



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: November 8, 2022

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: **Background Information for 11/16/22 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 – October 20, 2022 Commission Meeting- ACTION ITEM with attachment
 - B. Acceptance of November Financial Report - ACTION ITEM with attachment
 - C. Approval of Payment of Invoices - ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend payment.
 - i. Keystone Waters, LLC – October 2022 Administrative Services
 - ii. Keystone Waters, LLC – October 2022 Meeting Expenses
 - iii. Barr Engineering – October 2022 Engineering Services
 - iv. Kennedy & Graven – September 2022 Legal Services
 - v. Redpath – October 2022 Accounting Services
 - vi. Triple D Espresso – Meeting Catering
 - vii. Shingle Creek WMC – West Metro Water Alliance
 - viii. Stantec – WOMP Services
 - D. Approval of Final Reimbursement to City of Minneapolis for Bassett Creek Main Stem Erosion Repair Project: Cedar Lake Road to Dupont Ave North, 2nd Ave North, plus Fruen Mill Area, (2017CR-M) – ACTION ITEM with attachment – Construction of this [capital improvement project](#) was completed in December 2020 and the Commission approved the final project report in February 2022. Vegetation establishment is now complete along with additional final activities and reporting. Staff recommends approval of this final payment request and returning the project balance of \$295,993 to the Commission’s Closed Project Account.
 - E. Approval to Submit Comments in Support of Minnesota DNR’s Proposed Rulemaking on Aquatic Invasive Species – ACTION ITEM no attachment - The Minnesota Department of Natural Resources proposes to adopt rules under the expedited rulemaking process to classify 13 species of high-risk invasive aquatic plants, fish and invertebrates as prohibited invasive species. Organizations or individuals may submit comments on the expedited rule by December 9th. Staff recommends that the Commission submit a letter supporting the new rule as it would further protect BCWMC lakes and streams from these invasive species. More information is found at: <https://www.dnr.state.mn.us/invasives/invasive-species-program-2022-prohibited-invasive-species-rulemaking.html>.
 - F. Approval of Four Seasons Mall Demolition Project, Plymouth – ACTION ITEM with attachment - The Four Seasons Mall is in the Northwood Lake subwatershed, southwest of Rockford Rd and Hwy 169. Future development plans for the parcel will be submitted under a separate application. This project phase includes demolition of the existing building, removal of the parking lot, and site grading and restoration resulting in 13.1 acres of disturbance. Staff recommends approval with conditions noted in the memo.

- G. Approval to Direct Commission Engineer to Submit Flood Control Inspection Report to Cities, Minnesota DNR, U.S. Army Corps of Engineers – **ACTION ITEM with attachment (full document online)** – *In accordance to the Operation and Maintenance Manual for the Bassett Creek Flood Control Project (FCP), an annual inspection of the FCP features was completed by Commission Engineers. Staff requests approval to submit the inspection report to the appropriate entities. The municipalities are responsible for routine maintenance and repair of the FCP features located within their city and are responsible for submitting the completed FCP Maintenance Record from the previous year’s inspection.*
- H. Approval of Pay Request from SOLitude Lake Management for Sweeney Lake Alum Treatment – **ACTION ITEM with attachment** - *Solitude Lake Management completed the alum treatment on Sweeney Lake October 16 - 22. The work was completed according to the contract and the Commission Engineer recommends approving payment and completing the attached pay request form.*
- I. Approval of Resolution of Appreciation for Alternate Commissioner McDonald Black – **ACTION ITEM with attachment** – *Alternate Commissioner McDonald Black recently resigned her position from the Commission after serving almost nine years. Her accounting expertise was especially valuable to the Commission as chair of the Budget Committee and through discussions on the cost benefits of capital improvement projects. A resolution of appreciation is appropriate.*

5. BUSINESS

- A. Consider Approving Medicine Lake Lift Station Rehabilitation and Temporary Variance Request for Compensating Floodplain Storage, Medicine Lake (20 min) – **ACTION ITEM with attachment (maps available online)** – *The City of Medicine Lake reconstructed a sanitary lift station on Kaiser Avenue that resulted in 81 cubic yards of fill below the Medicine Lake 100-year floodplain. The city intended to provide compensatory storage as part of their Peninsula Road Street and Utility Improvement Project that was approved at the BCWMC meeting in March, but the street project was delayed. Therefore, the sanitary lift station project was completed this summer with no compensatory storage. The City of Medicine Lake is requesting “after-construction” approval and a temporary variance until December 31, 2024. Staff recommends approval with conditions listed in the attached memo.*
- B. Consider Approving Resolution 22-10 Revising Boundary with Shingle Creek Watershed Management Commission (20 min) - **ACTION ITEM with attachment (maps available online)** – *The Shingle Creek WMC recently evaluated and proposed changes to their boundary with adjacent watersheds including the BCWMC. Commission Engineers and TAC members reviewed the proposed changes in relation to the latest XP-SWMM hydrologic boundary. After discussions with SCWMC engineers and some adjustments, the Commission Engineer agrees the proposed revised boundary accurately reflects the most appropriate legal boundary between the SCWMC and the BCWMC and recommends the Commission approve the new boundary by resolution.*
- C. Discuss Ability to Compensate Community Members for Participation in Watershed Plan Focus Groups (15 min) – **DISCUSSION ITEM no attachment** – *We continue to seek input from various community groups as we develop the 2025 Watershed Plan and endeavor to build relationships with groups to understand their experience, knowledge, and priorities surrounding water resources. As part of this work, we plan to engage with specific groups such as members of the Native community and residents of environmental justice or historically underserved communities. In order to honor their giving of time and knowledge, it is appropriate to compensate them financially for their time. I will bring a compensation recommendation to the meeting for discussion.*

- D. Appoint Delegates for MN Association of Watershed Districts Annual Meeting and Review Proposed Resolutions (20 min) – ACTION ITEM with attachment – *The annual MAWD meeting and convention will be held at the Arrowwood Resort in Alexandria MN December 1 - 3. The Commission should appoint two delegates and one alternate delegate to attend the official business meeting at 8:00 a.m. Friday, December 2nd. The business meeting materials are attached, including proposed resolutions that will be discussed and voted on at the meeting.*
- E. Discuss Process for Evaluating Staff and Soliciting Proposals for Engineering and Technical Services (15 min) – DISCUSSION ITEM no attachment – *Near the end of each year the Commission evaluates my performance and that of Engineer Chandler. The evaluation has been accomplished in a variety of ways over the years usually including commissioners and TAC members providing feedback through quantitative evaluation forms and review by the Administrative Committee. The Commission should decide how to evaluate staff this year. Following evaluation, the Commission must solicit proposals or letters of interest proposals for at least legal and engineering services.*

6. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report – **INFORMATION ONLY no attachments**
 - i. Update on Watershed Plan Development Activities
 - ii. Update on Crane Lake Chlorides Issue
 - iii. Hennepin County Taking Applications for Minnesota Water Stewards
- B. Chair
- C. Commissioners
- D. TAC Members
 - i. Appoint Liaison to December 7th Meeting
- E. Committees
- F. Legal Counsel
- G. Engineer
 - i. Update on Lagoon Dredging Project Construction
 - ii. Update on Bryn Mawr Construction

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. WCA Notices – Plymouth and Golden Valley
- E. MN Stormwater Research Program Highlights 2022
- F. Minnesota Water Stewards Application Materials

8. ADJOURNMENT

Upcoming Meetings & Events

- MAWD Annual Meeting and Conference: December 1 – 2, Arrowwood Resort, Alexandria MN
- BCWMC Technical Advisory Committee: Wednesday December 7th, 10:30 a.m. Wirth Lake Room, Brookview
- BCWMC Regular Meeting: Thursday December 15th, 8:30 a.m., Golden Valley City Hall