviewed prior work to assess options for long-term control of the carp population. In September 2021, the Commission approved the adaptive management plan and a 2022 carp survey to compare current and past carp populations. The recommendation presented at this meeting is a scope and budget with Carp Solutions for carp removal, if it is deemed necessary, and for stocking panfish. The DNR was contacted about getting a permit for stocking panfish, and a local hatchery provided a cost estimate for stocking bluegills. In conversation with Riley-Purgatory-Bluff Creek Watershed District, Engineer Wilson found they have four years of experience stocking panfish and have seen success. The cost is relatively low.

The costs for this project would come from the remaining Schaper Pond Diversion Project CIP funds with a current balance of \$165,000. The potential for success of panfish stocking was noted. Discussion was held regarding the cost per pound for phosphorus removal when the carp are removed. There are no current calculations for that but better functionality for Schaper Pond is the goal.

Discussion was held regarding solely contracting with Carp Solutions. Engineer Wilson explained that from a timing perspective, there are only a couple of entities in Minnesota that do this work. He noted Carp Solutions has experience with this system and knows what works and that it makes the most sense to subcontract with them.

MOTION: Commissioner Welch moved to authorize approval for up to \$65,000 for work recommended by the Commission Engineer, noting that the \$52,000 is contingent on the preliminary results of carp surveys. Commissioner Carlson seconded the motion.

It was noted that panfish stocking is a cost-effective way to lower the carp population as the fish eat carp eggs and young carp. Discussion was held regarding the alum treatment on Sweeney Lake. Engineer Wilson explained that since the alum treatment was done in a deeper part of Sweeney Lake, he did not believe the carp populations would adversely affect the treatment. In the fall, the second alum treatment will be done. He did not believe the carp would adversely affect the second treatment or the long-term effects.

It was noted that after the carp population is under control, monitoring the effectiveness of the diversion project in the pond would be prudent. Administrator Jester noted remaining CIP funds could be used for that work.

There was a question on whether bluegills act like carp, stirring up bottom sediments. Engineer Wilson explained that bluegills would likely spawn in upper reaches of Schaper Pond or downstream. He noted that it may be necessary to stock bluegills more than one year, in the likely event of winter kill. The impact that bluegills might have would not come close to the damage being done by carp.

Alternate Commissioner McDonald Black asked if there are other unintended consequences with bluegill stocking or impacts on other fish communities? Engineer Wilson explained that if the DNR issues a permit, they are the experts, and we can assume there shouldn't be adverse impacts on the gamefish.

Upon a vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

B. Receive Overview of BCWMC Joint Powers Agreement (JPA)

Commission Attorney Anderson explained that it is important for the Commission to review the Joint Powers Agreement. He noted the intent today is to give a high-level introduction and summarize the contents. The JPA is a contract between the nine member cities. It expires on January 1, 2025. Updates or extensions of the agreement would have to be approved by all nine members.

The basic components of the JPA were reviewed with a presentation. There are interesting bits of history in the document dating back to 1968. Article 5 creates this board, which is the governing body of the BCWMC. Each city appoints a commissioner and an alternate, who serve staggered three-year terms. Commissioners serve without compensation. Officers are elected annually.

The most important provisions are outlined in Articles 6 and 7, which describe the general responsibilities and authority to protect ground and surface water quality. Powers and duties are described in the JPA, as well as financial provisions and those for public participation.

The Commission does not have eminent domain authority but can establish policies for acquiring land. All member cities have eminent domain authority for public purposes. The Commission reviews city water management plans to ensure they are in line with the BCWMC Watershed Management Plan (WMP).

There is a requirement to have an improvement fund for all of the CIPs. A repair and maintenance fund can also be established. The budget process is outlined in the JPA. The Commission does not have levy authority or the power to assess.

The Commissioners should review the JPA in conjunction with updating the Watershed Management Plan (WMP).

If the BCWMC should cease to exist because the nine member cities didn't sign the JPA, watershed management must still happen within this area. It would be the responsibility of Hennepin County. There is also a petition process to form a watershed district.

The last JPA had a 10-year extension. The one before that had a 20-year extension. There is no limit to the timeframe for extensions. It was suggested that the next timeframe be extended past the deadline for the next WMP update.

There was a one-page handout containing an overview of the JPA in the meeting packet. A copy of the PowerPoint presentation will be posted on the Commissioner Orientation webpage. The Administrative Services Committee will be reviewing the JPA.

The JPA does have some language that indicates the Commission has regulatory authority, but there were no specifics. State law says that regulation as a joint powers watershed can only occur if specific statutory requirements are met. Commission Attorney Anderson will review JPAs from other joint powers watersheds and determine if there are some best practices that the Commission should consider.

It was suggested that the TAC review the JPA at their next meeting and determine if there are items that they would recommend be changed.

C. Consider Recommendations from Technical Advisory Committee

TAC Chair Mark Ray reviewed recommendations for the Flood Control Project inspections and budgeting. He noted the recommendation to only use non-destructive inspection techniques in the Bassett Creek Tunnel, including no drilling of microphones into tunnel walls. The TAC also recommends piloting use of a new inspection technique using geophysical techniques, such as ground penetrating radar or multichannel analysis of surface waves, to look for voids behind the tunnel walls in a 500-ft unsubmerged portion of the tunnel.

TAC member Stout noted the city of Minneapolis does have other tunnels for which they are responsible. This proposal is consistent with other processes used for non-destructive testing. It was suggested that the Commission Engineer check with the city of Minneapolis to determine if there could be combined efforts and cost-sharing. It was noted that visual inspection with staff in the tunnel is the best way to capture and observe possible problems and changes to the tunnels over time. Inspections are done in the same manner, but it may be warranted to add spot inspections. This is in reference to tunnels that are easily accessed, not deep tunnels in which the water needs to be drawn down in order for an inspection to be done.

Commission Engineer Chandler reported that when looking at the alternative methods, the physical inspection cannot be replaced. This new technology would be in addition to visual inspection because voids cannot be seen during an inspection. The new technology is complementary to the physical inspection process.

The TAC also recommends that the Commission adjust the annual operating budget to set aside \$35,000 per year to cover the cost of the 20-year inspection program and to account for higher cost of the pilot program in 2025.

Further, TAC Chair Mark Ray explained that the 5-year Capital Improvement Program was reviewed. No new projects were proposed by the cities. The city of Plymouth requested that two Plymouth Creek restoration projects be combined into one with the intent of getting better pricing. There are also recommendations to increase the budgets of other CIP projects due to rising costs.

The process for the TAC to gather input on the Watershed Management Plan from city councils or commissions was reviewed. TAC members Ray and Francis were appointed to the WBIF convene meeting.

MOTION: Commissioner Welch moved to approve the TAC recommendations as presented in the memo. Commissioner Gwin-Lenth seconded the motion. Upon a roll call vote, the motion carried 6-0, with the cities of Minnetonka, Robbinsdale, and St. Louis Park absent from the vote.

[A five-minute break was taken.]

D. Consider Approval of Scope and Budget for Analysis of Alternatives to Jevne Park CIP Project

Commission Engineer Chandler presented a scope and budget to analyze alternatives for the Jevne Park CIP Project as directed at the March meeting. The alternatives were limited to a shoreline assessment and enhanced street sweeping evaluation. Project meetings and limited public engagement were also included. The result would be a summary memo that would serve as an addendum to the previous feasibility study.

Engineer Chandler noted that the shoreline assessment is the biggest piece. There will be an initial desktop screening of vegetation along the shoreline, as well as field review and confirmation. Coordination with the city and Administrator Jester would be necessary to gain access to private property to conduct the assessment. They would determine what type of water quality treatment the buffers are currently providing, where there are deficiencies, and what could be gained by making the buffer wider.

In the street sweeping assessment, they would be looking at different tools to determine what might be a reasonable phosphorus removal using the regenerative air street sweeper in areas where this is not currently being done.

In developing the cost estimate, it was assumed there will be one presentation to the Commission and minor edits to the final memo. Another assumption was there would not be large public engagement meetings, but the development of a fact sheet that the city could use in their own public engagement. The schedule assumes beginning in June and wrapping up at the end of the fiscal year. The estimated cost is \$43,000.

Discussion was held regarding street sweeping. Commissioner Carlson noted there may be a benefit to implementing broader street sweeping. He suggested that the Commission consider requiring street sweeping in conjunction with the implementation of any project.

Questions were asked about the budget. There is \$443,000 in the account for the Jevne Park project. If the Commission did not move forward with this, the funds would be moved into a closed project account to be used on another CIP, not the operating budget.

Commission Engineer Chandler explained that the purpose of the study is to estimate phosphorus removal levels through implementation of the practices identified in the scope and budget and whether they are more or less than what was estimated in the original Jevne Park project.

Commissioner Welch noted he does not support this project. He went on to say the idea [of the CIP] is not to allocate funding for a project and then assume there is funding to do any project in the city. He noted shoreline assessments are good, but engineers cannot offer solid information about the effectiveness of shoreline buffers in removing phosphorus. He noted street sweeping is also good and there is information available about the effectiveness of phosphorus removal.

Chair Cesnik asked for thoughts regarding the suggestion to spend CIP funds for incentives for residents to install shoreline buffers rather than do the study. Administrator Jester explained that there is precedence for the Commission to take a step back from a project that was not done and look at other options for improving water quality.

Discussion was held regarding street sweeping and whether it has been thoroughly evaluated. It has been evaluated in the city of Plymouth, but there are other studies. Commission Engineer Chandler stated that she did not believe that the value of street sweeping is well known. There are studies available, but we do not know how that translates into how much is getting to the water body. The assumption is that all of the pollutants collected by street sweeping would otherwise go to the water body and it is not known if that is true.

There was some discussion about how the city is mitigating pollution through practices installed with its sewer and water project. It was noted that the Commission approved the infrastructure project for the city of Medicine Lake in March. There is respect for the lack of space for water quality improvement opportunities in the city.

It was noted there is a line between capital funding and operational funding. For example, capital money could be used to buy a street sweeper, but not for operating it. Administrator Jester explained that if the analysis showed that street sweeping needs to be improved for better efficiency, that would be an operational undertaking by the city. Installation of shoreline buffers could be done with capital funds. Commission Attorney Anderson said that doing a feasibility study with CIP funds is appropriate.

Chair Cesnik said that she would not feel comfortable putting money into shoreline buffers without a study to prioritize. Commissioner Welch reminded the commissioners that the CIP is a watershed-wide program and not funds for specific cities. He noted again that if we don't do this project, the funds go into a closed project account and we lower the levy.

Commissioner Carlson said that the timing for this is not critical and he has no objection to tabling the discussion.

MOTION: Commissioner Gwin-Lenth moved to table the discussion until legal counsel and engineer can provide answers to questions that have arisen. Commissioner Harwell seconded the motion.

Commission Attorney Anderson stated that this is a policy debate. There is need for clear direction to staff. Chair Cesnik said that from the February meeting, the Commission wanted something to be done and had directed the engineer to provide options. Administrator Jester suggested that it may be prudent for the city to poll residents to determine interest in establishing or learning about shoreline buffers. Chair Cesnik suggested turning this into a grant program.

Administrator Jester recommended that staff look at options for how this should be assessed. There may not be a need to know the pollutant reduction from shoreline buffers, but it would be good to understand the residents' willingness to participate in shoreline improvement. Alternate Commissioner Kennedy stated that the city is in the process of revising its shoreline ordinance. More information could be obtained from residents during the public meeting.

Commissioner Gwin-Lenth withdrew his motion. Commissioner Harwell withdrew her second.

Commissioner Carlson moved to request the city of Medicine Lake use the shoreline ordinance public meeting to gather input from residents about shoreline improvements and rewrite the analysis to simply look at street sweeping efficiencies. The motion died for lack of a second.

No action was taken.

[Commissioner Harwell left the meeting.]

E. Receive Update on Watershed Management Planning Process

- i. Stakeholder Engagement Plan
Administrator Jester reported that this is the beginning of the input process. Several documents will be posted to a new watershed planning page on the website. The Outreach Plan reflects the scope and budget. It was reviewed by BWSR and they had no significant issues.
- ii. Official Notification Letters
The notification letters were sent to all of the review agencies. Comments on items to consider in the planning process are due June 15.
- iii. Plan Process Overview Fact Sheet
A fact sheet was created. Copies were distributed to member cities. The audience for this is city officials and staff.
- iv. City Input form
A questionnaire was developed at the request of cities for direction on the needed input.
- v. Equity Workshop
Administrator Jester met with Commissioner Fernando regarding the Equity in Watershed Management Workshop. The commissioner had many suggestions for making the workshop more interactive. There is interest in this workshop from other watersheds and BWSR. The intended audience is commissioners.

6. COMMUNICATIONS

A. Administrative Report

- i. Update on Intern from Dougherty Family College
We continue to move forward with Dougherty Family College about an intern who will be housed at the city of Golden Valley. An independent contractor agreement with the intern is needed and may include the city in the agreement as well.
- ii. Update on 2022 Chloride Monitoring in Lakes
Discussions have been held regarding the CAMP volunteers doing some chloride monitoring. That will not be necessary because we are monitoring the lakes where chloride is a concern. The city of Minnetonka is monitoring Crane Lake as part of their regular program.
- iii. Celebration of Haha Wakpandan (Bassett Creek) Oral History Project
On June 4, there will be a Celebration of the Haha Wakpandan Oral History Project. They are hoping the Commission can be represented at this event. More information will be provided at a later date.

B. Chair

No report was given.

C. Commissioners

No reports were given.

D. TAC Members

i. Standing TAC Meetings

Standing TAC meetings will be held on the first Wednesday of the month. They may alternate between in-person and virtual. The first meeting is May 4. The agenda item is the TAC's recommendation to adopt the new model. No TAC liaison was appointed.

E. Committees

i. Budget Committee

The Budget Committee is meeting for the second time on May 2. Committee Chair McDonald Black noted the operating budget has not been raised for several years while CIP projects have seen increases. Updating the WMP will have added costs. The Commission should expect a recommendation for a significantly higher budget in 2023.

F. Legal Counsel

No report was given.

G. Engineer

No report was given.

7. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates <http://www.bassettcreekwmo.org/projects>
- C. Grant Tracking Summary and Spreadsheet
- D. Met Council Water Resources Update
- E. Smart Salting Legislation Support Letter
- F. Adopt a Shoreline Program - <https://freshwater.org/adopt-a-river/>
- G. Wetland Conservation Act Notices: Plymouth, Medicine Lake, Golden Valley

8. ADJOURNMENT

The meeting adjourned at approximately 11:27 a.m.

BCWMC May Financial Report - General Ledger		Capital Improvement Projects	General Fund	Unclassified	TOTAL
ASSETS					
Current Assets					
Checking/Savings					
	101 · Wells Fargo Checking	-108,435.92	288,906.15	0.00	180,470.23
	102 · 4MP Fund Investment	3,501,986.62	0.00	0.00	3,501,986.62
	103 · 4M Fund Investment	2,483,650.36	0.00	0.00	2,483,650.36
	Total Checking/Savings	5,877,201.06	288,906.15	0.00	6,166,107.21
Accounts Receivable					
	111 · Accounts Receivable	0.00	600.67	0.00	600.67
	112 · Due from Other Government	52,806.40	-0.26	0.00	52,806.14
	113 · Delinquent Taxes Receivable	11,396.55	0.00	0.00	11,396.55
	Total Accounts Receivable	64,202.95	600.41	0.00	64,803.36
Other Current Assets					
	114 · Prepays	0.00	2,978.75	0.00	2,978.75
	Total Other Current Assets	0.00	2,978.75	0.00	2,978.75
	Total Current Assets	5,941,404.01	292,485.31	0.00	6,233,889.32
TOTAL ASSETS		5,941,404.01	292,485.31	0.00	6,233,889.32
LIABILITIES & EQUITY					
Liabilities					
Current Liabilities					
Accounts Payable					
	211 · Accounts Payable	0.00	31,109.75	0.00	31,109.75
	Total Accounts Payable	0.00	31,109.75	0.00	31,109.75
Other Current Liabilities					
	212 · Unearned Revenue	438,823.00	0.00	0.00	438,823.00
	251 · Unavailable Rev - prope	11,396.55	0.00	0.00	11,396.55
	Total Other Current Liabilities	450,219.55	0.00	0.00	450,219.55
	Total Current Liabilities	450,219.55	31,109.75	0.00	481,329.30
	Total Liabilities	450,219.55	31,109.75	0.00	481,329.30
Equity					
	311 · Nonspendable prepaids	0.00	2,978.75	0.00	2,978.75
	312 · Restricted for improvements	4,562,582.00	0.00	0.00	4,562,582.00
	315 · Unassigned Funds	0.00	375,424.57	0.00	375,424.57
	32000 · Retained Earnings	1,075,938.11	15,875.48	0.00	1,091,813.59
	Net Income	-691,956.88	411,716.99	0.00	-280,239.89
	Total Equity	4,946,563.23	805,995.79	0.00	5,752,559.02
TOTAL LIABILITIES & EQUITY		5,396,782.78	837,105.54	0.00	6,233,888.32
UNBALANCED CLASSES		544,621.23	-544,621.23	0.00	0.00

BCWMC May Financial Report - Operating Budget		Annual Budget	Apr 21 - May 19, 22	Feb 1 - May 19, 22	Budget Balance
Ordinary Income/Expense					
Income					
	411 · Assessments to Cities	565,998.00	0.00	565,998.00	0.00
	412 · Project Review Fees	60,000.00	0.00	11,000.00	49,000.00
	413 · WOMP Reimbursement	5,000.00	0.00	0.00	5,000.00
	414 · State of MN Grants	0.00	0.00	0.00	0.00
	415 · Investment earnings	0.00	0.00	0.00	0.00
	416 · TRPD Reimbursement	1,400.00	0.00	0.00	1,400.00
	418 · Property Taxes		0.00	0.00	0.00
	Total Income	632,398.00	0.00	576,998.00	55,400.00
Expense					
	1000 · Engineering				
	1010 · Technical Services	145,000.00	14,499.00	39,971.00	105,029.00
	1020 · Development/Project Reviews	75,000.00	13,552.00	38,626.00	36,374.00
	1030 · Non-fee and Preliminary Review	22,000.00	717.50	5,801.50	16,198.50
	1040 · Commission and TAC Meetings	14,000.00	1,168.21	3,096.21	10,903.79
	1050 · Surveys and Studies	10,000.00	0.00	0.00	10,000.00
	1060 · Water Quality / Monitoring	110,000.00	2,855.36	9,575.47	100,424.53
	1070 · Water Quantity	8,000.00	420.00	1,633.26	6,366.74
	1080 · Annual Flood Control Inspection	12,000.00	0.00	3,084.50	8,915.50
	1090 · Municipal Plan Review	2,000.00	0.00	0.00	2,000.00
	1100 · Watershed Monitoring Program	28,500.00	1,621.50	3,085.22	25,414.78
	1110 · Annual XP-SWMM Model Update	5,000.00	289.50	8,983.50	-3,983.50
	1120 · TMDL Implementation Reporting	7,000.00	52.50	52.50	6,947.50
	1130 · APM/AIS Work	13,000.00	0.00	0.00	13,000.00
	1140 · Erosion Control Inspections	0.00	0.00	0.00	0.00
	1000 · Engineering - Other		0.00	0.00	0.00
	Total 1000 · Engineering	451,500.00	35,175.57	113,909.16	337,590.84
	2000 · Plan Development				
	2010 · Next Gen Plan Development	18,000.00	3,087.00	6,283.50	11,716.50
	2000 · Plan Development - Other		0.00	0.00	0.00
	Total 2000 · Plan Development	18,000.00	3,087.00	6,283.50	11,716.50
	3000 · Administration				
	3010 · Administrator	70,848.00	6,354.00	22,178.00	48,670.00
	3020 · MAWD Dues	7,500.00	0.00	7,500.00	0.00
	3030 · Legal	17,000.00	2,845.80	4,925.80	12,074.20
	3040 · Financial Management	13,500.00	1,000.00	3,000.00	10,500.00
	3050 · Audit, Insurance & Bond	18,700.00	0.00	0.00	18,700.00
	3060 · Meeting Catering	1,300.00	267.86	540.91	759.09
	3070 · Administrative Services	8,000.00	610.39	1,929.64	6,070.36
	3000 · Administration - Other		0.00	0.00	0.00
	Total 3000 · Administration	136,848.00	11,078.05	40,074.35	96,773.65
	4000 · Education				
	4010 · Publications / Annual Report	1,300.00	1,069.00	1,164.00	136.00
	4020 · Website	1,800.00	0.00	0.00	1,800.00
	4030 · Watershed Education Partnership	18,350.00	350.00	3,850.00	14,500.00
	4040 · Education and Public Outreach	28,000.00	0.00	0.00	28,000.00
	4050 · Public Communications	1,100.00	0.00	0.00	1,100.00
	4000 · Education - Other		0.00	0.00	0.00
	Total 4000 · Education	50,550.00	1,419.00	5,014.00	45,536.00
	5000 · Maintenance		0.00	0.00	0.00
	5010 · Channel Maintenance Fund	25,000.00	0.00	0.00	25,000.00
	5020 · Flood Control Proj-LT Maint	25,000.00	0.00	0.00	25,000.00
	Total 5000 · Maintenance	50,000.00	0.00	0.00	50,000.00
	Total Expense	706,898.00	50,759.62	165,281.01	591,616.99
	Net Ordinary Income	-74,500.00	-50,759.62	411,716.99	-536,216.99
	Other Income/Expense				
		-74,500.00	-50,759.62	411,716.99	-536,216.99

BCWMC May Financial Report - CIP		Annual Budget	Apr 21 - May 19, 22	Feb 1 - May 19, 22	Inception to Date Expense	Remaining Budget
Ordinary Income/Expense						
Income						
	BC2,3,8 · DeCola Ponds B&C Improve		0.00	0.00		
	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	0.00		
	BCP2 · Bassett Creek Park & Winnetka	0.00	0.00	0.00		
	ML12 · Medley Park Stormwater Treatment		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	3,789.48		
	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	3,789.48		
Expense						
	2017CRM · CIP-Main Stem Cedar Lk Rd-Dupor	1,064,472.00	0.00	595,535.42	727,564.67	336,907.33
	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	1,300,000.00	0.00	0.00	56,789.39	1,243,210.61
	BC-5 · CIP-Bryn Mawr Meadows	1,835,000.00	12,234.60	78,031.16	218,099.93	1,616,900.07
	BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	4,308.00	12,661.50	131,723.72	2,627,276.28
	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	1,500,000.00	0.00	0.00	87,218.61	1,412,781.39
	ML-20 · CIP-Mount Olive Stream Restore	178,100.00	0.00	0.00	43,157.42	134,942.58
	ML-21 · CIP-Jevne Park Stormwater Mgmt	500,000.00	1,319.50	1,319.50	57,710.25	442,289.75
	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	0.00	0.00	70,913.12	414,086.88
	SL-1,3 · CIP-Schaper Pond	612,000.00	3,046.00	6,246.00	3,046.00	608,954.00
	SL-8 · CIP-Sweeney Lake WQ Improvement	568,080.00	847.28	1,952.78	345,504.85	222,575.15
	TW-2 · CIP-Twin Lake Alum Treatment	163,000.00	0.00	0.00	91,037.82	71,962.18
	Total Expense	16,403,226.00	21,755.38	695,746.36		
	Net Ordinary Income	-16,403,226.00	-21,755.38	-691,956.88		
	Income	-16,403,226.00	-21,755.38	-691,956.88		

BCWMC May Financial Report - Long Term AccountsTotal						
	Total Budget	Apr 21 - May 19, 22	Year-to-Date	Inception to Date	Remaining Budget	
Income						
Fid1 · Flood Control Long Term Maint		0.00	0.00	179,421.90		
Fid2 · Flood Control Long Term Exp	699,980.00	0.00	0.00	484,266.41		
Total	699,980.00	0.00	0.00	-304,844.51	395,135.49	
Flood1 · Emergency FCP Income		0.00		0.00		
Flood2 · Emergency FCP Expense	500,000.00	0.00	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	8,000.00	8,000.00	
Gen1 · Next gen Plan Development Exp	30,000.00	0.00		0.00		
Total	30,000.00	0.00	0.00	0.00	38,000.00	
Qual · Channel Maintenance Fund		0.00	0.00	20,000.00		
Qual1 · Channel Maintenance Expense	440,950.00	0.00	0.00	267,073.30		
Total	440,950.00	0.00	0.00	-247,073.30	193,876.70	
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	

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 22-06

RESOLUTION AUTHORIZING EXECUTION OF WAIVER FORM RELATING TO TORT
LIMITS FOR LIABILITY INSURANCE AND NOT WAIVING SUCH TORT LIMITS

WHEREAS, the Bassett Creek Watershed Management Commission (“Commission”) is a joint powers watershed management organization established by the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale, and St. Louis Park in accordance with Minnesota Statutes, section 103B.211; and

WHEREAS, the Commission is insured for tort liability matters by the League of Minnesota Cities Insurance Trust (“LMCIT”); and

WHEREAS, as part of its liability insurance coverage with LMCIT, the Commission is required to elect annually whether to waive the statutory tort liability limits stated in Minn. Stat. § 466.04; and

WHEREAS, staff has recommended that the Commission not waive the tort cap limits in order to mitigate the Commission’s tort liability as permitted by law; and

WHEREAS, a decision to not waive the tort cap limits reasonably protects the Commission and limits its potential liability while allowing an individual claimant to recover damages as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Bassett Creek Watershed Management Commission that the Commission Administrator is authorized to execute the LMCIT Liability Coverage Waiver Form on behalf of the Commission by indicating that the Commission elects not to waive the statutory limitation on tort liability.

Adopted this 19th day of May, 2022.

Chair

ATTEST:

Secretary

Bassett Creek Watershed Management Commission



2021 Annual Report

Crystal • Golden Valley • Medicine Lake • Minneapolis
Minnetonka • New Hope • Plymouth • Robbinsdale • St. Louis Park



May 2022

Bassett Creek Watershed Management Commission 2021 Annual Report

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Cover photo: Stream Restoration and Erosion Reduction Project, Main Stem Bassett Creek, Minneapolis near historic Fruen Mill, December 2020.

Bassett Creek Watershed Management Commission

Executive Summary: 2021 Annual Report



2021 Activities & Achievements

In 2021, the BCWMC continued its work toward fulfilling its mission:
Stewardship of Water Resources to Protect and Enhance Our Communities.

Capital Improvement Program

Each year, the BCWMC implements one or more major capital improvement program (CIP) projects to protect or improve water resources. In 2021, much of the CIP work was centered on designing projects for construction in 2022. The Bryn Mawr Meadows Water Quality Improvement Project in Minneapolis is one of the more significant projects that was in the design phase in 2021.

The project will treat stormwater runoff from 45 acres of residential land that currently flows untreated into Bassett Creek. The project will be implemented within Bryn Mawr Meadows Park and will be designed and constructed in conjunction with the Minneapolis Park and Rec Board's Park improvement project and includes cooperation with the city of Minneapolis. The project is expected to reduce total phosphorus pollution by 30 pounds per year.

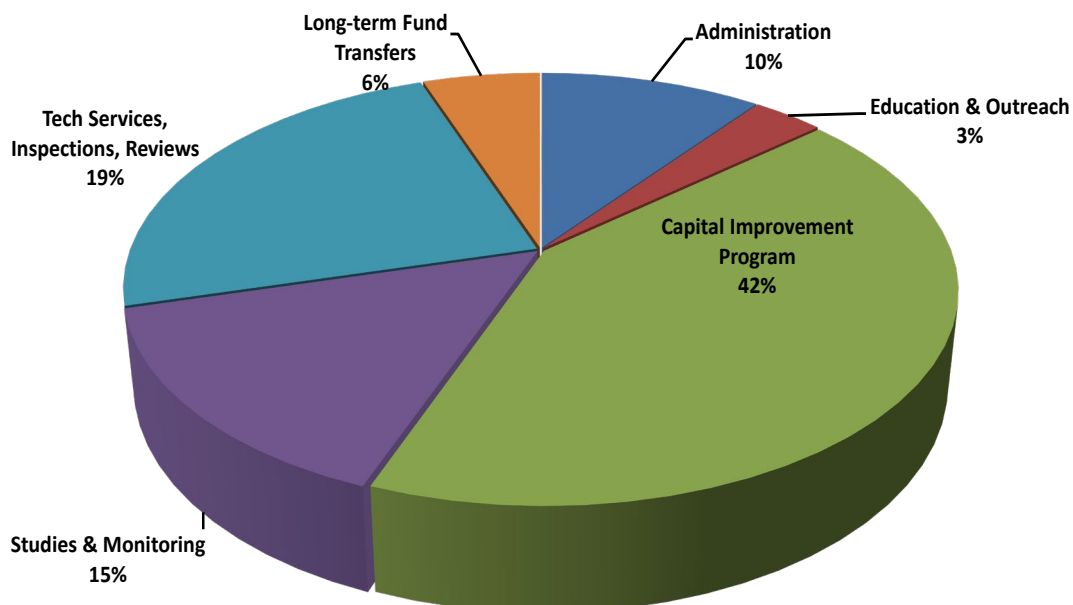
The project will be partially paid with a Minnesota Clean Water Fund grant from the MN Board of Water and Soil Resources. Learn about all current and past CIP projects at www.bassettcreekwmo.org/projects.



Budget

In FY 2021, the BCWMC spent approximately \$665,560 on activities and programs and \$0.5 million on capital projects. BCWMC income included \$554,900 from member cities, \$297,570 in grants and reimbursements, and \$61,000 in development review fees. Another \$1.475 million was collected through a Hennepin County tax levy on watershed residents for the capital projects. For an itemization or more information on the BCWMC's 2021 expenditures, see the 2021 Operating Budget in Appendix A or the financial audit online.

2021 BCWMC Expenses



2021 Highlights

The Bassett Creek Watershed Management Commission (BCWMC) is governed by a board composed of representatives from each of the nine member cities: Crystal Golden Valley Medicine Lake Minneapolis Minnetonka New Hope Plymouth St. Louis Park and Robbinsdale. Representatives are appointed by their cities and serve three-year terms.

Progress on Capital Projects:

As with most major endeavors, careful planning and design are critical. Design of several projects took center stage in 2021, gearing up for construction to begin in 2022. Two large projects in Golden Valley – the SEA School-Wildwood Park Flood Storage Project and Medley Park Stormwater Treatment Project were in the design phase, which included considerable public input and engagement. Similarly, design began on the Main Stem Lagoon Dredging Project in Theodore Wirth Park. All three projects will receive grant funding from the State of Minnesota and all are slated for construction beginning in late 2022.

Monitoring: In 2021, the BCWMC continued to assess its lakes and streams through a robust water monitoring program:

- Assessed the health of **Parkers, Westwood, and Crane Lakes** by collecting data on water quality, plankton, and aquatic plants; and partnered with Three Rivers Park District on monitoring in **Medicine Lake**.
- Completed the second year of a 2-year monitoring project on the **Sweeney Branch of Bassett Creek** including collecting data on flow, water quality, habitat, and macroinvertebrates
- Performed continuous stream flow and water quality monitoring on **Bassett Creek at the Watershed Outlet Monitoring Program** station in partnership with the Met Council, and
- Coordinated **volunteers on eight lakes** to collect water samples and data through the Met Council's Citizen Assisted Monitoring Program.



Education & Outreach: Despite the COVID-19 pandemic, the BCWMC continued engaging and educating watershed residents through various avenues including:

- Began coordinating the Hennepin County Chloride Initiative, a collaborative group of watersheds and cities across the county that pooled grant funding to collectively address over salting.
- Drafted and submitted **seven articles** to the local newspaper, Sun Post, for an educational column on topics like reducing pollinator-friendly practices, climate impacts, planting rain gardens, and honoring Native American heritage.
- Created and posted five short videos on various topics similar to the columns for the Sun Post; view all the videos on the BCWMC You Tube channel: https://www.youtube.com/channel/UCKrsWkEW8DI5FZbI93Fb_hg
- Continued a partnership with Metro Blooms on the **Harrison Neighborhood Project** to engage residents and businesses, train youth, and install water quality practices.
- Continued **financial support** of West Metro Water Alliance, Metro Watershed Partners, and Children's Water Festival.

**COOPERATIVE WATER RESOURCES MANAGEMENT PROJECT
JOINT POWERS AGREEMENT
BETWEEN
Three Rivers Park District
AND
Bassett Creek Watershed Management Commission**

1. PARTIES

Bassett Creek Watershed Management Commission (hereinafter referred to as “the Commission”) and the Three Rivers Park District (hereinafter referred to as “the Park District”), both being governmental units of the State of Minnesota, and acting through their respective governing bodies, hereby enter into this Joint Powers Agreement (“Agreement”). The Commission and the Park District from time to time may be referred to hereinafter as “the parties.”

2. PURPOSE

The Park District and the Commission recognize that intergovernmental cooperation in preventing degradation of aquatic resources, assessing the quality of Medicine Lake in the Bassett Creek Watershed, preventing the spread of aquatic invasive species (AIS), and implementing the Medicine Lake TMDL plan and Medicine Lake Vegetation Management Plan is in the mutual interest of the citizens of Hennepin County and the metropolitan area. The parties enter into this Agreement to facilitate the improvement of Medicine Lake water quality and to assess the quality of the lake as implementation proceeds.

3. AUTHORITY

The parties enter into this Agreement pursuant to Minn. Stat. § 471.59, regarding joint exercise of powers which allows two or more governmental units, by agreement entered into through action of their governing bodies, to jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised. This Agreement provides for the cooperative undertaking of a project and does not involve the creation of a joint board.

4. DUTIES OF THE PARK DISTRICT

In recognition of the staff resources and capabilities of the Park District, the Park District will be responsible for all of the following:

- a. Completion of an early season assessment to determine herbicide treatment areas for control of curly-leaf pondweed (“CLP”) in Medicine Lake with GPS coordinates of areas in need of treatment.

- b. Completion of spring and fall littoral zone aquatic plant surveys to monitor native macrophyte response to the CLP control program in Medicine Lake.
- c. Completion of annual water quality monitoring to determine the effectiveness of the CLP control program in reducing phosphorus loading to the lake.
- d. Participation in a project advisory capacity to guide the project implementation and review project results.
- e. Adhering to a performance criteria that ensures that all work meets the requirements of the Minnesota Department of Natural Resources (“DNR”) approved permit for control of CLP in Medicine Lake.
- f. Providing a cash contribution of up to \$13,900 towards the non-grant covered cost of the CLP treatment. Reimbursement shall be upon an invoice submitted by the Commission.
- g. Hiring, training, and employing Level I and Level II AIS inspectors to operate the AIS decontamination unit at the French Regional Park boat launch.

5. DUTIES OF THE COMMISSION

In recognition of the staff resources and capabilities of the Commission, the Commission will be responsible for all of the following:

- a. Coordinating the development and implementation of a CLP control strategy for Medicine Lake, as per the approved Medicine Lake TMDL implementation plan and the Medicine Lake Vegetation Management Plan.
- b. Coordinating the permitting process with the DNR and securing a contractor for performing an herbicide treatment to control CLP in Medicine Lake.
- c. Ensuring compliance with monitoring and evaluation requirements outlined in DNR’s approved permit for controlling CLP.
- d. Coordinating communications with all affected parties regarding the treatment and securing funding from the parties to this Agreement.
- e. Providing the additional funding beyond what the municipalities, grants, and the Park District provide to support the Medicine Lake CLP control project, consistent with the approved cost-share policy at the time of approval of this Agreement.
- f. Providing \$5,000 to the Park District to augment the AIS inspection program at the French Regional Park boat launch.

1. AMENDMENT

Any amendment to this Agreement must be in writing and approved by the Commission and the Park District. The parties shall have full power to amend this Agreement to add or delete items from the scope of this Agreement upon such terms as are agreed to between the parties.

2. LIABILITY

Each party to this Agreement shall be responsible for maintaining its own insurances and shall be responsible for its own acts and omissions. Neither party is agreeing to be responsible for the acts of the other under this Agreement. This Agreement provides for the undertaking of a cooperative activity and the parties shall be deemed a single governmental unit for the purposes of liability as provided in Minn. Stat. § 471.59, subd. 1(a). Nothing herein shall be interpreted as waiving any exception from or limitation on liability available to either party under Minn. Stat., Chap. 466 or other law.

3. TERMINATION

This Agreement will terminate at the end of the 2022 boat launch inspection season, estimated to be Monday September 5, 2022. Notwithstanding, either party may terminate this Agreement for any reason by providing 90 days written notice to the other party. In the event of termination, the Park District will pay pro rata for that portion of the CLP Control Project completed in accordance with Section 4.

IN WITNESS WHEREOF, the parties have caused this joint powers agreement to be executed and it shall be effective as of the date of signature of the last party to the Agreement.

**Basset Creek Watershed Management
Commission**

Dated: _____

Chair

Secretary

Three Rivers Park District

Dated: _____

Director of Natural Resources



METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, MN 55101-1805
(651) 602-1000

AMENDMENT NUMBER ONE
to
GRANT AGREEMENT
Metropolitan Council No. 17G000B / SG-14153

Bassett Creek Watershed Management Commission (“GRANTEE”) and the **Metropolitan Council** (the **“COUNCIL”** or **“COUNCIL”**) agree that the grant agreement entered into on May 27, 2020, between the parties relating to Watershed Outlet Monitoring Program (WOMP2) (“Grant Agreement” or “Agreement”) is amended in the following particulars. The effective date of this Amendment 1 is May 4, 2022.

1. III. GRANT AMOUNT AND DISTRIBUTION

Section 3.01. Maximum Grant Amount is deleted in its entirety and replaced with the following:

3.01.A. Grant Awarded

- a. \$10,000.00 original grant amount, awarded dated May 27, 2020 as per Grant Agreement SG-14153 (also referred to as 17G000B) for period April 1, 2020 to March 31, 2022, and
- b. \$3,750.00, awarded through this Amendment One for the period of May 4, 2022 to December 31, 2022.

Total grant: \$13,750.00

3.01.B. Maximum Grant Amount. The Council shall pay to the Grantee a total Maximum Grant Amount of \$13,750. Provided, however, that in no event will the Council’s obligation under this agreement exceed the lesser of:

- a. the Maximum Grant Amount of \$13,750.00; or
- b. the actual amount expended by the grantee on eligible expenses as specified in Section 2.01.

The Council shall bear no responsibility for cost overruns which maybe incurred by the Grantee in performance of the Grant Project.

2. III. GRANT AMOUNT AND DISTRIBUTION

Section 3.02 Distribution of Grant Funds is deleted in its entirety and replaced with the following:

3.02.A. Distribution of Grant Funds For the Period of April 1, 2020 to March 31, 2022. The Council will distribute Grant funds according to the following schedule:

- a. Within ten working days of Council execution of this agreement, the Council will distribute to the Grantee 45% of the Maximum Grant Amount in Section 3.01.A.a.
- b. Upon Council approval of Grantee’s April 2021 financial report required by Section 5.02, the Council will distribute to the Grantee forty-five 45% percent of the Maximum Grant Amount in Section 3.01.A.a.
- c. Upon approval of Grantee’s March 2022 financial report required by Section 5.02, the Council will distribute to Grantee the final payment of the remainder of the Maximum Grant Amount. However, no payment will be made which would cause the distribution of grant funds to exceed the limits in Section 3.01.B. Further, if the amount already paid to Grantee by the Council exceeds the cumulative amount expended by the Grantee on eligible expenses as specified in Section 2.01, the Council will notify Grantee of the

amount of over-payment. Grantee will repay to the Council the amount of the overpayment within 30 calendar days of receipt of notice from the Council.

The Council will not make any payments under this paragraph if the Grantee is not current in its reporting requirements under Article V at the time the payment is due. Distribution of any funds or approval of any report is not a waiver by the Council of any Grantee noncompliance with this agreement.

3.02.B. Distribution of Grant Funds For the Period of May 4, 2022 to December 31, 2022.

- a. Within 30 calendar days after the execution of this Agreement, the Council will distribute to the Grantee 50 percent of the amount in Section 3.01.A.b.
- b. Upon Council approval of Grantee's December 2022 financial report required by Section 5.02, or earlier in the activity period if expenses incurred by the Grantee reach the total amount in the contract amount in Section 3.01, the Council will distribute to the Grantee the remainder 50 percent of the amount in Section 3.01.A.b.

3. V. REPORTING AND MONITORING REQUIREMENTS

Section 5.02 Grant Project Financial Reports is deleted in its entirety and replaced with the following:

5.02. Grant Project Financial Reports. In April 2021 and March 2022, the Grantee will submit a financial report detailing expenses incurred by Grantee for the Grant Project in the preceding twelve calendar months which are eligible for reimbursement by the Council in accordance with Section 2.01. By December 31, 2022, the Grantee will submit a financial report detailing expenses incurred by Grantee for the Grant Project in the entire project activity period which are eligible for reimbursement by the Council in accordance with Section 2.01. If expenses incurred by the Grantee reach the total amount in the contract amount in Section 3.01 before December 2022, a financial statement can be submitted at that time for distribution of funds. Financial statement received after December 31, 2022 may not be able to be reimbursed.

4. VI. GRANT PROJECT ACTIVITY PERIOD; TERM; TERMINATION

Section 6.01 Project Activity Period is deleted in its entirety and replaced with the following:

6.01. Project Activity Period. Grantee will complete the Grant Project activities specified in Section 1.01 during the period from April 1, 2020 through March 31, 2022 and from May 4, 2022 through December 31, 2022 (the "Project Activity Period").

5. IX. GENERAL CONDITIONS

Section 9.10. Relations to Amended Joint Powers Agreement is deleted in its entirety and replaced with the following:

Section 9.10. Relations to Amended Joint Powers Agreement. The Grantee recognizes that the Council has undertaken certain obligations as part of a Joint Powers Agreement (as amended) with the Minnesota Pollution Control Agency. A copy of the Joint Powers Agreement, Amendment 1, and Amendment 2 to the Agreement (collectively Amended Joint Powers Agreement) are attached to and incorporated in this agreement as Exhibit C. Obligations imposed by the Amended Joint Powers Agreement on subgrantees or subcontractors are binding on the Grantee, and the terms of the Amended Joint Powers Agreements are incorporated into this Grant Agreement. Terms of the Amended Joint Powers Agreement which are specifically incorporated include, without limitation, the following:

- Section 4.1. Consideration
- Section 5 Clean Water Funding
- Section 6 Conditions of payment
- Section 8 Subcontracting
- Section 13 Government Data Practices and Intellectual Property

Section 14	Insurance Requirements
Section 15	Publicity and Endorsement
Section 16	Governing Law, Jurisdiction and Venue
Section 22	Certification of Nondiscrimination (in accordance with Minn. Stat. § 16C.053
Section 23	Subcontractor Reporting
Section 24	Vaccination/Testing Requirements

6. Exhibit A: WOMP Monitoring Work Plan

Exhibit A: WOMP Monitoring Work Plan, the first or introductory paragraph is hereby deleted and replaced with the following:

The Grantee, **Bassett Creek Watershed Management Commission**, will operate and maintain the water quality monitoring site at **Bassett Creek 100 Irving Ave N Minneapolis, MN**. The Grantee, or designated agent, will conduct monitoring work from April 1, 2020 through March 31, 2022 and from May 4, 2022 through December 31, 2022. The Grantor, Metropolitan Council Environmental Services (MCES) will provide training, supplies and technical support to the Grantee and/or its designated agent through the WOMP Coordinator, Casandra Champion.

7. Exhibit B WOMP Monitoring Budget and Financial Responsibilities

Exhibit B WOMP Monitoring Budget and Financial Responsibilities is hereby amended as follows: to extend the activity period in both Grantee Financial Responsibilities and Metropolitan Council Financial Responsibilities sections:

Under heading "**Grantee Financial Responsibilities**," the first paragraph is deleted and replaced with the following:

The Grantee, **Bassett Creek Watershed Management Commission** shall assume the following financial responsibilities for operating and maintaining a water quality monitoring and sampling station at **Bassett Creek 100 Irving Ave N Minneapolis, MN** during the Project Activity Period (April 1, 2020 through March 31, 2022 and from May 4, 2022 through December 31, 2022).

Under heading "**Metropolitan Council Financial Responsibilities**," the first paragraph is deleted and replaced with the following:

Subject to the availability of funds, the Metropolitan Council shall assume the following financial responsibilities for operating and maintaining a water quality monitoring and sampling station at **Bassett Creek 100 Irving Ave N Minneapolis, MN** during the Project Activity Period (April 1, 2020 through March 31, 2022 and from May 4, 2022 through December 31, 2022).

8. Exhibit C Joint Powers Agreement and Amendment 1 to the Agreement

Exhibit C Joint Powers Agreement and Amendment 1 is hereby amended to **ADD** Amendment 2 after Amendment 1.

Except as amended hereby, the provisions of the above-referenced contract shall remain in force and effect without change.

IN WITNESS WHEREOF, the parties have caused this amendment to be executed by their duly authorized officers on the dates set forth below.

**GRANTEE: BASSETT CREEK
WATERSHED MANAGEMENT
COMMISSION**

METROPOLITAN COUNCIL

By: _____
Signer

By: _____
Signer

(Please print name legibly)

(Please print name legibly)

Its: _____

Its: _____

Date: _____

Date: _____



7800 Golden Valley Road
Golden Valley, MN 55427

May 6, 2022

Ms. Laura Jester
BCWMC Administrator
Keystone Waters, LLC
16145 Hillcrest Lane
Eden Prairie, MN 55346

Subject: Medley Park Stormwater Improvement Project
City Project 20-26; BCWMC CIP Project ML-12
90% Design Plans

Dear Laura:

Enclosed please find Barr Engineering's correspondence dated April 27, 2022 along with the 90% design plans for the Medley Park Stormwater Improvement Project. These items are being submitted for consideration at the BCWMC meeting scheduled for May 19, 2022.

Please call me at 763-593-8034 if you have any questions regarding the enclosures.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Oliver".

Jeff Oliver, P.E.
City Engineer

Enclosures

C: Eric Eckman, Environmental Resources Supervisor

April 27, 2022

Mr. Jeff Oliver, P.E., City Engineer
City of Golden Valley
7800 Golden Valley Road
Golden Valley, MN 55427

**Re: 90% Design Plans - Medley Park Stormwater Improvement Golden Valley Project 20-26,
BCWMC CIP project ML-12**

Dear Mr. Oliver:

Attached please find the 90% design plans for the Medley Park Stormwater Improvement project. The project (BCWMC CIP project ML-12) will be funded by several sources including the Minnesota Board of Water and Soil Resources (BWSR) Clean Water Fund Grant (\$300,000), the BCWMC's ad valorem levy (via Hennepin County) for CIP projects (\$1.2 million), and funding from the City of Golden Valley (\$500,000), resulting in \$2.0 million in total project funding. The BCWMC CIP funding will occur over two years (2022/2023). Per the cooperative agreement between the City of Golden Valley and the BCWMC, the city is to construct the project, and the plans and specifications are subject to approval by the Commission. Also, per the agreement, the 90% design plans for this project must be submitted to the BCWMC for review and approval. If the attached 90% plans meet the city's approval, we recommend submitting them, along with this letter, to the BCWMC for inclusion in the meeting packet for their May 19, 2022 meeting. Barr staff will present the 90% plans to the BCWMC at the meeting and answer any questions from the BCWMC, which is similar to the process that occurred in February 2022 when the BCWMC board approved the 50% design package.

The remainder of this letter presents information about the feasibility study, the design features of the project, and approval/permitting needs.

Feasibility Study Summary and Selected Project

The BCWMC's *Medley Park Stormwater Treatment Facility Feasibility Study* (Barr Engineering, June 2021) examined the feasibility of three different concepts for stormwater improvements in the western portion of Medley Park, owned by the City of Golden Valley. The three conceptual designs evaluated during feasibility all included stormwater runoff diversion from existing stormwater infrastructure and investigated various layouts of stormwater ponds, biofiltration basins, and Medley Pond expansion/ dredging to balance flood storage management and water quality treatment. This project will reduce flood elevations within Medley Park and surrounding neighborhoods (i.e., Kings Valley townhomes) and increase pollutant removals from watershed runoff, which ultimately drains to Medicine Lake.

The feasibility report recommended the implementation of Concept 3, which consists of creating a design that maximizes flood storage volume, while providing pollutant removal through the addition of two stormwater ponds and the expansion and dredging of the existing Medley Pond. The additional flood volume provided by the stormwater ponds is approximately 8.3 acre-feet.

The feasibility report estimated that project implementation (Concept 3) would reduce the 25-year peak flood elevation within Medley Park and the neighborhood south of Medley Park by 0.6 feet, eliminating the risk of flooding for all six at-risk homes for the 25-year storm event. The reduction of the 50-year (0.6 feet) and 100-year (0.5 feet) peak flood elevations results in the elimination of flood risk for 5 and 3 at-risk structures, respectively. During the feasibility study, we estimated at-risk low opening elevations based on LiDAR.

The concept would reduce the annual total phosphorus load to Medicine Lake by 17.0 pounds per year. Additionally, the concept would restore approximately 1.1 acres of wetland and prairie habitat in Medley Park along with 1.5 acres of restored open water area.

At their June 2021 meeting, the Commission approved the final feasibility study for this project, supporting implementation of Concept 3, and the Commission ordered the project at their September 2021 meeting. Design began in early October 2021.

Design features – 90% plans

The project design is underway. The 90% design incorporates comments from the City of Golden Valley staff and resident suggestions provided during the 50% design public open house. The 90% design generally preserved all the components identified as part of Concept 3, with refinements made as part of the final design process. The 90% design plans will be submitted during the permitting process (discussed in the following section).

The table below compares the flood mitigation volume developed, reduction in number of at-risk structures, the increase in total phosphorus removal, restored wetland and prairie areas, and restored open water area, as presented in the feasibility study, the 50% design plans, and 90% design plans.

	Flood Mitigation Volume Developed	At-Risk Structures (exist/prop) ¹	Additional Total Phosphorus Removal	Restored Wetland and Prairie Area	Restored Open Water Area	Total Project Cost (Construction + Engineering)
Feasibility Study (June 2021)	8.3 acre-ft	25-yr: 6/0 (5/0 after survey) 100-yr: 20/17 (17/11 after survey)	17.0 lb/yr	1.1 acres	1.5 acres	\$1.85 million
50% Design Plans	8.8 acre-ft	25-yr: 5/0 100-yr: 17/11 ²	16.4 lb/yr	1.2 acres	1.5 acres	\$2.0 million
90% Design Plans	8.8 acre-ft	25-yr: 5/0 100-yr: 17/11 ²	16.4 lb/yr	1.2 acres	1.5 acres	\$1.95 million

¹ In January 2022, eight at-risk structures were surveyed to better define low opening elevations. These eight structures were selected based on proposed flooding depths for the 50-year storm event (less than 0.25' of flood depth). During feasibility, low opening elevations were determined from LiDAR. The existing at-risk structures presented for "50% Design Plans", "90% Design Plans", and those in the parentheses under "Feasibility Study" reflect the results of the survey.

² One structure was found to be at-risk of flooding during the 100-year event due to a degraded private homeowners association (HOA) pipe downstream of the structure. The City of Golden Valley will work with the HOA during the 2023 road reconstruction project to repair this pipe. Since this pipe will be repaired, the structure is no longer labeled as at-risk for the 100-year event as part of this project.

The 90% design results in the same increase in flood mitigation volume and removes the same number of at-risk structures as 50% design. Additionally, the same total phosphorus removal is achieved in 90% design as 50% design and the restored wetland, prairie, and open water areas have been maintained.

As a reminder, the current design results in less annual total phosphorus removal (0.6 pounds) than what was achieved during feasibility due to minor stormwater pond modifications. To compensate for some of the loss in water quality treatment from feasibility, we increased the normal water depths of the North and South ponds from the feasibility study. In the current design, both ponds have depths of 5.5 feet, compared to 5- and 4-foot depths for the North and South ponds in the feasibility study, respectively. The stormwater pond depths were increased to enhance water quality treatment, while avoiding expansion into the programmable areas of Medley Park (e.g., ice skating rink, baseball field). By increasing the water depths from feasibility, the overall water quality volume between the three ponds is greater than the water quality volume of the feasibility study (4.8 ac-ft in 90% design vs. 4.6 ac-ft in feasibility). Additional water quality treatment cannot be achieved without expanding into programmable areas of Medley Park or increasing the depths of the stormwater ponds beyond the natural bottom (elev. 894), which was determined during feasibility through sediment cores. The current modeled TP removal of 16.4 lb/yr is 96.5% of the estimated feasibility removal of 17.0 lb/yr.

Similar to the feasibility study, the main components of the 90% design include:

1. Protecting the pedestrian bridge north of Medley Pond.
2. Diverting the existing stormwater channel into a constructed stormwater pond by constructing a berm at the mouth of the existing channel and installing a 60" culvert that connects the stream diversion to the new stormwater pond. This diversion also includes a protected overflow (e.g., Shoreflex) for when flows exceed the pipe capacity into the North Pond.
3. Dredging Medley Pond to a bottom elevation of 894 ft MSL, landfilling approximately 1,500 cubic yards of contaminated sediment, and expanding Medley Pond to increase the open water area.
4. Constructing two new stormwater ponds (open water areas with wetland fringe) downstream of the stream diversion. Both stormwater ponds have a normal water level at 899.5 ft MSL controlled by the most downstream pipe discharging to Medley Pond.
5. Increasing the total open water area in Medley Park by 1.0 acres from existing conditions through the expansion of Medley Pond and the installation of two new stormwater ponds. The total open water area under 90% design is 1.5 acres.
6. Increasing the total flood mitigation volume by 8.8 acre-feet to a total of 21.8 acre-feet (up to the 100-year flood elevation) through the expansion of Medley Pond and the excavation and regrading of the western portion of Medley Park.
7. Increasing the total water quality volume by 4.5 acre-feet to a total of 4.8 acre-feet through the expansion of Medley Pond and the excavation and regrading of the western portion of Medley Park to include two new stormwater ponds.
8. Restoring a variety of habitat types (wetland, upland prairie, pollinator species) and replanting trees to mitigate the removal of 10 existing trees.
9. Replacing disturbed trails with a looped, ADA-compliant paved trail for maintenance access and recreation above elevation 906 (above the 10-year flood elevation) and around the perimeter of the

proposed ponds. There is an emergency overflow across the trail between Medley Pond and South Pond for any instance when the pipe capacity under the trail is exceeded.

10. Adding 4 ADA compliant bench pads and benches.
11. Replacing disturbed trail lights with solar power light fixtures and extending the lights along the proposed trail loop.
12. Using up to 10% of the existing ice-skating rink area to allow for additional flood mitigation volume.

The drawings are at a 90% design stage, which means there are minor details yet to be worked out before the design is final and ready for bid. Additionally, the 90% plans will be provided to the residents around Medley Park at a public open house event for review and comment to further inform the 100% design development. Any comments received from the BCWMC will also be addressed in the 100% design drawings.

Approvals/permit requirements

In addition to BCWMC approval of the plans, other permits/approvals will be required for this project, including the following:

- MPCA Construction Stormwater General Permit
- MPCA Guidance for Managing Dredged Material
- Compliance with the Minnesota Wetland Conservation Act (WCA)
- City of Golden Valley Right-of-Way Permit
- City of Golden Valley Stormwater Permit

We anticipate that the permitting process could take 2-3 months. As a result, we will submit the permit applications in early- to mid-May to begin the permitting review process, with the permitting process anticipated to be complete by July 2022. The plan is to post this project for bid in mid-July 2022.

Recommendations

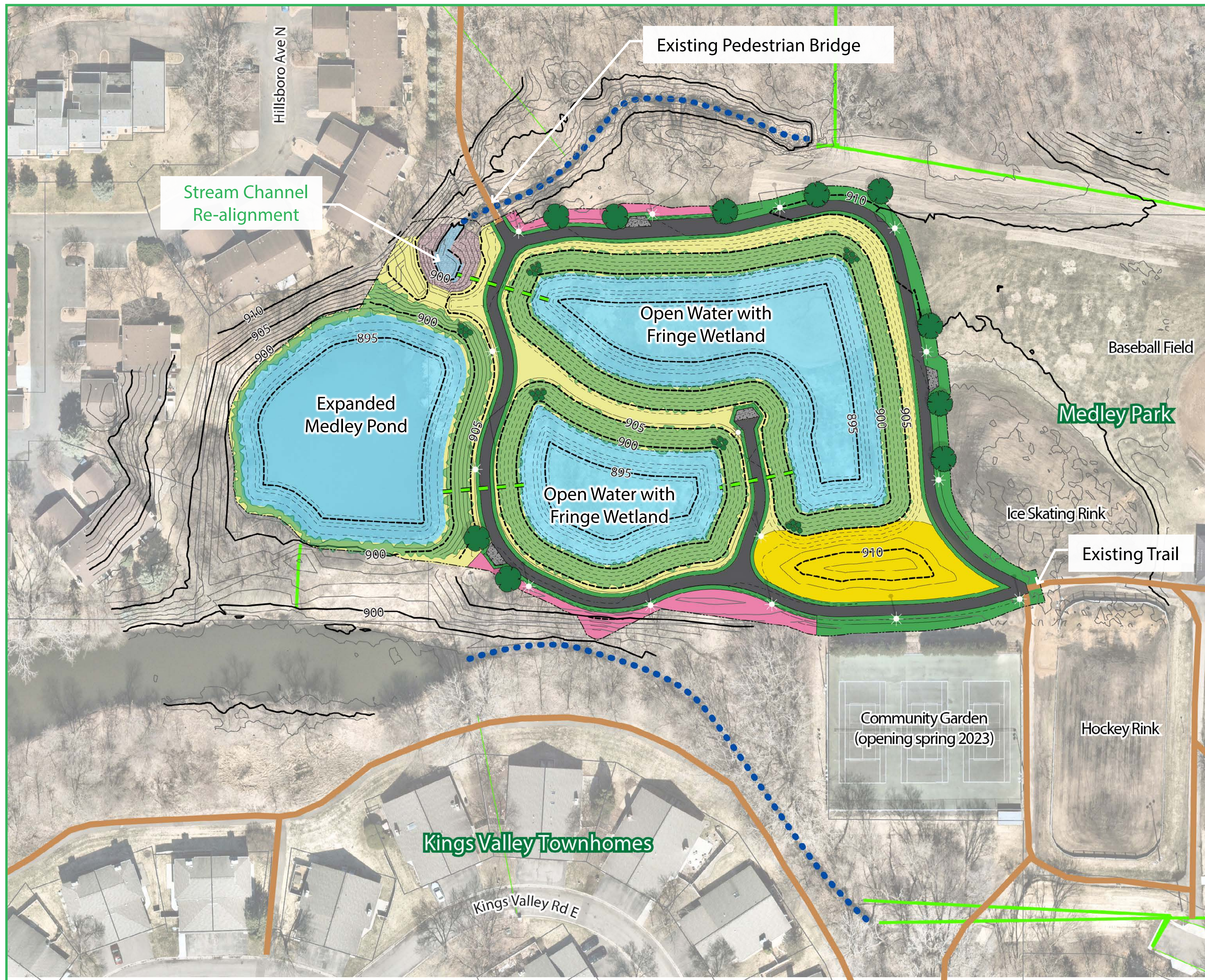
We recommend that the city request 1) BCWMC approval of the 90% drawings, and 2) BCWMC authorization for the city to proceed with 100% design, permitting and contract documents.

If you have any questions, please contact me at 952-842-3690 or kturpin-nagel@barr.com.

Sincerely,



Katie Turpin-Nagel, P.E.
Water Resources Engineer



LEGEND

- Open Water
- Wet Meadow
- Prairie
- Pollinator Habitat
- Low Maintenance Turf
- Woodland Habitat
- Proposed Trees and Shrubs
- Granite rock
- Existing 1' Contour
- Existing 5' Contour
- Proposed 1' Contour
- Proposed 5' Contour
- Existing Storm Sewer Pipe
- Proposed Storm Sewer Pipe
- Existing Stream
- Existing Paved Trail
- Proposed Paved Trail
- Proposed Bench and Platform
- Parcel Boundary Lines
- Proposed Lighting



90% Design Summary

Additional Flood Storage Created:
8.8 acre-feet

Improved Water Quality:
Additional 16.4 lbs/yr phosphorus removed

Restored Wetland and Prairie habitat:
1.2 acres total

Open Water Area:
1.5 acres total

Tree Removal Estimate
10 trees total

At-Risk Flooded Structures (existing/proposed):

25-yr	50-yr	100-yr
5/0	10/6	17/11*

*One structure is impacted by a private storm culvert. City of Golden Valley is working with homeowners association to repair the culvert prior to project completion.

2023 Proposed BCWMC Operating Budget

Item 5B
BCWMC 5-19-22

	2019 Budget	2019 Gross Expenses	2019 Revenue	2019 NET Expense	2020 Budget	2020 Gross Expenses	2020 Revenue	2020 NET Expenses	2021 Budget	2021 Gross Expenses	2021 Revenue	2021 NET Expenses	2022 Budget	DRAFT 2023 Budget	2023 Potential Revenue	2023 Potential NET Expenses	See Notes
ENGINEERING & MONITORING																	
Technical Services	130,000	156,941	-	156,941	130,000	143,081	-	143,081	134,000	105,492	\$ -	105,492	145,000	145,000	-	145,000	(A1)
Development/Project Reviews	80,000	56,420	50,096	6,324	75,000	94,267	63,000	31,267	68,000	89,507	\$ 73,554	15,953	75,000	80,000	76,500	3,500	(A)
							Review fees				Review fees				Review fees		
Non-fee and Preliminary Reviews	15,000	32,937	18,203	14,734	20,000	16,851	-	16,851	24,000	38,406	\$ 10,000	28,406	22,000	30,000	-	30,000	(B)
											Cost share w/ MPLS					-	
Commission and TAC Meetings	12,000	13,207	-	13,207	12,000	10,478	-	10,478	12,000	10,961	\$ -	10,961	14,000	15,000	-	15,000	(C)
Surveys and Studies	20,000	16,316	-	16,316	10,000	3,745	-	3,745	9,000	7,683	\$ -	7,683	10,000	15,000	-	15,000	(D)
Water Quality / Monitoring	78,000	76,754	-	76,754	102,600	119,397	-	119,397	129,000	132,432	\$ -	132,432	110,000	105,000	-	105,000	(E)
Water Quantity	10,000	9,998	-	9,998	6,500	6,229	-	6,229	7,000	7,205	\$ -	7,205	8,000	9,000	-	9,000	(F)
Annual Flood Control Project Inspections	48,000	26,744	19,593	7,151	12,000	69,149	69,149	0	12,000	14,999	\$ 14,999	-	12,000	15,000	15,000	-	(G)
							Transfer from long term account				Transfer from long term account				Transfer from long term account		
Municipal Plan Review	4,000	5,406	-	5,406	2,000	1,548	-	1,548	2,000	-	\$ -	-	2,000	2,000	-	2,000	(H)
Watershed Outlet Monitoring Program	20,500	19,530	5,500	14,030	20,500	20,837	4,500	16,337	23,000	18,257	\$ 5,500	12,757	28,500	27,000	5,000	22,000	(I)
							Grant from Met Council				Grant from Met Council				Grant from Met Council		
Annual XP-SWMM Model Updates/Reviews	-	-	-	-	-	-	-	-	-	\$ -	\$ -	-	5,000	3,000	-	3,000	(J)
APM/AIS Work	32,000	21,246	9,861	11,385	30,000	11,634	1,128	10,506	14,000	13,533	\$ 5,601	7,932	13,000	40,000	5,000	35,000	(K)
							Cost share with TRPD				DNR Grant & Cost share w/ TRPD				Cost share w/ TRPD		
Subtotal Engineering & Monitoring	\$449,500	\$435,499	\$103,253	\$332,246	\$420,600	\$497,215	\$137,777	\$359,438	\$434,000	\$438,475	\$ 109,654	\$328,821	\$444,500	\$486,000	\$101,500	\$384,500	See Notes
PLANNING																	
Next Generation Plan Development	12,000	12,000	-	12,000	18,000	18,000	-	18,000	18,000	10,001	\$ -	10,001	18,000	53,250	9,000	44,250	(L)
															Transfer from WMP fund		
Subtotal Planning	\$12,000	\$12,000	\$0	\$12,000	\$18,000	\$18,000	\$0	\$18,000	\$18,000	\$10,001	\$ -	\$10,001	\$18,000	\$53,250	\$9,000	\$44,250	

Continued Next Page

Item	2019 Budget	2019 Actual	2019 Revenue	2019 NET Expense	2020 Budget	2020 Gross Expenses	2020 Revenue	2020 NET Expenses	2021 Budget	2021 Gross Expenses	2021 Revenue	2021 NET Expenses	2022 Budget	DRAFT 2023 Budget	2023 Potential Revenue	2023 Potential NET Expenses	See Notes
ADMINISTRATION																	
Administrator	69,200	64,926	28,720	36,206	69,200	64,764	30,000	34,764	67,400	67,481	\$ 29,495	37,986	70,848	78,750	44,000	34,750	(M)
							Transfer from CIP account				Transfer from CIP account				Transfer from CIP account		
MAWD Dues				-	500	500	-	500	3,750	3,750	\$ -	3,750	7,500	-	-	-	(N)
Legal	17,000	14,428	-	14,428	15,000	20,996	-	20,996	15,000	16,280	\$ -	16,280	17,000	17,000	-	17,000	(O)
Financial Management	3,500	3,500	-	3,500	3,500	3,500	-	3,500	4,000	10,600	\$ -	10,600	13,500	14,540	-	14,540	(P)
Audit, Insurance & Bond	18,000	15,892	-	15,892	18,000	18,684	-	18,684	18,000	14,949	\$ -	14,949	18,700	18,700	-	18,700	(Q)
Meeting Catering	1,500	1,341	-	1,341	1,500	317	-	317	1,300	-	\$ -	-	1,300	2,400	-	2,400	(R)
Administrative Services	15,000	12,992	-	12,992	15,000	11,887	-	11,887	8,000	5,960	\$ -	5,960	8,000	7,240	-	7,240	(S)
Subtotal Administration	\$124,200	\$113,079	\$28,720	\$84,359	\$122,700	\$120,648	\$30,000	\$90,648	\$117,450	\$119,020	\$ 29,495	\$89,525	\$136,848	\$138,630	\$44,000	\$94,630	
OUTREACH & EDUCATION																	
Publications / Annual Report	1,300	1,263	-	1,263	1,300	1,069	-	1,069	1,300	375	\$ -	375	1,300	1,000	-	1,000	(T)
Website	3,000	1,617	-	1,617	1,000	1,264	-	1,264	1,800	544	\$ -	544	1,800	1,600	-	1,600	(U)
Watershed Education Partnerships	15,850	13,810	-	13,810	15,850	16,535	-	16,535	17,350	13,080	\$ -	13,080	18,350	18,350	-	18,350	(V)
Education and Public Outreach	25,000	23,588	1,000	22,588	22,000	38,321	28,811	9,510	26,000	23,073	\$ 6,295	16,778	28,000	28,000	-	28,000	(W)
							Grant from BWSR				Grant from BWSR						
Public Communications	1,000	878	-	878	1,000	1,113	-	1,113	1,000	1,028	\$ -	1,028	1,100	1,100	-	1,100	(X)
Subtotal Outreach & Education	\$46,150	\$41,156	\$1,000	\$40,156	\$41,150	\$58,302	\$28,811	\$29,491	\$47,450	\$38,100	\$ 6,295	\$31,805	\$50,550	\$50,050	\$0	\$50,050	
MAINTENANCE FUNDS																	
Channel Maintenance Fund	25,000	25,000	-	25,000	25,000	25,000	-	25,000	20,000	\$20,000	\$ -	20,000	25,000	25,000	-	25,000	(Y)
Flood Control Project Long-Term Maint.	25,000	25,000	-	25,000	25,000	25,000	-	25,000	25,000	25,000	\$ -	25,000	25,000	35,000	-	35,000	(Z)
Subtotal Maintenance Funds	\$50,000	\$50,000	\$0	\$50,000	\$50,000	\$50,000	\$0	\$50,000	\$45,000	\$45,000	\$ -	\$45,000	\$50,000	\$60,000	\$0	\$60,000	
TMDL WORK																	
TMDL Implementation Reporting	10,000	215	-	215	10,000	263	-	263	7,000	6,989	\$ -	6,989	7,000	-	-	-	(AA)
Subtotal TMDL Work	\$10,000	\$10,000	\$0	\$10,000	\$10,000	\$263	\$0	\$263	\$7,000	\$7,000	\$ 7,000	\$7,000	\$7,000	\$0	\$0	\$0	
GRAND TOTAL	\$691,850	\$661,734	\$132,973	\$528,761	\$662,450	\$744,428	\$196,588	\$547,840	\$668,900	\$657,596	\$ 152,444	\$512,152	\$706,898	\$787,930	\$154,500	\$633,430	

PRELIMINARY 2023 Revenues	
DRAFT Income	
Assessments to cities	\$ 613,430
Use of fund balance	\$ 20,000
Use of Watershed Plan Fund balance	\$ 9,000
CIP Administrative Funds (2.0% of est. requested levy of \$2.2M)	\$ 44,000
Project review fees	\$ 76,500
Transfer from Long-term Maint Fund for Flood Control Proj Inspections	\$ 15,000
WOMP reimbursement	\$ 5,000
TRPD reimbursement	\$ 5,000
AIS Grant	\$ -
Interest income in 2023	\$ -
	\$ 787,930
DRAFT Total operating expenses	\$ 787,930
Fund Balance Details	
Est. Beginning Fund Balance (Jan 31, 2023)	\$ 439,199
Use of Fund Balance	\$ 20,000
Est. Remaining Fund Balance (Jan 31, 2024)	\$ 419,199

Proposed City Assessments

Community	For Taxes Payable in 2022	2022 Percent of	Area Watershed	Percent of	Average	2015	2016	2017	2018	2019	2020	2021	2022	2023 DRAFT	% Increase over 2022	
	Net Tax Capacity	Valuation	in Acres	of Area	Percent	\$490,345	\$490,345	\$500,000	\$515,050	\$529,850	\$550,450	\$554,900	\$565,998	\$ 613,430		
Crystal	\$11,365,763	5.91	1,264	5.09	5.50	\$25,868	\$25,771	\$25,704	\$26,904	\$27,877	\$29,062	\$29,898	\$30,206	\$33,732	11.7%	Crystal
Golden Valley	\$49,753,021	25.87	6,615	26.63	26.25	\$121,964	\$127,675	\$131,270	\$134,649	\$138,553	\$144,693	\$145,228	\$148,477	\$161,018	8.4%	Golden Valley
Medicine Lake	\$1,158,211	0.60	199	0.80	0.70	\$3,543	\$3,600	\$3,561	\$3,783	\$3,846	\$3,975	\$3,928	\$3,988	\$4,304	7.9%	Medicine Lake
Minneapolis	\$14,409,438	7.49	1,690	6.80	7.15	\$33,235	\$32,885	\$33,609	\$34,763	\$35,805	\$37,631	\$37,983	\$39,103	\$43,846	12.1%	Minneapolis
Minnnetonka	\$11,914,796	6.20	1,108	4.46	5.33	\$28,121	\$27,536	\$28,199	\$28,053	\$28,989	\$29,967	\$29,622	\$30,437	\$32,682	7.4%	Minnnetonka
New Hope	\$10,938,349	5.69	1,252	5.04	5.36	\$25,681	\$25,627	\$25,917	\$26,740	\$27,987	\$28,987	\$29,464	\$30,087	\$32,902	9.4%	New Hope
Plymouth	\$80,146,545	41.67	11,618	46.77	44.22	\$225,159	\$220,974	\$224,531	\$231,682	\$237,986	\$245,942	\$247,860	\$252,307	\$271,259	7.5%	Plymouth
Robbinsdale	\$3,752,175	1.95	345	1.39	1.67	\$7,587	\$7,843	\$7,747	\$8,189	\$8,523	\$8,937	\$9,299	\$9,288	\$10,244	10.3%	Robbinsdale
St. Louis Park	\$8,878,224	4.62	752	3.03	3.82	\$19,184	\$18,433	\$19,463	\$20,287	\$20,284	\$21,257	\$21,618	\$22,105	\$23,444	6.1%	St. Louis Park
TOTAL	\$192,316,522	100.00	24,843	100.00	100.00	\$490,345	\$490,345	\$500,000	\$515,050	\$529,850	\$550,450	\$554,900	\$565,998	\$613,430	8.4%	

NOTES

(A1) General technical services by Barr Engineering; 2021 budget based on actual expenditures in 2019 and 2020. 2023 Budget same as 2022.

(A) Partially funded by application fees; with the creation of the preliminary and non-fee budget category, most of the review costs will be covered by application fees. Budget based on recent actual expenses and projected number of projects submitted for review.

(B) This was a new line item in 2015 used to cover reviews for which either we do not receive an application fee or it's too early in the process for us to have received an application fee. Includes DNR application reviews, MnDOT project reviews, and other prelim reviews requested by administrator and member cities. Reviews for large projects such as SWLRT reviews and North Loop Green Project have been partially or fully reimbursed to Commission.

(C) Includes attendance at BCWMC meetings, TAC meetings and other committee meetings, as needed. 2017 budget increased to allow for additional BCWMC Engineer staff to attend Commission/TAC meetings (total of 3 assumed). 2018 - 2020 budgets were reduced from 2017 and assumed 12 BCWMC meetings and 5 other meetings (TAC, etc.). 2021 budget also assumes 17 meetings including BCWMC meetings (12), TAC meetings (3), Administrative Services Committee meetings (1), Budget Committee meetings and other meetings (1). 2022 and 2023 budgets increased to reflect likely return to in-person meetings, plus additional staff attendance at meetings

(D) For Commission-directed surveys and studies not identified in other categories - e.g., past work has included watershed tours, Medicine Lake outlet work, Flood Control Project Maintenance and Responsibilities, Sweeney Lake sediment monitoring, stream monitoring equipment purchase. 2018 budget was reduced from previous years for overall budget savings. 2019 budget is more in line with previous years and gives Commission flexibility to investigate or tackle unforeseen issues that arise. Lowered again in 2020, 2021, and 2022 for budget savings. Among other surveys and studies, in 2023 this budget could be used to review and develop agreements with Minneapolis related to tunnel roles and responsibilities.

(E) Routine lake and stream monitoring. See details on next page.

(F) Water Quantity (lake level) monitoring. 2018 budget lowered for budget savings and resulted in fewer data points. 2019 budget back to earlier budget levels. 2020 budget lowered again for budget savings. 2022 and 2023 budget increase allows for additional measurements and benchmark checks, beyond the once/month lake level measurements to assist with proper maintenance of hydrologic and hydraulic modeling and climate resiliency preparations

(G) 2022 budget includes annual typical inspection of Flood Control Project (FCP) features without tunnel inspections but does not include follow-up work on the deep tunnel inspection, such as developing cost estimates for recommended repair work, and the box culvert repairs, such as development of plans and specifications. 2023 budget includes annual regular inspections at newly updated cost estimate. Actual costs of inspection will be reimbursed to operating budget from long term FCP account. [Last double box inspection was 2019, next one due 2024; last deep tunnel inspection was 2020, next one due 2030. Unsubmerged deep tunnel inspection in 2025.]

http://www.bassettcreekwmo.org/application/files/4514/9637/1815/2016_FCP_Policies.pdf

(H) Municipal plan approvals completed in 2019; however, this task has also included review of adjacent WMO plan amendments, and review of city ordinances; \$2,000 budget recommended annually.

(I) Monitoring at the Watershed Outlet Monitoring Program (WOMP) site in Minneapolis through an agreement with Met Council (MCES). Commission is reimbursed \$5,000 from Met Council. Met Council pays for equipment, maintenance, power, cell service, and lab analyses. Monitoring protocol changed in 2017 with collection of bi-monthly samples (up from once-per-month sampling). Both Barr and Stantec (previously Wenck) have tasked related to WOMP activities. Barr's 2020 & 2021 budget = \$4,500. Actual spent in 2020 = \$4,265. Station was moved in late 2020. In 2022, Barr portion was set at \$10,000 because MCES requested additional high flow measurements (doubling from about 6 to 12), due to the new station location. Stantec portion was similar to previous years at \$18,500 due to similar sampling regime. In 2023, Barr work proposed at \$7,500, for flow measurements. In 2023 Stantec portion assumes 5% increase over 2022 due to staffing cost increases; \$19,500.

(J) This item is used to make updates to the XP-SWMM model, coordinate with P8 model updates, and assist cities with model use. No XP-SWMM updates were performed 2019 - 2021 due to work on the grant funded FEMA modeling project. 2022 budget includes finalizing updates to the Commission's official model and flood elevations to match the "FEMA model" (this work was started in 2021 using "Surveys and Studies" budget). 2023 budget assumes Barr will request, compile, and review information provided by the cities and flag those that are large enough/significant enough to incorporate into the XP-SWMM and P8 model updates. As this covers both XP-SWMM and P8, we assumed \$0 for the TMDL Implementation Reporting (P8 model update) budget. Based on the request from 2018-2021, we had about 60 items to review and about 40 were significant enough to incorporate into the models. The 2023 budget assumes about 15 developments to review in one year. 2023 budget DOES NOT include TAC's recommendation for the 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.

Notes (continued)

(K) Funds to implement recommendations of Aquatic Plant Management/Aquatic Invasive Species Committee likely including curly-leaf pondweed control in Medicine Lake and small grant program for launch inspectors, education/outreach, etc. by other organizations including TRPD, AMLAC, others. TRPD shares cost (17%) of treatments. In 2021, recieved \$5,000 DNR grant. In 2022, recieved \$10,000 DNR grant. In 2022 and for a few years thereafter, treatment costs are expected to be significantly due to permission from DNR to expand treatment area to implement Lake Vegetation Management Plan.

(L) The scope and budget for development of the 2025 Watershed Plan was approved in February 2022. \$38,000 has already been set aside in a long term account for Plan development, of which \$11,000 will be needed to cover work that will get underway in 2022. In 2023, Barr estimates spending \$42,000 and Administrator estimates spending \$11,250 on Plan development (total = \$53,250). Revenue includes transfer from plan development long term account to help offset costs.

(M) Amended Administrator contract approved March 2022 includes 87.5 hours per month at \$75/hour starting in FY23 for total of \$78,750.

(N) MN Association of Watershed District Annual dues. New budget item. 2019 and 2020 dues were \$500 because WMOs were newly allowed to join the organization. 2021 dues \$3,750. Starting in 2022 dues went to the max of \$7,500 similar to other Metro watersheds. Committee recommends suspending membership in 2023.

(O) For Commission attorney. 2022 budget included 3% hourly rate increase over 2021 + more work expected. High legal costs for CIP projects will be charged to specific CIP budgets, as warranted.

(P) In 2021, Commission began contractoing with Redpath for accounting services. Next year's rates are expected to increase. Budget includes \$1,070 per month + up to 10 hours audit assistance at \$170/hr

(Q) Insurance and audit costs have risen considerably in the last few years.

(R) Meeting catering expenses from Three One Six at Brookview. Assumes 12 in-person meetings @ \$200 per meeting (24 pastries, 24 mini quiches, coffee, juice, fruit cups)

(S) Recording Secretary \$40/hr rate * 8 hrs/mo for 12 months for minutes (\$3,840 total) + \$250/mo meeting packet printing/mailing + \$400 supplies (envelopes, stamps, etc).

(T) Budget was decreased in last few years to be more in line with actual expenses. Costs associated with Commission Engineer assistance with annual report

(U) Based on agreement with HDR for website hosting and maintenance activities and closer to actual funds spent in recent years.

(V) Includes CAMP (\$7,000), River Watch (\$2,000), Metro Watershed Partners (\$3,500), Metro Blooms Workshops (\$1,500; a decrease from previous years), Children's Water Festival (\$350), Metro Blooms resident engagement in Minneapolis neighborhoods (\$4,000). Does not allow for additional partnerships or increases in contributions.

(W) Includes funding for West Metro Water Alliance at \$13,000 and \$15,000 for work by educational contractors + supplies and materials including educational signage, display materials, Commissioner training, etc.

(X) Public Communications covers required public notices for public hearings, etc.

(Y) Will be transferred to Channel Maintenance Fund for use by cities with smaller projects along main streams.

(Z) Will be transferred to Long-Term Maintenance Fund. TAC recommends increasing this budget line to be more in line with expected costs.

(AA) This task is meant for updating the P8 pollution model and will be done in conjunction with the work in budget line J with XP-SWMM model updates.

BCWMC 2023 Water Quality Monitoring Budgets - by item		
Item	Budget	Notes
Reporting on 2022 monitoring:		
Northwood Lake & Lost Lake	\$14,000	
2023 monitoring:		
Year 2 of Plymouth Creek stream flow and quality monitoring	\$24,000	TRPD (under contract w/City of Plymouth) will complete all flow and water quality monitoring monitoring, except for continuous dissolved oxygen monitoring and quarterly monitoring for metals and hardness, which Barr will complete. Barr flow monitoring will be limited to collection of some flow data for the IP1 rating curve; the data will be incorporated into the rating curve and the rating curve adjusted as needed per the 2023 data. Barr will complete the continuous dissolved oxygen measurements and quarterly metals and hardness monitoring at IP2. Barr will perform QA/QC on all data collected (Barr and TRPD). Assumes TRPD also performs QA/QC on their data prior to giving the data to Barr. Barr will summarize all data collected by Barr and TRPD into tables and graphs. Barr will prepare the flow data collected at IP1, the continuous dissolved oxygen data collected at IP2, and the quarterly metals and hardness data collected from IP2 for EQuIS submittal and will submit the data to the MPCA EQuIS database. TRPD will submit all data collected by TRPD to the MPCA EQuIS database. Budget assumes TRPD/BCWMC makes all significant monitoring equipment purchases in 2022 and no significant monitoring equipment purchases are needed in 2023. Budget does not include report and presentation to Commission, which will occur in 2024 (and be included in 2024 budget).
Sweeney Lake (Priority 1 Deep lake) & Twin Lake (Priority 1 Deep lake)	\$57,000	Detailed lake monitoring includes monitoring two locations on Sweeney Lake and one location at Twin Lake on six occasions for selected parameters (total phosphorus at 4 depths; dissolved phosphorus, total nitrogen, Total Kjeldahl nitrogen, nitrate + nitrite nitrogen, and chlorophyll a from 0-2 meter depth, and chloride at two depths; temperature, pH, DO, and and specific conductance measurements at one meter intervals from surface to bottom; and measurement of Secchi disc depth), plus parameters associated with AIS vulnerability (calcium, alkalinity, hardness, sodium, and magnesium from 0-2 meter depth), and phytoplankton (0-2 meter depth) and zooplankton (bottom to surface tow) collection and analyses. Plant surveys will be completed in June and August by Endangered Resource Services. Data will be summarized and analyzed including calculation of aquatic plant IBIs and AIS Suitability, trend analyses, creation of temperature, DO, and specific conductance isopleths, and preparation of total phosphorus, chlorophyll a, Secchi disc chloride, phytoplankton and zooplankton graphs. Budget does not include report and presentation to Commission, which will occur in 2024 (and be included in 2024 budget). In 2023, we plan to switch from PACE to RMB Environmental Laboratories (RMB). If all goes well, we anticipate saving BCWMC about \$2,000 - \$3,000 in laboratory expenses. We did not adjust the budget down in case we run into problems with the changeover and need to go back to using PACE for the laboratory analyses.
<i>No biological monitoring - Main Stem & North Branch at same time in 2024</i>		
General water quality tasks (responding to data review and inquiries, reviewing impaired waters lists, corresponding with Met Council and MPCA on data and monitoring plans)	\$10,000	
Total Water Quality Monitoring	\$105,000	

Proposed Fee Schedule (Effective ~~October 1, 2017~~ July 1, 2022)
Bassett Creek Watershed Management Commission Project Reviews

Project Review Fees (check appropriate boxes) ^{1, 7}		
<input checked="" type="checkbox"/> Base Fees		
<input type="checkbox"/>	Single Family Lot (No add-on fees required) ⁷	\$500
<input type="checkbox"/>	Projects Requiring Only Erosion and Sediment Control Review ⁷	\$1,500 <u>2,000</u>
<input type="checkbox"/>	Municipal Projects ² (No add-on fees required) ⁷	\$1,500 <u>2,000</u>
<input type="checkbox"/>	All Other Projects	\$1,500 <u>2,000</u>
<input checked="" type="checkbox"/> Add-On Fees³		
<input type="checkbox"/>	1. Projects requiring Rate Control or Treatment to MIDS Performance Goal	\$1,000 <u>1,500</u>
	2. Projects involving work within or below the 100-year floodplain (Table 2-9, Watershed Management Plan) - select highest of following add-on fees (a or b)	
<input type="checkbox"/>	a. Work involving filling and compensating storage within or below the 100-year floodplain (identified in Table 2-9)	\$1,000
<input type="checkbox"/>	b. Work along the Bassett Creek trunk system or inundation areas involving review of, or modifying the XP-SWMM model.	\$2,000
<input type="checkbox"/>	3. Work involving creek crossings (bridges, culverts, etc.)	\$1,000
<input type="checkbox"/>	4. Projects involving review of alternative BMPs ⁴	\$1,000
<input type="checkbox"/>	5. Project involving variance request	\$1,000
<input checked="" type="checkbox"/> Wetland Fees⁵		
<input type="checkbox"/>	Wetland delineation review	Varies
<input type="checkbox"/>	Wetland replacement plan review	Varies
<input type="checkbox"/>	Monitoring and reporting	Varies
<input type="checkbox"/>	Wetland replacement escrow	Varies
Total Project Review Fees ^{6, 7}		\$ _____
<p>1 State agencies are exempt from review fees. Other public agencies are required to pay review fees and add-on fees.</p> <p>2 Including Minneapolis Park & Recreation Board projects</p> <p>3 Required in addition to base fee (except for single family lots and municipal projects).</p> <p>4 BMPs not included in <i>Minnesota Stormwater Manual</i>.</p> <p>5 Wetland fees will be billed at actual cost for projects where BCWMC acts as the LGU for the Wetland Conservation Act or when a member city requests assistance from the BCWMC for wetland-related review tasks (BCWMC is the LGU for the cities of Medicine Lake, Robbinsdale and St. Louis Park).</p> <p>6 Include check for total project review fees or other fees with application form. Check should be payable to Bassett Creek Watershed Management Commission.</p> <p>7 If the actual cost to conduct a review reaches \$5,000, the applicant shall be required to reimburse the Commission for all costs it incurs in excess of \$5,000, in addition to base and add on fees. The Commission shall bill the applicant for the additional costs. If an applicant fails to fully reimburse the Commission for the additional costs, any future requests for a review from the applicant shall be deemed incomplete, and the Commission will not conduct a review, until all outstanding amounts have been paid.</p>		



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr)
Subject: Item 5C: Bassett Creek Dog Park – Crystal, MN
BCWMC May 19, 2022 Meeting Agenda
Date: May 12, 2022
Project: 23270051.53 2022 2284

5C Bassett Creek Dog Park Area– Crystal, MN BCWMC 2022-05

Summary:

Project Proposer: City of Crystal

Proposed Work: Installation of a new dog park, parking lot, and other site improvements

Basis for Review at Commission Meeting: Fill in the floodplain; review potential dog waste pollution issues

Impervious Surface Area: Increase approximately 0.19 acres

Project Schedule: Fall 2022 construction

Recommendation for Commission Action: Conditional Approval

General Project Information

The proposed project is located along the North Branch of Bassett Creek in the Bassett Creek Park Pond subwatershed, south of the intersection of 32nd Avenue North and Brunswick Avenue North and west of Welcome Avenue in Crystal. The work includes construction of a new dog park, associated parking lots, and other site improvements including fence, trails, and utilities resulting in 4.34 acres of disturbance. On the project map there are two project locations indicated. The western project location will include the new dog park, site improvements and work in the floodplain. The eastern project location will include parking lot improvements and is not located in the floodplain. The proposed project creates 0.76 acres of new and fully reconstructed impervious surfaces, including 0.57 acres of fully reconstructed impervious and an increase of 0.19 acres impervious surfaces from 0.57 acres (existing) to 0.76 acres (proposed).

The initial submittal was received on March 25, 2022. The BCWMC engineer reviewed the submittal and provided comments to the City on March 31, 2022. The applicant addressed the comments and submitted revised plans and documentation on April 5, 2022 and April 6, 2022.

The Commission reviewed the project at its April 21, 2022 meeting, tabled the project and directed staff to work with Crystal staff to incorporate protections to the stream from potential dog waste pollution and bring the project back to the May Commission meeting. On May 4, 2022 Chair Cesnik, Administrator Jester and Engineers Herbert and Campagnola met with City staff at the dog park to

discuss the BCWMC concerns and a path forward. During the site meeting, city staff directed our attention to several of the existing proposed improvements and discussed new mitigating measures. Staff also provided city staff with a copy of the recommended practices for minimizing bacteria loading from dog parks as published in the Minnesota Stormwater Manual. The attached May 12, 2022 letter from the City of Crystal summarizes the bacteria prevention efforts and addresses dog park design and the recommended Minnesota Stormwater Manual practices.

Floodplain

The proposed project includes work in the BCWMC 100-year floodplain. The 1% annual-chance (base flood elevation, 100-year) floodplain elevation along the North Branch of Bassett Creek at Bassett Creek Park Pond is 851.2 feet NAVD88 (1.4 feet higher than the FEMA flood elevation). 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 proposed project will result in approximately 1 cubic yard of floodplain fill and 53 cubic yards of compensating storage, resulting in a net gain of approximately 52 cubic yards of floodplain storage.

Lakes, Streams, and Wetlands

The proposed project includes work adjacent to wetlands. The City of Crystal is the local government unit (LGU) responsible for administering the Wetland Conservation Act; therefore, BCWMC wetland review is not required. Barr staff is providing wetland support for this project directly for the city.

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. The attached May 12, 2022 letter from the City of Crystal addresses potential dog waste pollution.

Erosion and Sediment Control

The proposed project results in more than 10,000 square feet of land disturbance; therefore, the proposed project must meet the BCWMC erosion and sediment control requirements. Proposed temporary erosion and sediment control features include silt fence, inlet protection, and rock construction entrances. Permanent erosion and sediment control features include riprap, stabilization with seed and mulch, and erosion control blanket.

Overall Review

As noted at the April meeting, even though there was concern about bacteria pollution to the creek, the project meets BCWMC requirements. Although it's not ideal to have a small portion of the dog park in the floodplain, after walking the site and reviewing the city's additional information, staff is satisfied with the

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr)
Subject: Item 5C: Bassett Creek Dog Park – Crystal, MN
Date: May 12, 2022
Page: 3







city's plans to mitigate pollution. As shown in their attached May 12, 2022 letter, the city's proposed plans include expanding existing swales (to capture and retain runoff from the land that drains to the creek) and expanded education and signage to help enforce city ordinances, The city has agreed to work with the Commission on development of the signage and will pay for the signs and their installation prior to the opening of the park.

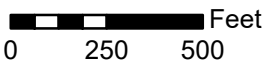
Recommendation

Conditional Approval

1. Revised drawings showing the expanded swale and any other improvement must be provided to the Commission engineer for final review and approval.

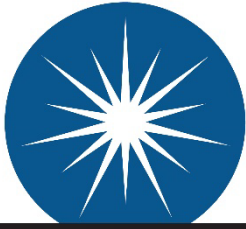


-  Project Location
-  Municipality
-  BCWMC Legal Boundary
-  Major Subwatershed
-  BCWMC Hydrologic Boundary
-  Bassett Creek



BCWMC #2022-05
 BASSETT CREEK
 DOG PARK AREA
 Crystal, MN

LOCATION MAP



CITY of CRYSTAL

4800 Douglas Drive North • Crystal, Minnesota 55429-3553

Tel: (763) 531-0052 • Fax: (763) 531-0949 • www.crystalmn.gov

May 12, 2022

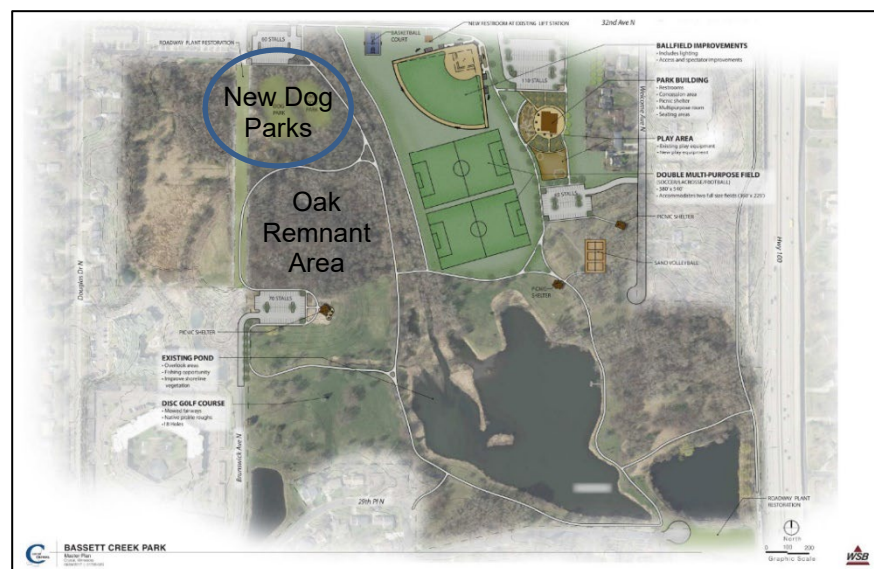
Laura Jester
Bassett Creek Watershed Management Commission
16145 Hillcrest Lane
Eden Prairie, MN 55346

Bassett Creek Dog Park - Follow-up to April 21 Commission Meeting

Background

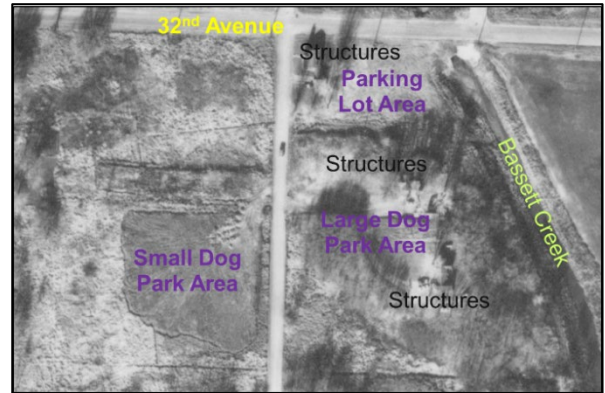
During the summer of 2017, planning began for a new dog park in Bassett Creek Park. The City of Crystal started a park system master planning project that year, which reviewed all park and recreation facilities in the city. Parks provide places for people to improve physical and mental health, so the parks were reviewed to make sure facilities are being offered that people want to use. The park planning effort paid particular attention to the city's larger community parks and incorporated a significant amount of public engagement. At Bassett Creek Park, much attention was paid to the dog park. The existing dog park was popular; but lacked the size and safety features offered at most other dog parks. Concerns were voiced about conflicts between dogs that had occurred in the past. Citizens requested a larger space, with separate areas for large dogs and small dogs. Providing some shade for visitors was another common request. Recognizing the current site was inadequate, a new location was sought in the same park.

**Final Concept
from Crystal's
Park and
Recreation
System Plan
2017**



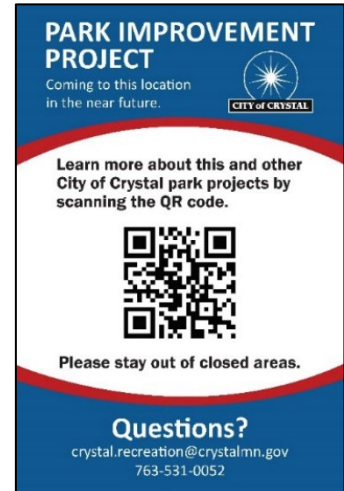
Location

Several locations were reviewed during the planning process, but a degraded woodland in the NW corner of the park was chosen as the future dog park location. The site had been the location of several structures into the 1970s (photo from 1971). Once removed, the area filled with 'volunteer' trees and buckthorn. 'Volunteer' trees generally have a short lifespan, so the site today consists of many dead and dying trees. These potentially hazardous trees will be removed to improve safety in this existing public space. Equally important was staying out of an oak remnant woodland just to the south of this area.



Design

Periodically from 2018 – 2020, issues related to the current dog park were raised with Crystal's Park and Recreation Commission. Moving the dog park was added to the city's long-term capital plan, which allowed the commission to point to a future project when requests for change came up. In 2021, Crystal staff met with staff from other agencies to review best practices in dog park design. Staff and commission members also visited dog parks in other cities to see if features should be included in the Bassett Creek Dog Park. The notes from all this were reviewed and provided our consultant to begin dog park design early in the fall. As planning began, additional public input was sought through city social media sites, dog park Facebook page and e-mail communications. Signs with a QR code (right) were also placed in the area of both the old and new dog parks in the fall of 2021 - to keep park users informed of the project.

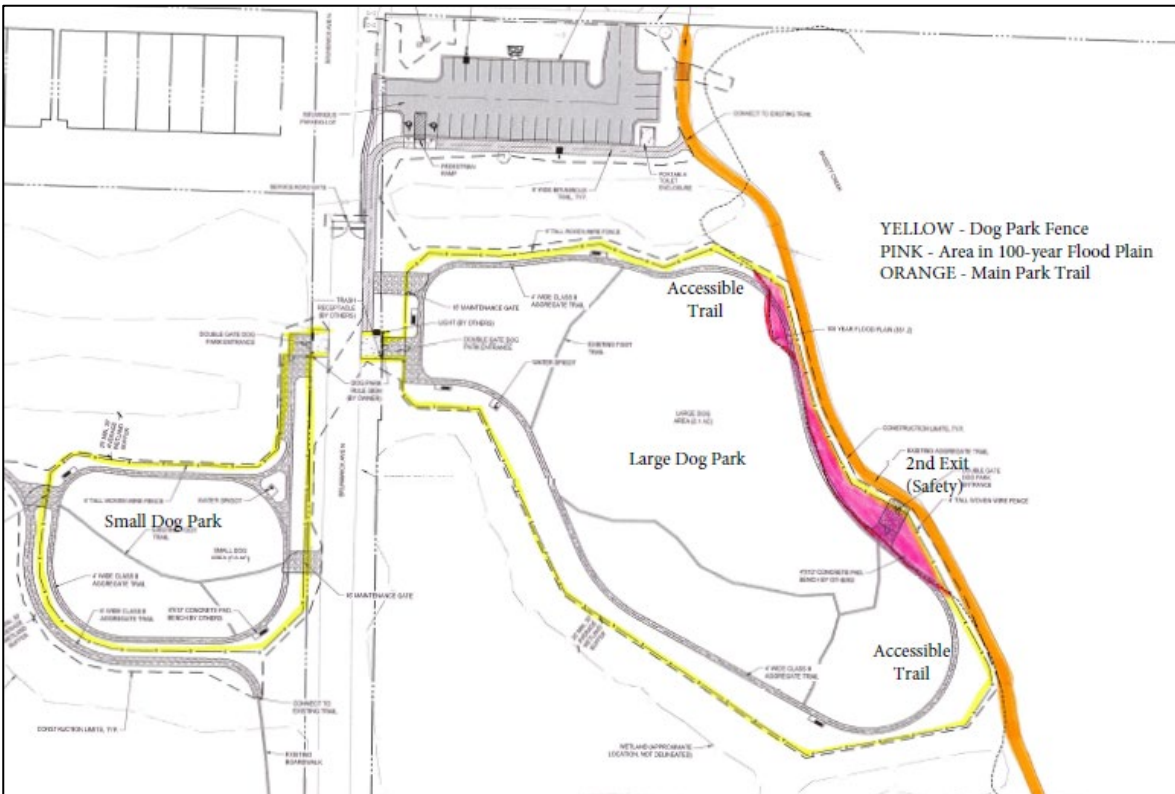


The design of the new dog park incorporates features that had been regularly called for since 2017, including separate areas for small dogs and large dogs and shade for dog park visitors. The design also incorporates findings from our review of dog parks in other cities, which includes having a 2nd exit for safety in the large dog park - in case any number of safety issues arise at the main entrance. An accessible trail is also provided around the perimeter of each dog park to encourage use, and the bench pads are large enough for a wheelchair to pull in next to the bench.

However, to include the accessible trail and the 2nd exit for safety into the plan, the question of location came up. To allow the trail to follow a natural 'bench' to keep the trail accessible, the dog park fence and the 2nd exit would need to enter the 100-year flood plain. Options to keep these out of the flood plain would require additional grading; and may create steeper slopes due to earthwork needed for trail accessibility. As we work to balance public planning outcomes, accessibility considerations, safety concerns and potential impacts to natural resources; moving the fence slightly into the 100-year flood plain may be the most reasonable solution for this project.

Permit Process

We recognized that proposing an encroachment of fencing into the 100-year flood plain would require a watershed commission permit. Still, it seemed to be the best way to provide accessibility and safety improvements at this new facility. The area where encroachment is proposed to be is highlighted in pink below. Before applying for a watershed permit and advertising for bids, we met with watershed engineers via Zoom to discuss any concerns they may have with this project. Hearing none, a watershed permit was applied for. Additional information, including efforts to reduce bacteria from feces, was provided during the review process. The permit item was included as a consent item on the April 21 commission meeting, which was recommended for approval.



Commission Meeting Follow-Up

During the April 21 commission meeting, questions were raised about reducing potential bacteria from dog feces into water resources. Efforts to prevent and mitigate bacteria had been provided during the permit process, but the information was not available at the meeting. Approval of the fence encroachment into the 100-year flood plain was tabled to allow time for additional information sharing. A site visit of the dog park area with watershed staff was held on May 4. Information shared by the watershed has been helpful, with several items being added to our plan.

Summary of Bacteria Prevention Efforts

1. Owners are not allowed to leave pet waste behind. The Crystal City Code addresses pet waste by stating. "Any person bringing a dog to any park must have in their possession suitable utensils for the removal of animal excrement and must promptly and effectively remove and properly dispose of all excrement deposited by dogs under their control."

2. To help communicate the city's pet waste requirements, information on this is posted at the dog park, is available on the city website and through a flier developed for dog park use. The city also agrees to work with the watershed to improve signage related to pet waste and the watershed. The city has funds available for this. Signs will be installed prior to dog park opening late fall this year or next spring (following grass establishment).
3. To make cleaning-up after dogs easier, the city purchases and makes bags available for picking up dog feces. The bags will be available at each dog park entrance.
4. The city also supplies garbage cans for easy disposal of pet waste. Garbage cans will be available at each dog park exit – including the one by the 2nd exit. The containers are emptied weekly during the slow season and twice per week during the busy season.
5. Dogs are not allowed in the water. While other dog parks allow this, and it was a request for this dog park too, allowing dogs in the water will not be allowed at this dog park.
6. Buffers to nearby wetlands will meet wetland setback requirements. The fence will be at least 20' minimum, 30' average from adjacent wetlands. The buffer from the large dog park fence to Bassett Creek exceeds this requirement, and ranges from 55' to 80'.
7. While much of the dog park drains away from the creek, a portion does drain toward it. To improve infiltration throughout the entire dog park area, much of the degraded woodland will be removed, and the sparse woodland ground cover will be converted to grass. This new ground cover will create a large infiltration area between the top of the highest point to the fence.



8. In addition to the setback from Bassett Creek, an existing swale between the dog park and gravel park trail (right) currently reduces water flow across the trail - to the creek. This has been effective, as evidenced by little to no gravel repair being necessary on the trail each year. With conversion of sparse ground cover to grass in the dog park area, water flow through this area should be reduced even more. Additional vegetation and grading improvements could be made here if necessary.



9. The main entrances to the dog park are on the east side of the large dog park. This will keep most dog traffic on the side of the dog park away from Bassett Creek.
10. There is an existing 'Bassett Creek Dog Park – Dog Owners Group' Facebook page that helps share information on the dog park. This group helped share information during the planning process and can help promote positive dog park behavior too.

Additional Items

Responses specific to the following Stormwater Manual recommendations was also requested.

1. Locate parks away from receiving waters
There is a 55' to 80' buffer between the dog park fence and Bassett Creek, and 20' minimum, 30' average buffer to adjacent wetlands.
2. Ensure parks are on pervious surfaces
The dog park surfacing will be a pervious grass surface – with an impervious handicap accessible gravel trail around the perimeter.
3. Drainage should be away from impervious areas
The majority of impervious surfacing consists of small gravel trails. Drainage toward the creek encounters a swale before it gets to the main park trail.
4. Design parks to minimize compaction
Use of the of the gravel trail within the dog park will help keep some traffic off the grass area – reducing compaction.
5. Enforce pickup of pet waste, including ensuring appropriate disposal facilities
Appropriate disposal facilities, including bags for picking up feces and garbage cans to deposit waste, are provided at each dog park entrance/exit.
6. Possible design considerations for dog parks include doggy loos (disposal units installed in the ground to facilitate decomposition, pooch patches (areas of sand), and long grass areas that are mowed less frequently (a height of around 10 cm is appropriate).
A grass surface will be used throughout the dog park.
7. Siting dog parks out of swales and away from steep slopes
The dog park will have positive drainage toward the fence. While there is some slope, other mitigation efforts such as replacing sparse ground cover with grass and having a swale at the bottom of the hill will help improve infiltration.
8. Providing vegetated buffers of prescribed widths between dog parks and waterways, swales, storm drain inlets, gulleys and steep slopes
There is a 55' to 80' buffer between the dog park fence and Bassett Creek, and 20' minimum, 30' average buffer to adjacent wetlands with existing vegetation.
9. Rimming the downslope edge(s) of dog parks with conventional BMPs that show promise at removing bacteria (e.g., infiltration-dependent facilities).
The swale between the dog park and trail, combined with grass cover in the dog park, will improve infiltration. Additional swale capacity and improved vegetation can be added to the swale if necessary. Further review will be needed.

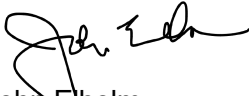
Dog Parks

In reviewing best practices for dog parks, several sources refer to the benefits of them.

1. A memo provided by the watershed, from CDM Smith to Minneapolis, notes that “encouraging the use of dog parks may, in fact, be a potential fix for increasing the amount of dog waste picked up.” It notes that dog parks are an easy target to implement BMPs such as public outreach, and dog parks often have a community group that encourages proper cleanup. Bassett Creek Park has an existing dog park group.
2. The MPCA website has the following reference, “A study in the Minnehaha Creek Watershed, Minnesota, showed that domestic pets were a relatively small contributor to bacteria loads in runoff, likely due to fairly aggressive efforts to have dog owners pick up after their dog.” Education efforts here, in cooperation with the watershed, should be effective for encouraging dog owners to pick up after their pets.
3. We have also found that well managed facilities promote positive behavior. Park users generally take better care of new facilities than they do with older facilities. However, if issues arise within the fenced area, the gates could be locked until clean-up occurs.

Thank you for reviewing our request to move the dog park fence into the 100-year floodplain; to accommodate handicap access and a 2nd dog park exit. A map of the large dog park is attached here that provides additional details. Should you have additional thoughts or questions, please contact me at (763) 531-1150 or john.elholm@crystalmn.gov.

Sincerely,



John Elholm
Recreation Director



SRF

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.

ENGINEER NAME: KENNETH J. GOSCHMIDT
 SIGNATURE: *[Signature]*
 DATE: 04/24/2022
 LICENSE #: 24860

REVISIONS

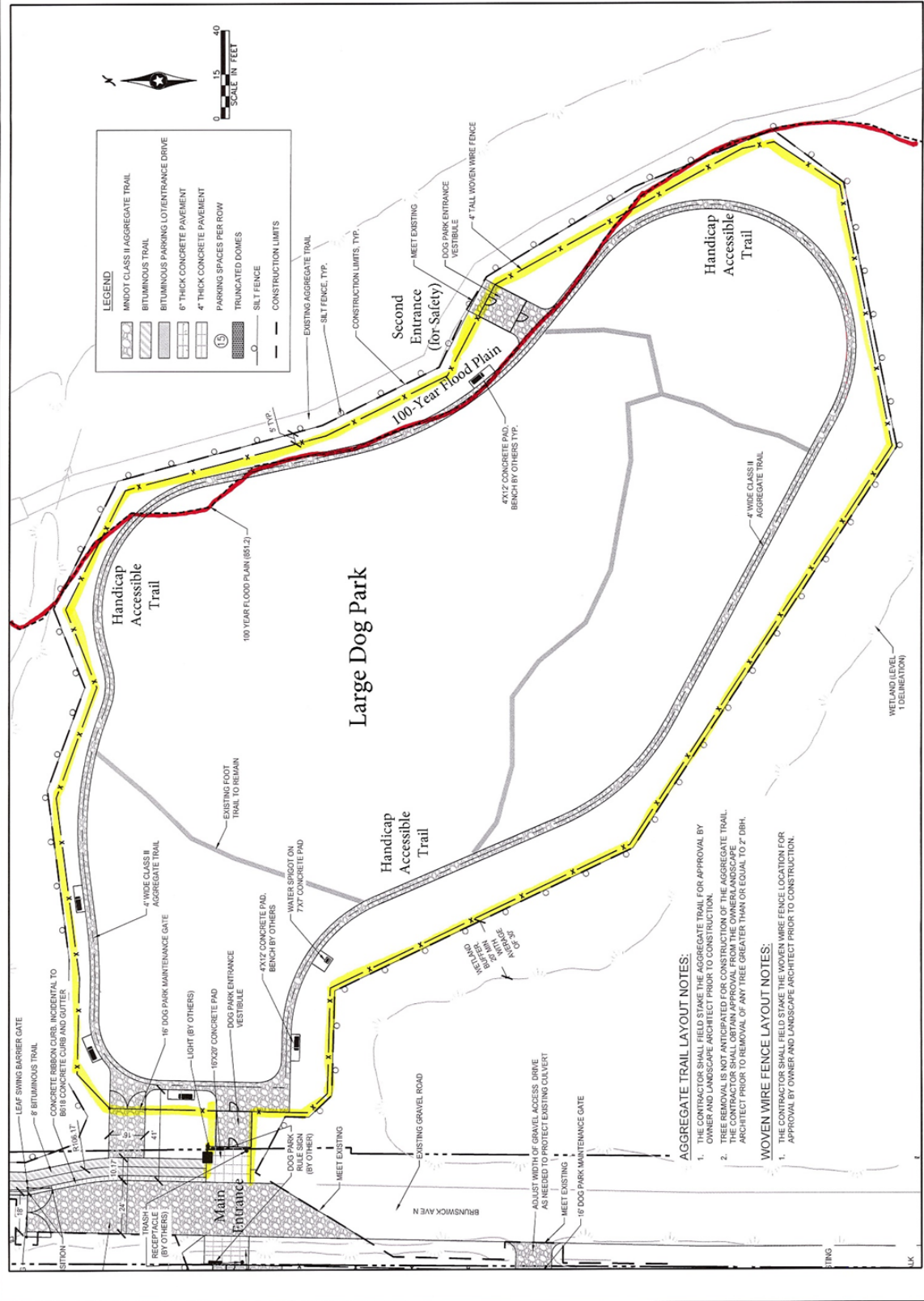
NO.	DATE	BY	CHGD	APPR.

DRAWN BY: J. FELDMOSE
 DESIGNED BY: K. GOSCHMIDT
 CHECKED BY: K. GOSCHMIDT
 COMM. NO.: 14725

BASSETT CREEK PARK & COMMUNITY CENTER SITE IMPROVEMENTS
 CITY OF CRYSTAL
 LARGE DOG PARK SITE PLAN ENLARGEMENT PLAN

SHEET

B-C2.4



AGGREGATE TRAIL LAYOUT NOTES:

1. THE CONTRACTOR SHALL FIELD STAKE THE AGGREGATE TRAIL FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.
2. THE CONTRACTOR SHALL OBTAIN APPROVAL FROM THE OWNER AND LANDSCAPE ARCHITECT PRIOR TO REMOVAL OF ANY TREE GREATER THAN OR EQUAL TO 2" DBH.

WOVEN WIRE FENCE LAYOUT NOTES:

1. THE CONTRACTOR SHALL FIELD STAKE THE WOVEN WIRE FENCE LOCATION FOR APPROVAL BY OWNER AND LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.

Re: Proposed Bassett Creek Dog Park along the North Branch of the Bassett Creek in Bassett Creek Park

Background on the Current & Proposed Dog Park area

Current Bassett Creek Dog Park: The current Bassett Creek Dog park is located in the corner on the south side of 32nd Ave N and West of Welcome Ave N beyond the residential area. It is 1 acre in size. Water and lighting are installed. Many of the trees that were planted early on have died. It is not located near Bassett Creek. Many people do not pick up their dog's poop. The poop eventually gets buried by wood chips or when it gets muddy. I go to the current dog park in Bassett Creek Park and in my opinion, it is rarely so full that there are too many dogs in the fenced area. The average stay is one hour or less, and the turnaround is high even during peak times, again this is my observation. Also, Valley Place Park is right down the road and has a Hockey Rink that is available for dogs from late March to early November. A fence and gate are added for an enclosed area. It is a little less than a half-acre from the current dog park.

Proposed Large Dog Park: The area that is being proposed for the large dogs is next to a natural wooded area with a bubbling creek and variety of wildlife. The entry from the north is off of 32nd Ave North. There is a small bituminous parking lot directly off 32nd Ave North with approximately 14 stalls, which is going to be enlarged with additional impervious surface. Bassett Creek runs underneath 32nd Ave North and flows through along the wooded nature area. The path along the creek is packed sand/clay and is well maintained all year for walking, running, skiing, or biking etc. The natural wooded area along the bubbling creek makes this a healthy, calming and meditative place to stroll. There is a small strip of woods on the other side of the creek and a cement walking path farther to the east. When the branches are full of leaves, strolling along the dirt path you can hear the water in the creek bubbling and the wildlife go about their activities in the woods. There is a series of walking paths throughout the woods. Sightings of owls, coyote, deer and other wildlife are frequent. People like to snowshoe and walk on the trails in this area.

Summary of Inadequate Project Planning

I disagree with the current plan to move the dog park to the 2.2 acres of wooded area along the North Branch Bassett Creek located in Bassett Creek Park. I also disagree with adding additional impervious surface to Bassett Creek Park. The specific Dog Park plan did not include numerous crucial project scope items. Critical items such as valid justification to move the large dog park to this location (a major waterway and wetland in the Bassett Creek Watershed), potential dog feces contamination to the North Branch of Bassett Creek, potential violation of Crystal city code as it relates to wetlands and required approvals from Bassett Creek Watershed Commission were not obtained prior to the Crystal City Council considering the project, equity and inclusion of various households, climate change in a natural wildlife area on public land and wildlife habitat destruction. Also, included MPCA's position on Dog Waste, however does not specifically mention management in a wetland area. Due to these important items not being included in the original plan and some of them being initiated only in March or not considered at all, renders the viability of the project to be questioned.

Details of Missed and Omitted items in the Proposed Bassett Creek Dog Park Plan

Justification for moving the dog park to this location in Bassett Creek Park. The location is a major waterway in the Bassett Creek Watershed and a wetland area. It is an encroachment and requires modifications to suit the dog park development. This is a critical area and appears to have been considered a roadblock only after an email was sent to the Crystal Park and Rec Director in February, 2022.

Absence of Adequate notification to the Public and reaching out to BCWMC in advance of selecting the Proposed Large Dog area. In February of 2022, a Crystal Park Rec sign was seen on the fence at the current Dog Park, indicating a park for large dogs was to be located along the North Branch of Bassett Creek in the wooded wildlife area.

Potential dog feces contamination to the North Branch of Bassett Creek. In February, 2022, an email was sent to the Director of Crystal Parks and Rec and copying BCWMC administrator and BCWMC Engineer inquiring about how the potential dog feces contamination would be mitigated. The Director of Crystal Parks and Rec responded with the following:

I appreciate you sharing your thoughts on dog waste. We agree that dog waste is unhealthy, and is why we require dog handlers at the dog park (and throughout the city) to “immediately pick up and remove any feces deposited on public property” (city code). The requirement to pick up after your dog is also posted on our website (<http://parksrecreation.hosted.civiclive.com/cms/One.aspx?portalId=11785244&pageId=11911654>), is on fliers (attached) and is on signs in the dog park. In addition, we provide bags and garbage cans at the dog park to make it easier for handlers to pick up after their pet. Leaving pet waste behind is against our policies and is not something the city condones.

When used properly, the dog park should not contribute to fecal contamination. We will continue to work on educating dog park users and those that walk their dogs on a leash about the importance of picking up after their pets.

Thank you once again for your comments.

John

*****To recap, the only mitigation effort of contamination of dog feces at this time was to put up signs and place poop bags and garbage cans in the park. Please also note that the North Branch of Bassett Creek is listed as impaired. Animal feces will only make that worse.**

Potential violation of Crystal city code: Review of city code and potential environment issues were not included in the Proposed Dog Park plan until last month. March 25, 2022. (Regarding wetland impact and 100-year flood plain). Currently it is unclear if wetland requirements are met.

Required Environmental Approvals: As of the April watershed meeting the BCWMC tabled approval of this project. As noted in the City Council action, approval of the project is conditioned upon approval of the BCWMC which will not hear this project again until their May 19th meeting. Watershed engagement and approval (i.e., BCWMC and Shingle Creek Watershed) were not requested until late March and after the Crystal City Council had already considered to move forward.

Equity and inclusion of various households: According to the American Veterinarian Medical Association Pet Demographics only 38% of households own dogs, generally. Approximately 7 to 9 % of the population has an extreme fear of dogs. (WEBMD) Many people do not take their dogs to a dog park, because there is no specific supervision and dogs are not required to be vaccinated for worms, kennel cough etc. ONLY a very small percentage would enjoy the Proposed dog park. The Proposed dog park is on public land and in a natural area with a natural flow of Bassett Creek. We talk about equity in all its forms, in all places and we brainstorm on how we can improve, but it seems even a small commitment to equity eludes us. The natural wooded area along the Bassett Creek provides healthy, calming and meditative human benefits on public land and should be available to all people, not just a select few.

Climate Change: We know that Climate Change is here and is causing extreme variability in the temperature and weather patterns. The proposed dog area requires a permit for the 100-year flood plain and city code requirements. It is a fact that Permitting standards that were created when rainfall and sea level were relatively constant are no longer adequate. Someone said the 500 years soon to become the 100-year estimate. We know Climate change is real, we talk about it, but it is as though we don't see it as our responsibility to take action.

We talk about the Concrete Jungle, where everything is covered in heat emitting surfaces, yet we continue to allow impervious surfaces to be added to our city. In this case a Public City Park.

Please also consider MPCA position on Dog Waste, however does indicate wetland management

[MPCA SSTS Bulletin \(govdelivery.com\)](http://govdelivery.com)

[MS4 fact sheet - Reducing Pet Waste - Minnesota Stormwater Manual \(state.mn.us\)](http://state.mn.us)

MS4 fact sheet - Reducing Pet Waste



Dog waste sign

Pet waste left uncollected is unsanitary and disagreeable for users. It contains pathogenic bacteria and other parasites. When pet waste is washed into our lakes and rivers it decays in the water, depleting oxygen levels and releasing ammonia, which can be harmful to fish and other aquatic organisms. Pet waste also contains nutrients that foster weed and algae growth. Elevated bacteria levels in lakes and rivers caused by *Escherichia coli* (*E. coli*) can cause unsafe conditions for swimming and recreational activities.

This fact sheet provides guidance on developing a community pet waste management program.

Benefits and pollution reduction

Pet waste management results in cleaner parks and neighborhoods, with improved aesthetics and lowered potential for diseases to spread. Reducing the amount of uncollected pet waste reduces a significant cause of stormwater pollution.

Program development and implementation

Programs designed to combat poor management of pet waste fall into three broad categories. Municipalities often create programs that overlap these categories for optimal results.

Awareness campaigns (pet owner-based)

Programs are designed to overcome educational barriers. Owners are educated about the health risks and natural resource impacts associated with not cleaning up their animal's waste and are informed of their responsibility for finding suitable methods to pick up after their pet. The [City of Minneapolis](#) has implemented the "Canines for Clean Water" awareness campaign. Throughout the summer, the city sponsors dog oriented activities and education about keeping their waterways clean.

- *Brochures/fact sheets* Informational sheets are mass-mailed to educate residents of the health risks, natural resource impacts and applicable ordinances/fines. The brochure should also outline the proper handling and disposal of pet waste. Brochures could be provided at public kiosks or city offices, attached to park signage (see image above) as well as displayed at pet supply outlets and veterinarian offices.
- *Park signage* Located at park entrances to alert residents of the proper disposal techniques and/or park design features for pet droppings.

Pet waste control ordinances (management-based)

A municipality may introduce a law that requires pet owners to pick up after their pets or risk receiving a fine.

- [Pet Waste Ordinance Model Language](#) - Model ordinance language for municipalities to prohibit pet waste

Park design features (management-based)

- *Collection systems* - The simplest addition to a dog-friendly park are pet waste collection systems, which hold plastic bags for owners to use to pick up waste, and which have garbage cans placed in close proximity to bag dispensers and park exits. Bag dispensers should also include educational signage.
- *Doggy loos* - Pet feces disposal units are placed in the ground, which operate by foot-activated lids. Decomposition is quick, and messy cleanup is avoided.

- *Pooch patch* - Upon entrance into the park, the dog is introduced to a telegraph pole, surrounded by a scattering of sand. Dogs are encouraged to defecate on the patch, and bins are close by for owners to dispose of their dog's waste.
- *Long-grass principle* - Parks can have areas where grass is not mowed where pet owners can take their dogs to defecate. A height of around 4 inches is necessary for the feces to disintegrate naturally without stormwater runoff. Long grass areas, however, should not be placed in close proximity to overland flow paths, stream channels, lakes, drinking water wells, and stormwater drainage inlets.

Maintenance considerations

- Collection Systems: Regular refuse collection and resupply of pickup bags.
- Doggy Loos: These disposal units are installed in the ground and decomposition occurs within the unit. Minimal maintenance is required (occasionally add water and non-toxic digester powder for continuous break down of waste).

Typical cost

The cost of reducing pet waste varies on the intensity of the program and control activities implemented. The most popular control method is via ordinance, but municipalities must consider the cost of enforcement, including staff and equipment requirements. Awareness campaign costs are determined by the quality of materials produced and the frequency and method of distribution. Park signage may have higher initial capital costs, but can last for many years. Signs may also be more effective, since they act as on-site reminders to dog owners to clean up in parks. Collection systems can cost anywhere between \$60 and \$400. The pickup bags purchased in bulk cost 5¢–15¢ each.

Interesting websites

- [The Poop Problem: What To Do With 10 Million Tons of Dog Waste \(Op-Ed\)](#) - LiveScience
- [Dog Poop – Its Environmental Impact](#) - Green Blizzard
- [Do You Scoop The Poop?](#) - RI Stormwater Solutions
- [Toxic Dog Waste](#) - Doody Calls Pet Waste Management
- [Pet Waste:What's the problem?](#) - Pacific Shellfish Institute
- [The Scoop on Dog Waste](#) - Ecological Landscape Alliance



Bassett Creek Watershed Management

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Laura Jester, Administrator
Date: May 12, 2022

RE: Internship Position with Dougherty Family College

Recommendation:

1. Approve the attached agreement with Golden Valley and Juan Del Valle Lopez
2. Direct staff to mentor, assign tasks, and oversee Juan's work for the BCWMC

After a discussion about the benefits of the internship program through [Dougherty Family College](#) (DFC) at St. Thomas University at the April 2021 BCWMC meeting, Commissioners directed staff further explore development of an internship position for BCWMC. The DFC internship program offers a professional development opportunity for college students along with networking, learning, and mentorship.

Staff coordinated with Alternate Commissioner McDonald Black and DFC representatives on the specifics of the program and BCWMC member cities were asked about housing and mentoring an intern. The city of Golden Valley has agreed to host the intern. Commission Attorney Anderson drafted the attached agreement between the BCWMC, city of Golden Valley, and the intern candidate.

DFC identified Juan Del Valle Lopez as a great candidate for the BCWMC. I reviewed his resume and yesterday, Commissioner Harwell, Golden Valley TAC member Drew Chirpich, and I had the pleasure of interviewing Juan and discussing the position a little more. Juan is a journalism major and looks forward to "peeking behind the scenes" of local government and watershed organizations. He has experience in retail, college sports team equipment management, and volunteering with youth. I think he will be a great asset to the BCWMC this summer!

Here are some important details about the internship:

- Starts June 6th, planning to work 6 hours per day on Mondays, Tuesday, and Thursdays (has flexibility for other days, evenings, or weekends depending on needs)
- Will work about 8 – 9 weeks until early August
- Will be hosted by city of Golden Valley but will bring personal computer and cell phone
- Will use his own transportation for BCWMC business (with mileage reimbursed)
- Will be a contracted position (similar to other BCWMC staff)
- Compensation will be \$18/hour; 18 hours/week, 9 weeks [total of \$2,916 to come from 2022 BCWMC Education Budget]
- Anticipated BCWMC tasks and activities:
 - Find opportunities in various communities for outreach and engagement to gather input for Watershed Management Plan

- Host BCWMC information, engage with residents and gather survey responses at community events
- Take photos of past CIP projects and interview city staff regarding CIP function and maintenance; create database or record of photos and maintenance
- Review BCWMC website for needed updates, improved format, better content, etc.
- Interview BCWMC staff, commissioners, TAC members about BCWMC work and impact; write articles, social media posts, etc.

Additionally, there will be multiple job shadowing opportunities with city staff from Golden Valley and other member cities. Member cities may also offer some actual work tasks related to stormwater/watershed management.

Golden Valley offices will provide a professional setting for Juan. He will be mentored by me and city staff; there are also opportunities for commissioner involvement in Juan's work. Juan may also seek to interview various staff members to gain a better understanding of their jobs and career paths. He will attend the June and July BCWMC meetings.

INTERNSHIP AGREEMENT

THIS INTERNSHIP AGREEMENT (“Agreement”) is made effective as of the 19th day of May, 2022, by and between the Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the “Commission”), the City of Golden Valley, a Minnesota municipal corporation (the “City”), and Juan Del Valle Lopez, an individual person (the “Intern”).

WHEREAS, the Intern is a student enrolled at the Dougherty Family College, a post-secondary institution within the University of St. Thomas; and

WHEREAS, the Intern desires a summer internship to perform certain Commission tasks, including special projects, research, and receipt of mentoring; and

WHEREAS, the Commission likewise seeks to hire a summer intern for approximately 12 weeks to perform such tasks, as further detailed in this Agreement, although it lacks office space for an intern; and

WHEREAS, the City is a member city of the Commission and has available office space and other resources for an intern, and also may have tasks that an intern could perform.

NOW, THEREFORE, in consideration of the covenants herein provided, the Commission, the City, and the Intern agree as follows:

1. **INTERNSHIP.** For a period of approximately 12 weeks, the Commission agrees to professionally engage with the Intern, and the Intern agrees to professionally engage with the Commission, all in accordance with the terms provided herein. The Commission will provide Intern with an orientation that will include an overview regarding all general responsibilities, Commission operations, policies and procedures, and general expectations of the Intern during the period of internship. The Commission will also assign and supervise the Intern’s completion of tasks and responsibilities, provide regular opportunities for shadowing and mentoring, provide feedback, and compensate Intern for services in accordance with section 3 of this Agreement.
2. **INTERN SCOPE OF SERVICES:** For a 12-week period starting on or about June 1, 2022, the Intern will work an average of three (3) days per week and six (6) hours each of those days (approximately 18 hours per week). Intern’s schedule is subject to adjustment based on the mutual agreement of the parties. In general, Intern will adhere to and perform the following:
 - Adhere to work hours, policies, procedures and rules governing professional staff behavior, as directed by Commission.
 - Maintain professional relationships with Commission and City employees, customers, and the public.

- Prepare for and utilize opportunities of mentoring and learning offered by the Commission and the City.
 - Be consistent and punctual in the submission of work assignments.
 - Perform the assignments as prioritized and assigned by the Commission under this Agreement, together with such other services as may be assigned by the Commission or the City from time to time, all of which may include:
 - Assistance with outreach and engagement in diverse communities to gather input for use in developing the Commission’s 2025 Watershed Management Plan – including attending community events, corresponding with community leaders, engaging with the public, presenting to groups, proctoring surveys, etc.;
 - Take photos of Commission Capital Improvement Program (CIP) projects around the watershed;
 - Write social media posts or newsletter/newspaper articles;
 - Pick up water samples from CAMP volunteers and deliver to Nine Mile Creek Watershed District office;
 - Review BCWMC website and suggest updates or changes; assist with overhaul of online “document library”;
 - Create database of CIP projects;
 - Collect maintenance records and/or city records/notes on maintenance of CIP projects; and
 - Reformat annual report.
3. **INTERN COMPENSATION; RELATIONSHIP.** Intern will be paid by the Commission at the rate of \$18.00 per hour for services provided. Intern will also be reimbursed for actual, reasonable and necessary out-of-pocket expenses including mileage at the federal rate, postage, photocopies, and printing. Other than mileage and pre-approved expenses, Intern is expected to provide transportation, a mobile phone, and laptop for their use and will not be compensated for these items. Intern understands and agrees that Intern’s engagement with Commission is short-term and “at-will”, and other than payment of wages and reimbursable expenses, as provided above, Intern will not be eligible for any additional compensation or benefits, including, but certainly not limited to, paid leave, insurance contributions, retirement benefits. Neither the Commission or the City promise or guarantee any future engagement or employment opportunities with Intern.
4. **CITY RESPONSIBILITIES.** The City agrees to (i) provide a work location for Intern at Golden Valley City Hall, including a desk and standard office supplies as may be reasonably necessary, but not including a computer or mobile phone; (ii) provide access for Intern to City staff for routine assistance and mentorship; and (iii) provide shadowing and mentoring to Intern, as permitted; and (iv) assign Intern tasks subject to the availability of Intern in light of BCWMC tasks which take priority. City is not obligated to pay any compensation or reimbursement whatsoever to Intern.
5. **TERM AND TERMINATION.** This Agreement shall continue in effect until September 1, 2022 or twelve (12) weeks after the Intern begins services, whichever

is later. Notwithstanding the foregoing, any party may terminate this Agreement with or without cause by providing at least 7 days' written notice to the other parties. Upon termination, the Intern will only be entitled to compensation and reimbursement from the Commission for activities performed through the date of termination.

6. **AMENDMENTS; ASSIGNMENT.** No amendments to this Agreement may be made except in writing signed by both parties. No assignment of this Agreement by any party shall be permitted without a prior written agreement from all parties hereto.
7. **DATA PRACTICES AND RECORDS.** All records, information, materials and other work product, in written, electronic, or any other form, developed in connection with providing services under this Agreement shall be the exclusive property of the Commission. All such records shall be maintained with the records of the Commission and in accordance with the instructions of the Commission. Intern will comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality.
8. **CONFIDENTIALITY.** Intern further agrees to keep confidential and not disclose to any person or entity any data or information furnished by the Commission that is marked in writing as confidential.
9. **HOLD HARMLESS.** Each party is responsible for its own acts and omissions and the results thereof to the extent authorized by law. Minnesota Statutes Chapter 466 and other applicable law govern the liability of the Commission and the City. To the full extent permitted by law, this Agreement is intended to be and shall be construed as a "cooperative activity" between the Commission and the City and it is the intent of said parties that they shall be deemed a "single governmental unit" for the purposes of liability, all as set forth in Minnesota Statutes, Section 471.59, Subd. 1a (a); provided further that for purposes of that statute, said parties expressly decline responsibility for the acts or omissions of the other party. In addition to the foregoing, nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to any party, whether set forth in Minnesota Statutes, Chapter 466 or otherwise. It is understood that while performing duties pursuant to this Agreement, Intern will be considered a covered party under the Commission's commercial liability insurance.
10. **APPLICABLE LAW.** The law of the State of Minnesota shall govern all interpretations of this Agreement, and the appropriate venue and jurisdiction for any litigation that may arise under this Agreement will be in and under those courts located within the County of Hennepin, State of Minnesota. All parties shall comply with all applicable federal, state and local laws, regulations or ordinances in performance of duties hereunder.

[signatures to follow]

WHEREUPON, the undersigned hereunder set their hands to this Agreement as of the day first above written.

INTERN

By: _____
Date

**BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION**

By: _____
Chair Date

By: _____
Secretary Date

CITY OF GOLDEN VALLEY

By: _____
Shepard M. Harris Date
Mayor

By: _____
Timothy Cruikshank, Date
City Manager

Equity in Watershed Management Workshop

Agenda

April 25, 2022 ~ 6:00 – 8:00 p.m.
Crystal Community Center

Welcome and Introductions

Hennepin County Commissioner Irene Fernando

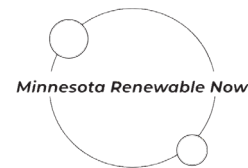
Vulnerable Communities and Environmental Justice: Locations and Definitions

Karen Galles, Land & Water Supervisor
Hennepin County Environment and Energy



Reflecting on Personal and Professional Experiences with Environmental Injustice

Kristel Porter, Executive Director
Minnesota Renewable Now



Small Group Discussion (15 minutes)

Environmental Healing in Relationship with Community

Laura Scholl, Associate Director and Director of Development at Metro Blooms
Erika Schlaeger dos Santos, Director of Community Relations at Metro Blooms



Small Group Discussion (15 minutes)

Moving Toward Equity in Watershed Management

Abby Moore, Training and Community Learning Specialist
Mississippi River Watershed Management Organization



Discussions by Watershed

Adjourn – 8:00 p.m.

Equity in Watershed Management Workshop

April 25, 2022

Definitions* and Resources

D **Diversity** encompasses the varying experiences, strengths, skills, perspectives, personal characteristics, cultures, and backgrounds represented by and within a community.

E **Equity** is the fair and just treatment of all members of a community. Equity requires commitment to strategic priorities, resources, respect, and civility, as well as ongoing action and assessment of progress toward achieving specified goals.

I **Inclusion** embraces and celebrates the perspectives, voices, values, and needs of each individual to generate a culture where all feel heard, respected, valued, and represented.

A **Accessibility** is giving equitable access to everyone along the continuum of human ability and experience. Accessibility encompasses the broader meanings including access to spaces, processes, and decisions.

DEIA Resources

- **Harvard's** Implicit Bias and Association tests: implicit.harvard.edu/implicit/index.jsp
- **Hennepin County's** Disparity Reduction Programs: www.hennepin.us/disparity-reduction/
- **MN Renewable Now** Environmental justice movement for an equitable clean energy transition: www.mnrenewablenow.org/
- **Blue Thumb's** Environmental Justice Hub: bluethumb.org/ej-hub/
- **Mississippi WMO** Watershed Management Plan: www.mwmo.org/about/watershed-management-plan/
- **CREATE Initiative Toolkit** to address grand challenges at the intersection of environment and equity: create.umn.edu/toolkit/
- **Restorative Development Partnership** for a model of urban redevelopment that equitably optimizes environmental, social and economic outcomes: restoratedevelopmentpartnership.org/
- **Capitol Region Watershed District's** Diversity & Inclusion Plan: www.capitolregionwd.org/about-crwd/diversity/

**There are many nuanced ways to define the terms diversity, equity, inclusion, and accessibility. The statements above could be used as a starting place in your own work and were adapted from Water Environment Federation and American Alliance of Museums.*



Bassett Creek Watershed Management Commission MEMO

Date: May 12, 2022
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 Nov): 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. City staff recently completed a site walk through to document dead or dying trees and shrubs in need of replacement (under warranty). This project (along with Golden Valley’s Liberty Crossing Project) recently received the award for “Project of the Year” from the Minnesota Association of Floodplain Managers as part of the overall 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 was developed in 2018 and approved in January 2019. The study 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. Project construction year was revised from 2020 and 2022 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. A public hearing for this project was held September 19, 2019. The project was officially ordered at that 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 2020. 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 2020, 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 2021 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. Four public open houses have been held in the park since late July to gather input on park concepts. Project partners meet regularly to discuss schedules, planning and design components, and next steps. Concept designs were approved by the MRPB Board in late 2021. Staff met with MnDOT regarding clean out of Penn Pond and continue discussions. 50% design plans were approved at the January meeting; 90% design plans were approved at the March meeting along with an agreement with MPRB and Minneapolis for construction. The agreement was approved by all three bodies. Commission Engineers recently updated the plan sets to reflect near-final designs, including coordination with SRF on the details associated with the landscaping plan and the interface between where the ponds transition back into the park. Bidding documents are being prepared. MPRB anticipates project bidding in mid to late May. 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: 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 in October 2019, the Commission moved to table discussion on the project. The project remains on the 2020 CIP list. In a letter dated January 3, 2022, the city of Medicine Lake requested that the Commission direct its engineer to analyze alternatives to the Jevne Park Project that could result in the same or similar pollutant removals and/or stormwater storage capacity. At the March meeting, the Commission directed the Commission Engineer to prepare a scope and budget for the alternatives analysis which were presented and discussed at the April meeting. No action was taken at that meeting to move forward with alternatives analysis. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=467>.

2014 Schaper Pond Diversion Project and Carp Management, Golden Valley (SL-3): Repairs to the baffle structure were made in 2017 after anchor weights pulled away from the bottom of the pond and some vandalism occurred in 2016. The city continues to monitor the baffle and check the anchors, as needed. Vegetation around the pond was planted in 2016 and a final inspection of the vegetation was completed last fall. Once final vegetation has been completed, erosion control will be pulled and the contract will be closed. The Commission Engineer began the Schaper Pond Effectiveness Monitoring Project last summer and presented results and recommendations at the May 2018 meeting. Additional effectiveness monitoring is being performed this summer. At the July meeting the Commission Engineer reported that over 200 carp were discovered in the pond during a recent carp survey. At the September meeting the Commission approved the Engineer's recommendation to perform a more in-depth survey of carp including transmitters to learn where and when carp are moving through the system. At the October 2020 meeting, the Commission received a report on the carp surveys and recommendations for carp removal and management. Carp removals were performed through the Sweeney Lake Water Quality Improvement Project. Results were presented at the February 2021 meeting along with a list of options for long term carp control. Commission took action approving evaluation of the long-term options to be paid from this Schaper Pond Project. Commission and Golden Valley staff met in March 2021 to further discuss pros and cons of various options. At the September 2021 meeting, the Commission approved utilizing an adaptive management approach to carp management in the pond (\$8,000) and directed staff to discuss use of stocking panfish to predate carp eggs. Commission Engineers will survey the carp in 2022. At the

April meeting, the Commission approved panfish stocking in Schaper Pond along with a scope and budget for carp removals to be implemented later in 2022 if needed. Commission staff will work with the lake association and city staff to disseminate information about summer activities on the lake and pond. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=277>.

Sweeney Lake Water Quality Improvement Project, Golden Valley (SL-8): This project was added to the 2020 CIP list after receiving a federal 319 grant from the MPCA. It is partially a result of the carp surveys completed through the Schaper Pond Diversion Project and a study of the year-round aeration on Sweeney Lake. This project will treat curly-leaf pondweed in spring 2020, will remove carp in summer 2020, and will perform an alum treatment on Sweeney Lake in late summer 2020. The project was officially ordered by the Commission after a public hearing in September 2019. A public open house on this project was held via Webex on April 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 Commission is performing post alum treatment water monitoring this year along with additional carp population assessments. 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) (No change since February): 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. An agreement has yet to be drafted. In an update in February, city staff noted they are on track to have a new development plan later this year that will incorporate potentially innovative water quality improvement components. Project webpage: <http://www.bassettcreekwmo.org/index.php?cID=282>.

2021 Parkers Lake Drainage Improvement Project (PL-7) (No change since February): 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. Construction is currently underway. www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2021 Parkers Lake Chloride Reduction Project (PL-7) (No change since February): 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. A series of technical stakeholder meetings are being held this fall and winter to develop recommendations on BMPs. A technical findings report is expected this summer. Project website: www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2021 Mt. Olivet Stream Restoration Project (ML-20) (No change since February): 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. Construction is currently underway. www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project

2021 Main Stem Lagoon Dredging Project (BC-7) (No change since April): 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 got 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 2021 meeting. The project work plan was approved by BWSR. In the spring 2021 the Commission approved a grant agreement for a Hennepin County Opportunity Grant for this project. An Environmental Assessment Worksheet was approved by the Commission at their October 2021 meeting and was submitted for a 30-day comment period by the City of Golden Valley as the RGU. A meeting of project stakeholders was held December 7th and 50% designs were approved at the December 2021 meeting. Comments were received on the EAW from multiple review agencies and one private citizen. Agency comments were relatively minor and expected. Comments from the citizen were more complex and detailed. Responses to comments

were developed the RGU (city of Golden Valley) made an official declaration that no Environmental Impact Statement is needed. Staff reviewed a request from a resident to add “safety” benches to the ponds, reviewed reference materials and discussed in detail with MPRB. Determined safety benches aren’t appropriate or needed for this project and responded to the resident. Staff continues to develop construction plans including considering access routes to ponds to avoid entering railroad property. 90% plans will be presented at a future meeting. Staff is in contact with MPRB staff regarding the best way to inform the public and park users on the project. Project website: www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-lagoon-dredging-project

2022 Medley Park Stormwater Treatment Facility (ML-12) (See Item 5A): 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. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. The BCWMC received a \$300,000 Clean Water Fund grant from BWSR in December 2021. 50% design plans were approved in February. A public open house on the project was held March 3rd at Brookview. A grant work plan was developed in March and a grant agreement was approved at the March meeting. 90% plans will be considered for approval at this meeting. www.bassettcreekwmo.org/projects/all-projects/medley-park-stormwater-treatment-facility

2022 SEA School-Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10) (No change since April): 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. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. A virtual public open house was held February 3rd. 50% Design Plans were approved at the January meeting. 90% plans are being developed but are slightly behind schedule to allow for additional engagement with Robbinsdale Area Schools. www.bassettcreekwmo.org/projects/all-projects/sea-school-wildwood-park-flood-reduction-project.

Administrator Report April 13 – May 11, 2022

Subject	Work Progress
Education and Outreach	<ul style="list-style-type: none"> • Reviewed WMWA meeting materials and partially attended WMWA meeting: discussed creating full or part time WMWA coordinator position, likely through Hennepin County • Corresponded with CAMP volunteers, managed equipment and delivered 2022 monitoring bins to volunteers • Participated in Watershed Partners meeting • Delivered and picked up materials for use at Discover Plymouth event • Coordinated with Breck School and Hennepin County re: River Watch field trip and other opportunities for school environmental related field trips • Participated in DEI workgroup meeting facilitated by Capitol Region Watershed District • Attempted (with assistance from Dawn Pape) to access BCWMC Facebook administrator page (not successful at moving administration to my name)

CIP	<ul style="list-style-type: none"> • <u>Jevne Park Water Improvement Project</u>: Discussed next steps with city reps and sent list of possible next steps including checking with city of Plymouth on street sweeping analysis specific to Medicine Lake, reviewing DNR’s Innovative Shoreland Management ordinance language, and inquiring with residents on their desire to assess their shorelines for potential improvements • <u>Medley Park Stormwater Improvement Project</u>: Reviewed 90% deigns and letter, commented with suggested changes to letter/presentation
Chloride Work and Henn Co. Chloride Initiative	<ul style="list-style-type: none"> • Set and attended two small group HCCI meetings to review work on Marketing Campaign; corresponded with small group members and consultant between meetings • Corresponded with MWMO staff and forwarded request for contacting legislators re: limited liability legislation
Administration	<ul style="list-style-type: none"> • Developed agenda; reviewed and submitted invoices; reviewed financial report; reviewed and edited April meeting 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 Chair Cesnik and Commissioner Engineer; drafted meeting follow up email; printed commissioner/staff/TAC name placards; ordered catering for May Commission meeting • Discussed meeting venue with Golden Valley manager and staff • Got signatures on checks and documents, mailed and filed agreements • Reviewed Met Council WOMP agreement and sent to Attorney Anderson for review • Sent email to commissioners with updates and events • Revised draft 2023 Operating Budget and coordinated with Commission Engineer on development review fees vs. expenses; developed Budget Committee meeting agenda and materials, attended committee meeting • Arranged and attended Technical Advisory Committee meeting • Coordinated with Dougherty Family College, Golden Valley staff, and Commission Attorney re: DFC intern; talked with candidate; arranged and participated in interview • Met with new New Hope Lake Alternate Commissioner Leonardson to discuss overview of Commission • Participated in meeting with city of Minneapolis staff and Commission Engineer re: Bassett Creek Valley Study next steps • Reviewed part of revised MAWD Handbook and provided comments to J. Voit • Participated in annual coordination meeting the St. Louis Park staff • Drafted agreement with Three Rivers Park District for Medicine Lake collaboration • Fielded questions from residents and developers on various topics including, creek obstructions, runoff into Sunset Lake, development standards and application process, etc.
Grant Work	<ul style="list-style-type: none"> • Reviewed and submitted Phase 2 Lawns to Legumes grant work plan • Arranged, prepared for and attended WBIF Convene meeting
2025 Watershed Management Plan	<ul style="list-style-type: none"> • Met with Commission Engineers on two occasions for bi-weekly progress/task check in • Requested new webpage for Plan Update materials from HDR • Continued planning for Equity in Watershed Management workshop including developing intenal and external agendas and definitions/resources handout, meeting with Commissioner Fernando, purchasing refreshments and supplies; attended workshop and sent thank you emails to all speakers
Other Issues & Projects	<ul style="list-style-type: none"> • Corresponded with herbicide contractor, DNR, and TRPD to finalize maps, treatment plan, contract and permit for curly-leaf pondweed treatments for 2022; coordinated with Commission Attorney Anderson on contract • Reviewed Upper Mississippi River Bacteria TMDL Implementation Plan (North Branch Bassett Creek section) • Attended on site meeting at proposed Crystal Dog Park location and coordinated with city and Commission staff on next steps and information needed; review Alt. Commissioner Hauer’s concerns • Attended MPCA’s Professional Judgement Group meeting with Commission Engineers to discuss pending impairments and delistings