Bassett Creek Watershed Management Commission

Regular Meeting
Thursday, April 20, 2023
8:30 – 11:00 a.m.
Council Conference Room
Golden Valley City Hall @ 7800 Golden Valley Rd.

MEETING 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, except for 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 – March 16, 2023 Commission Meeting
   - B. Acceptance of April 2023 Financial Report
   - C. Approval of Payment of Invoices
     - i. Keystone Waters, LLC – March 2023 Administration
     - ii. Keystone Waters, LLC – March 2023 Administrative Expenses
     - iii. Barr Engineering – March 2023 Engineering Services
     - iv. Kennedy & Graven – February 2023 Legal Services
     - v. Redpath – March 2023 Accounting Services
     - vi. Triple D Espresso – Meeting Catering
     - vii. Stantec – WOMP Services
     - viii. Shingle Creek WMC – 2023 West Metro Water Alliance Payment
     - ix. Metro Watershed Partners – 2023 Membership
   - D. Approval to Appoint Plan Steering Committee Members
   - E. Approval of Resolution of Appreciation for Alternate Commissioner Lawrence
   - F. Approval of Agreement with Met Council for 2023 – 2024 Watershed Outlet Monitoring Program (WOMP)
   - G. Approval of Amendment to Agreement with Stantec for WOMP Tasks
   - H. Approval of Agreement with Three Rivers Park District for Medicine Lake Activities
   - I. Conditional Approval of BNSF Bridge Replacement Project, Minneapolis
   - J. Approval of Memorandum of Understanding for Sochacki Water Quality Improvement Project CIP Process

5. **BUSINESS**
   - A. Review Draft Feasibility Study for Main Stem Bassett Creek Regent Ave to Golden Valley Rd Restoration Project (2024 CRM) (45 min)
   - B. Discuss Development of Policy on Diversity, Equity, Inclusion, and Access (30 min)
   - C. 2025 Watershed Plan Updates (20 min)
     - i. Receive Update on Plan Development Activities
     - ii. Review Report on Public Open House

6. COMMUNICATIONS (10 minutes)

A. Administrator's Report
   i. Report on Bassett Creek Valley Summit
   ii. Update on Bryn Mawr Meadows Project Reimbursement
   iii. Volunteers Needed for Loppet Sustainability Fair
B. Chair
C. Commissioners
   i. Appoint liaison to May 3rd TAC meeting
D. TAC Members
   i. Report on TAC Meeting March 29th
E. Committees
   i. Report on Budget Committee Meeting April 3
   ii. Next Budget Committee Meeting May 1
   iii. Administrative Services Committee Meeting April 25
F. Legal Counsel
G. Engineer

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. 2022 Lake Water Quality Report, Met Council
E. West Metro Water Alliance 2022 Report
F. WCA Notices - Plymouth

8. ADJOURNMENT

Upcoming Meetings & Events

- Discover Plymouth: Saturday, April 15th, 9:00 a.m. – 2:00 p.m., Plymouth Community Center
- Metro Watersheds Meeting: Tuesday April 18th, 7:00 – 9:00 p.m., Capitol Region Watershed District
- BCWMC Administrative Services Committee Meeting: Tuesday, April 25th, 1:00 p.m. Brookview
- Loppet Sustainability Fair: Saturday April 29th, 9:00 a.m. – 2:00 p.m., Trailhead at Theodore Wirth Park
- BCWMC Budget Committee Meeting: Monday, May 1st, 1:00 – 2:30 p.m. Brookview
- BCWMC Technical Advisory Committee Meeting: Wednesday, May 3rd, 10:30 a.m., Brookview
- BCWMC Regular Meeting and Public Hearing: Thursday May 18th, 8:30 a.m., Golden Valley City Hall

Bassett Creek Watershed Management Commission

AGENDA MEMO
Date: April 13, 2023
To: BCWMC Commissioners
From: Laura Jester, Administrator
RE: Background Information for 4/20/23 BCWMC Meeting

1. **CALL TO ORDER and ROLL CALL**
2. **PUBLIC FORUM ON NON-AGENDA ITEMS**
3. **APPROVAL OF AGENDA – ACTION ITEM with attachment**

4. **CONSENT AGENDA**
   A. Approval of Minutes - March 16, 2023 Commission Meeting- **ACTION ITEM with attachment**

   B. Acceptance of April 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 – March 2023 Administration
      ii. Keystone Waters, LLC – March 2023 Administrative Expenses
      iii. Barr Engineering – March 2023 Engineering Services
      iv. Kennedy & Graven – February 2023 Legal Services
      v. Redpath – March 2023 Accounting Services
      vi. Triple D Espresso – Meeting Catering
      vii. Stantec – WOMP Services
      viii. Shingle Creek WMC – 2023 West Metro Water Alliance Payment
      ix. Metro Watershed Partners – 2023 Membership

   D. Approval to Appoint Plan Steering Committee Members – **ACTION ITEM with attachment** – *Appointments to this committee were tabled at the March Commission meeting. The list of committee members presented in the attached have been updated to reflect members who which to serve on the committee.*

   E. Approval of Resolution of Appreciation for Alternate Commissioner Lawrence – **ACTION ITEM with attachment** – *Alternate Commissioner Lawrence is stepping down from the Commission because she is not able to attend meetings during the work day. She will remain on the Education Committee. Staff recommends approval of the attached resolution of appreciation.*

   F. Approval of Agreement with Met Council for 2023 – 2024 Watershed Outlet Monitoring Program (WOMP) – **ACTION ITEM with attachment (complete document online)** – *Every two years, the Met Council and the BWCMC enter an agreement for operation of this important monitoring station near the tunnel entrance in Minneapolis. Both water quality and quantity data are collected at this site. Met Council owns the equipment, analyzes the samples, and does the reporting. Stantec and the Commission Engineer each perform different monitoring tasks (under contract) at the site. The Commission receives $5,000 per year in grant funding from the Met Council to help cover those costs. The Commission Attorney reviewed the agreement. Staff recommends approval.*

   G. Approval of Amendment to Agreement with Stantec for WOMP Tasks – **ACTION ITEM with attachment** – *At the December 2022 meeting, the Commission approved a contract with Stantec for WOMP-related*

tasks in 2023. I recently received a request from the MN Department of Agriculture (MDA) to perform routine pesticide monitoring on Bassett Creek at the WOMP site May – August of this year. MDA has been collecting water samples to analyze for pesticides at the WOMP site since 2007 but they have limited staff for this work this year. MDA will pay the Commission $750 to collect samples this year. (They already submitted a purchase order for the first half of the funding and will submit a purchase order for the second half in June.) The amended agreement with Stantec includes a project cost of $740 to add this new task for 2023. Commission Attorney Anderson reviewed the amendment. Staff recommends approval.

H. Approval of Agreement with Three Rivers Park District (TRPD) for Medicine Lake Activities – **ACTION ITEM with attachment** – *Each year the BWCMC and TRPD enter an agreement to collaborate on activities in Medicine Lake including herbicide treatment of curly-leaf pondweed (CLP) and watercraft inspections at the French Regional Park boat launch. The BWCMC has a DNR permit for CLP treatments and TRPD has a contract with a certified herbicide contractor, PLM Land and Lake Management, to treat the lake this year. TRPD will continue performing pre and post plant and turion sampling. The agreement states the BCWMC will share the cost of the herbicide treatment with TRPD and will contribute funds to augment watercraft inspections at the boat launch. The total funding provided to TRPD for these activities is within the Commission's Aquatic Plant Management/Aquatic Invasive Species (APM/AIS) budget. The Commission Attorney reviewed the agreement. Staff recommends approval.*

I. Conditional Approval of BNSF Bridge Replacement Project, Minneapolis – **ACTION ITEM with attachment –** *This proposed project in Minneapolis involves replacement of a railroad bridge over Bassett Creek. The project does not trigger water quality or rate control requirements but does propose that a structure be allowed to remain below the required lowest elevation above the floodplain. The Commission Engineer recommends conditional approval as outlined in the attached memo.*

J. Approval of Memorandum of Understanding for Sochacki Water Quality Improvement Project CIP Process **- ACTION ITEM with attachment** – *At the March meeting, the Commission approved the addition of this CIP project to the its 5-year CIP (if a minor Plan amendment is approved) with levy funding in 2024 and 2025. Because this project's implementation schedule is more accelerated than our typical process, commissioners directed staff to develop an agreement or formal understanding among the implementing parties (BCWMC, Three Rivers Park District, City of Golden Valley, City of Robbinsdale) to lay out the process and timing for feasibility study development, minor plan amendment, project ordering, design, etc. The attached MOU was developed by the Commission Attorney and reviewed and approved by staff with each partner. Staff recommends approval.*

5. BUSINESS

A. Review Draft Feasibility Study for Main Stem Bassett Creek Regent Ave to Golden Valley Rd Restoration Project (2024 CRM) (45 min) – **DISCUSSION ITEM with attachment (full document online)** – *At the August 2022 meeting, the Commission approved the Commission Engineer's proposal to conduct a feasibility study for this capital improvement program (CIP) project. The draft study is attached here along with the Commission Engineer's recommendations for implementation. The Commission currently has $800,000 earmarked for this project in its CIP ($200,000 in 2024 and $600,000 in 2025). The Commission should discuss the options presented in the report. A revised report or more information can be brought to the May or June meetings. The Commission must set a maximum 2024 levy no later than its June meeting.*

B. Discuss Development of Policy on Diversity, Equity, Inclusion, and Access (DEIA) (30 min) – **DISCUSSION ITEM with attachment** – *Commissioner Welch recommends that the Commission develop a policy on DEIA principals that identifies how and why equity principals are important to accomplishing Commission goals. As an example, the attached DEIA policy was recently adopted by the Nine Mile Creek Watershed*

District. The Commission should discuss the need, merits, and/or components of a potential policy and consider requesting further discussion by the Administrative Services Committee.

C. 2025 Watershed Plan Updates (20 min) – **INFORMATION ITEM with attachments**

i. Receive Update on Plan Development Activities – The attached memo provides an update on tasks completed or on-going in Phase 1, 2, and 3 of the 2025 Watershed Plan Development scope of work. Plan development is on schedule and on budget. Staff will briefly review at this meeting.

ii. Review Report on Public Open House – The attached report outlines the components of the February 28th public open house and the feedback gathered. This document, along with information on other outreach efforts will be included in an appendix in the final watershed plan.

6. COMMUNICATIONS (10 minutes)

A. Administrator's Report – **INFORMATION ITEM with attachment**
   i. Report on Bassett Creek Valley Summit – Presentations from the event available under "Bassett Creek Valley" at www.bassettcreekwmo.org/projects
   ii. Update on Bryn Mawr Meadows Project Reimbursement
   iii. Volunteers Needed for Loppet Sustainability Fair

B. Chair

C. Commissioners
   i. Appoint liaison to May 3rd TAC meeting

D. TAC Members
   i. Report on TAC Meeting March 29th

E. Committees
   i. Report on Budget Committee Meeting April 3
   ii. Next Budget Committee Meeting May 1
   iii. Administrative Services Committee Meeting April 25

F. Legal Counsel

G. Engineer

7. INFORMATION ONLY (Information online only)

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F. WCA Notices - Plymouth

8. ADJOURNMENT

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- Loppet Sustainability Fair: Saturday April 29th, 9:00 a.m. – 2:00 p.m., Trailhead at Theodore Wirth Park
- BCWMC Budget Committee Meeting: Monday, May 1st, 1:00 – 2:30 p.m. Brookview
- BCWMC Technical Advisory Committee Meeting: Wednesday, May 3rd, 10:30 a.m., Brookview
- BCWMC Regular Meeting and Public Hearing: Thursday May 18th, 8:30 a.m., Golden Valley City Hall

Item 4A.
BCWMC 4-20-23

Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Thursday, March 16, 2023
8:30 a.m.
Golden Valley City Hall, 7800 Golden Valley Road

1. CALL TO ORDER and ROLL CALL

On Thursday, March 16, 2023 at 8:33 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	Joan Hauer	Mark Ray
Golden Valley	*Absent*	Paula Pentel	Eric Eckman
Medicine Lake	Clint Carlson	*Absent*	*Absent*
Minneapolis	Michael Welch	Jodi Polzin	Katie Kowalczyk
Minnetonka	*Absent*	*Vacant Position*	Leslie Yetka
New Hope	Jere Gwin-Lenth	Jen Leonardson	*Absent*
Plymouth	Catherine Cesnik	Monika Vadali	Ben Scharenbroich
Robbinsdale	Wayne Sicora	Bob Stamos	Mike Sorensen, Richard McCoy
St. Louis Park	*Vacant Position*	*Absent*	Erick Francis
Administrator	*Absent*		
Engineers	Karen Chandler, Barr Engineering		
Recording Secretary	*Vacant Position*		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Presenters/ Guests/Public	Jami Markle, Three Rivers Park District		

2. PUBLIC FORUM ON NON-AGENDA ITEMS

None.

3. APPROVAL OF AGENDA

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

4. CONSENT AGENDA

Items 4E, 4F, and 4G were removed from the consent agenda.

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

The following items were approved as part of the consent agenda.

- Approval of Minutes – February 16, 2023 Commission Meeting
- Acceptance of March 2023 Financial Report
- Approval of Payment of Invoices
  - Keystone Waters, LLC – February 2023 Administrative Services
  - Keystone Waters, LLC – February 2023Meeting Expenses
  - Barr Engineering – February 2023 Engineering Services
  - Kennedy & Graven – January 2023 Legal Services
  - Redpath – February 2023 Accounting Services
  - Triple D Espresso – Meeting Catering
  - Stantec – WOMP Services
- Approval of User Agreement with University of Minnesota
- Approval to Submit Letter of Support for Chlorides in Groundwater Study
- Approval to Set Public Hearing on May 18th for Minor Plan Amendment

4E. Approval to Appoint Commissioners to BCWMC Committees

Commissioner Welch asked to table the committee appointments to the April meeting. Commissioner Anderson noted that the Budget Committee meets before the April meeting. Commissioner Welch indicated he had questions about the Plan Steering Committee membership and would like to wait until the April meeting before acting on those appointments.

MOTION: Commissioner Welch moved to approve the proposed appointments to the Budget, Education, and Administrative Services Committees. Commissioner Anderson seconded the motion. Upon a vote the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

4F. Approval of Plymouth 2023 City Center Pavement Rehabilitation

Commissioner Gwin-Lenth asked why the project did not appear to have any water quality mitigation despite a slight increase in impervious surface. Commission Engineer Chandler noted the project does not trigger BCWMC water quality requirements. TAC member Scharenbroich indicated the project is a mill and overlay project that doesn't involve actual reconstruction other than minor adjustments to comply with the ADA.

MOTION: Commissioner Gwin-Lenth moved to approve the Plymouth 2023 City Center Pavement Rehabilitation Project. Commissioner Carlson seconded the motion. Upon a vote the motion carried 6-1, with Minneapolis voting nay and with the cities of Minnetonka and St. Louis Park absent from the vote.

4G. Approval of Resolution of Appreciation for Commissioner Harwell

Chair Cesnik noted Commissioner Harwell's lengthy tenure on the Commission and said her valuable expertise and professionalism would be missed.

MOTION: Commissioner Welch moved to approve the resolution of appreciation for Stacy Harwell. Commissioner Carlson seconded the motion. Upon a vote the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

5. BUSINESS

A. Consider Approval of 2023 Schaper Pond Effectiveness Monitoring

Commission Engineer Chandler reminded Commissioners about the report presented in January on the latest Sweeney Lake water monitoring results and carp population reassessments in Sweeney Lake and Schaper Pond. She indicated that in January commissioners requested a plan for performing additional effectiveness monitoring in Schaper Pond. She reviewed the recommendation to collect a series of grab samples 3 to 5 times in 2023 to understand phosphorus and suspended solids levels longitudinally through the pond before carp are reassessed in 2024. She recommended using up to $18,000 of Schaper Pond CIP funding for this work in 2023.

Commissioner Welch requested that memos from Barr Engineering to the Commission include an author's name and Chair Cesnik agreed. He also noted that this monitoring scope was requested by the Commission in January.

MOTION: Commissioner Welch moved to approve the Schaper Pond monitoring in 2023 as presented. Alternate Commissioner Pentel seconded the motion. Upon a vote the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

After the vote, TAC member Eric Eckman noted Golden Valley's approval of the monitoring and adaptive management approach.

B. Receive Update and Consider Approving Pay Request #2 for Lagoon Dredging Project

Commission Engineer Chandler provided an update on the amount and timing of sediment hauling for the project. She noted that dredging was completed since the memo in the meeting materials went out. She noted the site restoration will take place in spring.

Engineer Chandler also reported that the MN Department of Labor and Industry is currently investigating the contractor to determine prevailing wage compliance. Prevailing wages are required for at least part of this project due to grant funds from the State. She said the Department of Labor and Industry has been in contact with the Commission Administrator and Engineers and that the Commission Attorney has also been consulted by Commission staff. The Commission Attorney noted the Commission would not be responsible for paying the contractor additional money if they had not been paying prevailing wages, as the contract between the contractor and the Commission clearly states the prevailing wages requirements. He also noted the Commission is simply supplying information to the Department of Labor and Industry but it is not the Commission's responsibility to determine if prevailing wages were paid appropriately.

Alternate Commissioner Polzin requested inspection of the haul route to ensure there was no excessive tracking of sediment and mud. Chair Cesnik asked about the project budget. Engineer Chandler noted that the Commission Engineers review each pay request to ensure the quantities are correct and within the contracted amount. She reported the contracted amount and the remaining balance to pay. There was discussion about the restoration of the site and how important it will be to make sure restoration plans are followed by the contractor.

The Commission Engineer recommended approval of the pay request.

MOTION: Commissioner Welch authorized payment of the pay request in the amount of $886,217.00 for the Lagoon Dredging Project. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

C. Consider Approval of Budget Amendment for Engineering Services for Bryn Mawr Meadows Water Quality Improvement Project

Commission Engineer Chandler showed some photos of construction progress and reminded commissioners about the partnership with the Minneapolis Park and Rec Board (MPRB) and City of Minneapolis. She also reminded commissioners about prior approvals of amendments (increases) of the project's construction budget and engineering services budget. She noted the likely savings in construction costs due to lower-than-expected hauling

and disposal expenses, including MPRB using clean material onsite.

Commission Engineer Chandler described the tasks that are included in the engineering budget and unexpected items that arose during construction, leading to the request for additional budget. She noted this additional work included the replacement of a city sewer pipe that required design time and a change order for the contractor. She noted the city verbally agreed to reimburse the Commission for the design and administration costs for this extra work. There was discussion about how there is not a mechanism to make design changes such as the replacement of the city sewer pipe in the agreement between the Commission, the MPRB, and the City. Commissioner Welch requested something in writing indicating the city will reimburse the Commission for this extra work.

MOTION: Commissioner Welch moved to authorize increasing the engineering services budget for the Bryn Mawr Meadows Water Quality Improvement Project by $26,300. Chair Cesnik seconded the motion. Upon a vote the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

D. Review Technical Advisory Committee (TAC) Memo and Consider Approval of TAC Recommendation on 5-year Capital Improvement Program

TAC Chair Ray reviewed the verbal agreement the cities and the MnDNR on upland storage protections for the FEMA mapping, noting that MnDNR is not, and is not planning to, ask the BCWMC or cities to create new or to expand existing regulations regarding protection of upland flood storage areas.

TAC Chair Ray went on to describe the TAC's recommendation to add the Sochacki Park Water Quality Improvement Project to the Commission's 2024/2025 Capital Improvement Program (CIP). Commission Engineer Chandler noted that Three Rivers Park District (TRPD) already sponsored a subwatershed assessment of North Rice Pond, South Rice Pond, and Grimes Pond that resulted in a list of best management practices (BMPs) for implementation to improve water quality and habitat in the ponds and in Bassett Creek downstream. TAC member Eric Eckman noted that the cities of Robbinsdale and Golden Valley, along with TRPD and the Commission would combine funding and seek grant funds to implement the suite of recommended BMPs.

There was some discussion about the discussions between the TAC and the MnDNR about flood storage areas, how incidental storage areas won't be (and can't practically be) managed and protected. Alternate Commissioner Polzin noted that rate control is an important consideration regarding flood storage. Commissioner Sicora noted that rate control is one effective and appropriate mechanism to maintain flood storage.

Regarding the proposed Sochacki Park CIP Project, TAC member Eckman clarified that TRPD is contributing the funding to prepare the designs for this project. Jami Markle with TRPD further described the condition of the ponds within Sochacki Park and the outcomes of the subwatershed assessment and noted the opportunity for partnership among the cities, TRPD and Commission to implement the recommended BMPs. There was some discussion about the estimated amount of pollutant removal expected from the project. TAC member Eckman noted that the requested CIP funds of $600,000 over two years would be about 25% of the total overall cost.

Alternate Commissioner Polzin pointed out that this project is directly upstream of the Lagoon Dredging Project so would protect investments recently made in the creek. She also noted the accelerated timeline of this project compared to the Commission's regular CIP process and asked about grant funding opportunities. TAC member Eckman reported that getting the project into the Commission's CIP is critical to developing strong grant applications. Engineer Chandler responded to questions and noted that the feasibility study for this project would include cost per pound of total phosphorus removal and includes the future maintenance costs for 30-year project life. Attorney Anderson reminded commissioners that CIP maintenance costs are not something the Commission usually incurs. TAC member Richard McCoy noted that the City of Robbinsdale would own and maintain project components that are built in the city of Robbinsdale.

Commissioner Welch noted his disappointment that commissioners are just now hearing about this project and the subwatershed assessment. He reminded staff that CIP projects should come to the Commission early so it's the Commission's project. Commissioners need to understand how the project fits into the Commission's CIP and meets Commission goals. Engineer Chandler noted that the Commission Administrator participated on the Sochacki

Subwatershed assessment steering team and that Barr Engineering was hired by TRPD to do the subwatershed assessment so the Commission Engineers were involved but being paid by TRPD. TAC member Eckman noted a feasibility study that meets the Commission's feasibility study criteria would be done and would be paid by TRPD.

Alternate Commissioner Pentel noted she was comfortable with the cost estimates of the project components presented in the report. She also noted the large size of the drainage area to these ponds. She also noted the importance of the partnership between the cities, TRPD and the Commission.

MOTION: Commissioner Sicora moved to approve the TAC's recommendation to add the Sochacki Park Water Quality Improvement Project to the Commission's 2024/2025 Capital Improvement Program for $600,000. Alternate Commissioner Pentel seconded the motion.

Discussion: Commissioner Welch agreed the Commission needs to be flexible enough to take advantage of opportunities like this.

Commissioner Welch offered an amendment to the motion to direct Commission staff to work with project partners to develop an understanding of the project timing and ordering process, perhaps through an agreement, to ensure the Commission's obligations in ordering the project are met. Commissioner Sicora agreed to Commissioner Welch's friendly amendment.

Commission Attorney Anderson agreed there is a statutory process that needs to be followed and he noted he can work with Administrator Jester to develop an assurances document.

Alternate Commissioner Hauer wondered about how the Commission prioritizes its projects – noting that moving upstream to downstream would be the best approach. TAC member Eckman noted the Main Stem Restoration Project scheduled for 2024 just downstream that will dovetail nicely with the Sochacki Project.

VOTE: Upon a vote the motion carried 7-0, with the cities of Minnetonka and St. Louis Park absent from the vote.

6. COMMUNICATIONS

[Alternate Commissioner Hauer departs the meeting.]

A. Administrator's Report
   Engineer Chandler noted Administrator Jester's written memo in the packet. She also reported that the Bassett Creek Valley Stakeholder Summit is scheduled for March 29th and is being hosted by the Commission.

B. Chair – Chair Cesnik reported that the shared position with Hennepin County for an education coordinator is open through March 23rd. Engineer Chandler will forward the position announcement to commissioners.

C. Commissioners
   i. Appoint liaison to March 29th TAC meeting - Engineer Chandler noted the TAC will continue discussing the linear project standards. Alternate Commissioner Polzin volunteered to be the TAC liaison.
   ii. Report on MN Watersheds Legislative Event – Commissioner Carlson reported that it was a good event but that many of the legislative priorities deal with issues outside of the Metro area. He noted the discussion centered around ditches, farming, and lawsuits. Commissioner Welch noted that out state watersheds don't have levy authority like Metro watersheds do.
   iii. Comments on February 28th Public Open House – Chair Cesnik reported that 34 people attended and there seemed to be a lot of learning. Engineer Chandler reported that Administrator Jester would bring a report on the open house to the next meeting. Commissioner Welch recommended that the Commission discuss the outreach effort for the plan and "right-sizing" the outreach efforts. Chair Cesnik thought the open house format worked and folks were engaged. She wished for more written input or feedback.
   iv. New Alternate Commissioner from Robbinsdale introduced himself and relayed what drew him to learn more about the Commission and ultimately applied to be appointed. He noted that he is a weather spotter and that the City of Robbinsdale uses the data he collects.
   v. Commissioner Welch reported that the chloride limited liability legislation is essentially dead for this session. There was some discussion about the chloride issue and the challenges to finding a solution.

D. TAC Members
   i. Update on SEA School-Wildwood Park Project Construction Bids – TAC member Eckman reported that the city received 6 bids for the construction of the project, 5 of which were under the engineer's estimate. The city just awarded a contract to the lowest bidder, Rachel Contracting. He reported the engineers estimate was $1.9M, Rachel bid $1.53M.

   TAC member Ben Scharenbroich reported that the Discover Plymouth event is happening and the watershed will be represented.

E. Committees
   i. Budget Committee Meeting April 3

F. Legal Counsel – No report

G. Engineer - Engineer Chandler reported the Main Stem Restoration Project public open house was held March 30th and was well attended. She also noted the draft feasibility studies for that project and the Ponderosa Woods Restoration Project will be presented at the April Commission meeting.

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 - Crystal and Plymouth

8. ADJOURNMENT - The meeting adjourned at 10:50 a.m.

Item 4B.
BCWMC 4-20-23

Bassett Creek Watershed Management Commission
Statement of Financial Position
Thursday, April 20, 2023

	Capital Improvement Projects	General Fund	TOTAL
ASSETS			
Current Assets			
Checking/Savings			
101 · Wells Fargo Checking	-712,897.89	954,220.55	241,322.66
102 · 4MP Fund Investment	3,501,986.62	91,191.13	3,593,177.75
103 · 4M Fund Investment	2,483,650.36	64,117.02	2,547,767.38
Total Checking/Savings	5,272,739.09	1,109,528.70	6,382,267.79
Accounts Receivable			
111 · Accounts Receivable	0.00	600.67	600.67
112 · Due from Other Governments	52,806.40	-0.26	52,806.14
113 · Delinquent Taxes Receivable	11,396.55	0.00	11,396.55
Total Accounts Receivable	64,202.95	600.41	64,803.36
Other Current Assets			
114 · Prepaids	0.00	2,978.75	2,978.75
116 · Undeposited Funds	0.00	1,500.00	1,500.00
Total Other Current Assets	0.00	4,478.75	4,478.75
Total Current Assets	5,336,942.04	1,114,607.86	6,451,549.90
TOTAL ASSETS	**5,336,942.04**	**1,114,607.86**	**6,451,549.90**
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
211 · Accounts Payable	48,607.17	97,827.44	146,434.61
Total Accounts Payable	48,607.17	97,827.44	146,434.61
Other Current Liabilities			
212 · Unearned Revenue	438,823.00	0.00	438,823.00
251 · Unavailable Rev - property tax	11,396.55	0.00	11,396.55
Total Other Current Liabilities	450,219.55	0.00	450,219.55
Total Current Liabilities	498,826.72	97,827.44	596,654.16
Total Liabilities	498,826.72	97,827.44	596,654.16
Equity			
311 · Nonspendable prepaids	0.00	2,978.75	2,978.75
312 · Restricted for improvements	4,562,582.00	0.00	4,562,582.00
315 · Unassigned Funds	0.00	375,424.57	375,424.57
32000 · Retained Earnings	1,198,999.33	108,188.52	1,307,187.85
Net Income	-957,466.27	564,188.84	-393,277.43
Total Equity	4,804,115.06	1,050,780.68	5,854,895.74
TOTAL LIABILITIES & EQUITY	**5,302,941.78**	**1,148,608.12**	**6,451,549.90**
UNBALANCED CLASSES	34,000.26	-34,000.26	0.00

Bassett Creek Watershed Management Commission

Statement of Revenues, Expenditures and Changes in Fund Balances - General

	Annual Budget	Mar 16 - Apr 20, 23	Year to Date	Budget Balance
Ordinary Income/Expense				
Income				
411 · Assessments to Cities	617,430.00	0.00	617,430.00	0.00
412 · Project Review Fees	80,000.00	3,000.00	6,500.00	73,500.00
413 · WOMP Reimbursement	5,000.00	0.00	0.00	5,000.00
414 · State of MN Grants		0.00	11,402.43	-11,402.43
415 · Investment earnings		24,336.66	45,307.61	-45,307.61
416 · TRPD Reimbursement	5,000.00	0.00	0.00	5,000.00
417 · Transfer from LT & CIP	68,000.00	0.00	0.00	68,000.00
Total Income	775,430.00	27,336.66	680,640.04	94,789.96
Expense				0.00
1000 · Engineering				0.00
1010 · Technical Services	145,000.00	19,292.00	36,967.00	108,033.00
1020 · Development/Project Reviews	80,000.00	7,219.70	9,825.40	70,174.60
1030 · Non-fee and Preliminary Reviews	30,000.00	1,295.00	3,903.00	26,097.00
1040 · Commission and TAC Meetings	15,000.00	2,170.00	3,420.00	11,580.00
1050 · Surveys and Studies	15,000.00	0.00	0.00	15,000.00
1060 · Water Quality / Monitoring	105,000.00	2,341.13	3,644.63	101,355.37
1070 · Water Quantity	9,000.00	940.98	1,629.46	7,370.54
1080 · Annual Flood Control Inspection	15,000.00	1,612.50	1,612.50	13,387.50
1090 · Municipal Plan Review	2,000.00	0.00	0.00	2,000.00
1100 · Watershed Monitoring Program	27,000.00	2,786.26	5,791.51	21,208.49
1110 · Annual XP-SWMM Model Updates	3,000.00	0.00	0.00	3,000.00
1120 · TMDL Implementation Reporting	0.00	0.00	0.00	0.00
1130 · APM/AIS Work	40,000.00	0.00	0.00	40,000.00
1140 · Erosion Control Inspections	0.00	0.00	0.00	0.00
1000 · Engineering - Other		0.00	0.00	0.00
Total 1000 · Engineering	486,000.00	37,657.57	66,793.50	419,206.50
2000 · Plan Development				0.00
2010 · Next Gen Plan Development	53,250.00	6,157.61	18,298.61	34,951.39
2000 · Plan Development - Other		0.00	0.00	0.00
Total 2000 · Plan Development	53,250.00	6,157.61	18,298.61	34,951.39
3000 · Administration				0.00
3010 · Administrator	78,750.00	5,981.25	12,018.75	66,731.25
3020 · MAWD Dues	7,500.00	0.00	0.00	7,500.00
3030 · Legal	17,000.00	1,555.13	3,094.96	13,905.04
3040 · Financial Management	14,540.00	1,075.00	2,990.00	11,550.00
3050 · Audit, Insurance & Bond	18,700.00	0.00	0.00	18,700.00
3060 · Meeeting Catering	2,400.00	161.23	483.69	1,916.31
3070 · Administrative Services	7,240.00	90.07	271.69	6,968.31
3000 · Administration - Other		0.00	0.00	0.00
Total 3000 · Administration	146,130.00	8,862.68	18,859.09	127,270.91
4000 · Education				0.00
4010 · Publications / Annual Report	1,000.00	0.00	0.00	1,000.00
4020 · Website	1,600.00	0.00	0.00	1,600.00
4030 · Watershed Education Partnership	18,350.00	3,500.00	3,500.00	14,850.00
4040 · Education and Public Outreach	28,000.00	9,000.00	9,000.00	19,000.00
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	50,050.00	12,500.00	12,500.00	37,550.00
5000 · Maintenance				0.00
5010 · Channel Maintenance Fund	25,000.00	0.00	0.00	25,000.00
5020 · Flood Control Project Long-Term	35,000.00	0.00	0.00	35,000.00
5000 · Maintenance - Other		0.00	0.00	0.00
Total 5000 · Maintenance	60,000.00	0.00	0.00	60,000.00
Total Expense	795,430.00	65,177.86	116,451.20	678,978.80
Net Ordinary Income	597,430.00	-37,841.20	1,181,618.84	-584,188.84
Net Income	**597,430.00**	**-37,841.20**	**1,181,618.84**	**-584,188.84**

Bassett Creek Watershed Management Commission

Statement of Revenues, Expenditures and Changes in Fund Balances - Construction in Progress

	Project Budget	Mar 16 - Apr 20, 23	Year to Date	Inception to Date Expense	Remaining Budget
Ordinary Income/Expense					
Income					
418 · Property Taxes		0.00	0.00		
BC2,3,8 · DeCola Ponds B&C Improve		0.00	0.00		
BC23810 · Decola Ponds/Wildwood Park		0.00	0.00		
BC5 · Bryn Mawr Meadows		0.00	0.00		
BC7 · Main Stem Dredging Project		0.00	0.00		
BCP2 · Bassett Creek Park & Winnetka		0.00	0.00		
CRM · Main Stem Cedar Lk Rd-Dupont		0.00	0.00		
ML12 · Medley Park Stormwater Treament		0.00	0.00		
ML21 · Jevne Park Stormwater Mgmt		0.00	0.00		
NL2 · Four Seasons Mall Area		0.00	0.00		
SL1,3 · Schaper Pond Enhancement		0.00	0.00		
SL8 · Sweeny Lake Water Quality		0.00	29,815.50		
TW2 · Twin Lake Alum Treatment		0.00	0.00		
Total Income		0.00	29,815.50		
Expense					
2024CRM · CIP-BS Main Stem Restore	85,500.00	25,821.14	45,239.64	85,121.39	378.61
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	62,789.39	1,237,210.61
BC-5 · CIP-Bryn Mawr Meadows	1,835,000.00	5,350.77	12,809.74	296,746.07	1,538,253.93
BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	5,950.26	910,394.46	1,497,852.88	1,261,147.12
ML-12 · CIP-Medley Park Stormwater	1,500,000.00	0.00	0.00	95,218.61	1,404,781.39
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	0.00	0.00	56,390.75	443,609.25
ML-22 · CIP-Ponderosa Wood Strm Restora	43,800.00	5,073.00	9,280.43	43,373.81	426.19
NL-2 · CIP-Four Seasons Mall	990,000.00	0.00	0.00	196,448.06	793,551.94
PL-7 · CIP-Parkers Lake Stream Restore	485,000.00	4,376.00	5,635.50	81,399.84	403,600.16
SL-1,3 · CIP-Schaper Pond	612,000.00	2,036.00	3,922.00	473,650.35	138,349.65
SL-8 · CIP-Sweeney Lake WQ Improvemer	568,080.00	0.00	0.00	568,064.13	15.87
TMDL1 · TMDL Studies Revenue		0.00	0.00	0.00	0.00
TW-2 · CIP-Twin Lake Alum Treatment	163,000.00	0.00	0.00	91,037.82	71,962.18
Total Expense	12,619,480.00	48,607.17	987,281.77	7,338,862.62	5,280,617.38
Net Ordinary Income	-12,619,480.00	-48,607.17	-957,466.27	-7,338,862.62	
Net Income	**-12,619,480.00**	**-48,607.17**	**-957,466.27**		

Bassett Creek Watershed Management Commission						
Construction Fund Schedule						
		Total Budget	March 16, 23 April 20, 23	Year to-Date	Inception to Date	Remaining Budget
Income						
	Fld1 · Flood Control Long Term Maint		0.00	0.00	154,421.90	
	Fld2 · Flood Control Long Term Exp	699,980.00	0.00	0.00	462,976.41	
Total		699,980.00	0.00	0.00	-308,554.51	308,554.51
	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	38,000.00	
	Gen1 · Next gen Plan Development Exp	0.00	0.00	0.00	11,000.00	
Total		0.00	0.00	0.00	27,000.00	27,000.00
	Qual · Channel Maintenance Fund		0.00	0.00	545,000.00	
	Qual1 · Channel Maintenance Expense	0.00	0.00	0.00	275,738.70	
Total		0.00	0.00	0.00	269,261.30	269,261.30
	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	0.00

Item 4D.
BCWMC 4-20-23

Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Laura Jester, Administrator
Date: April 13, 2023

Recommendation: Appoint the following people to the BCWMC Plan Steering Committee (PSC)

- Commissioner Cesnik
- Commissioner Welch
- Alternate Commissioner Vadali
- Alternate Commissioner Kennedy
- Alternate Commissioner Polzin
- TAC Member Scharenbroich
- TAC Member Ray

The first PSC is slated for the end of May or early June. Meetings are expected to be held monthly from then on, hopefully on a regular schedule.

Item 4E.
BCWMC 4-20-23

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

RESOLUTION OF APPRECIATION FOR THE SERVICES OF ANGELA LAWRENCE
TO THE BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

WHEREAS, the Bassett Creek Watershed Management Commission (the "Commission") is a joint powers organization formed by the cities of Crystal, Golden Valley, Medicine Lake, Minneapolis, Minnetonka, New Hope, Plymouth, Robbinsdale and St. Louis Park; and

WHEREAS, the Commission serves as the duly constituted watershed management organization for the Bassett Creek watershed pursuant to the Metropolitan Surface Water Management Act); and

WHEREAS, under the Act and the Commission's joint powers agreement the Commission is charged with responsibility for the management of storm water to protect persons and property from flooding and to protect and preserve the water quality of lakes, streams and wetlands of the Bassett Creek Watershed and downstream receiving waters; and

WHEREAS, Angela Lawrence served as a representative from the City of St. Louis Park from May 2021 to March 2023; and

WHEREAS, Angela lent her expertise and experience by serving on the Education Committee and worked to learn about Commission projects by participating in a watershed tour; and

WHEREAS, Angela gave her time and talents, without compensation, to protect and improve the environment and to serve the public with integrity, vision, and respect for others.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Bassett Creek Watershed Management Commission, its member cities, and the public hereby express its sincere and grateful appreciation to Angela Lawrence for her distinguished service to the public.

Adopted by the Board of Commissioners of the Bassett Creek Watershed Management Commission this 20th day of April, 2023.

_____
Chair

Contract No: SG-18962

GRANT AGREEMENT BETWEEN THE METROPOLITAN COUNCIL AND BASSETT CREEK WATERSHED MANAGEMENT COMMISSION FOR THE METROPOLITAN AREA WATERSHED OUTLET MONITORING PROGRAM (WOMP2)

THIS GRANT AGREEMENT ("Agreement") is made and entered into by and between the **METROPOLITAN COUNCIL** (the "Council") and Bassett Creek Watershed Management Commission (the "Grantee"), each acting by and through its duly authorized officers.

WHEREAS:

1. Under Minnesota Statutes section 473.157, the Council is responsible for developing objectives for all watersheds in the metropolitan area.

2. A search of the available data yielded very little data adequate for use in the development of target pollution loads.

3. On January 12, 1995, the Council authorized its staff to enter into grant agreements with various watershed management organizations for the collection of watershed outlet data.

4. The Council entered into a Joint Powers Agreement with the State of Minnesota, acting through its Commissioner of the Minnesota Pollution Control Agency ("State") under which the State agrees to provide certain funds for the purposes of the Metropolitan Area Watershed Outlet Monitoring Program ("WOMP").

5. The Grantee has an interest in collecting water quality data at the watershed outlet.

6. The Grantee has the technical capability to conduct a watershed outlet monitoring program.

7. The Council has reviewed the Grantee's proposal and desires to assist it in the collection of data.

NOW, THEREFORE, the Council and the Grantee agree as follows:

I. GRANTEE PERFORMANCE OF GRANT PROJECT

1.01 Grant Project. Grantee will perform and complete in a satisfactory and proper manner the grant project as described in the Grantee's application for grant assistance, incorporated in this Agreement by reference, and in accordance with the terms and conditions of this Agreement. Specifically, the Grantee will perform the specific activities in Exhibit A ("WOMP Monitoring Work Plan") and undertake the financial responsibilities in Exhibit B ("WOMP Monitoring Financial Responsibilities" document), both of which are attached to and incorporated in this Agreement. These activities and financial responsibilities are referred to as the "Grant Project".

1.02 Use of Contractors. With the approval of the Council's Grant and Project Managers, the Grantee may engage contractors to perform Grant Project activities. However, the Grantee retains

primary responsibility to the Council for performance of the Grant Project and the use of the contractor does not relieve the Grantee from any of its obligations under this Agreement.

1.03 Material Representations. All representations contained in Grantee's application for grant assistance are material representations of fact upon which the Council relied in awarding this grant and are incorporated in this Agreement by reference.

II. AUTHORIZED USE OF GRANT FUNDS

2.01 Authorized Uses. Grant funds may be used only for costs directly associated with Grant Project activities, as described in paragraph 1.01, which: i) occur during the Project Activity Period specified in paragraph 6.01, and ii) are eligible expenses as listed in the Grantee Financial Responsibilities portion of the WOMP Monitoring Financial Responsibilities document (Exhibit B). Grantee may also use grant funds to prepare the expense report required by paragraph 5.02 of this Agreement. No other use of grant funds is permitted.

2.02 Unauthorized Uses of Grant Proceeds. Grant funds cannot be used to purchase land, buildings, or other interests in real property, or to pay legal fees, or permit, license, or other authorization fees, unless specifically approved in advance and in writing by the Council's Grant Manager.

2.03 Project Equipment and Supplies. With approval of the Council's Project Manager, grant funds may be used to purchase or lease equipment, machinery, supplies, or other personal property directly necessary to conduct the Grant Project. For any personal property purchased under this Agreement, Grantee will comply with the personal property management requirements in article VIII.

III. GRANT AMOUNT AND DISTRIBUTION

3.01 Maximum Grant Amount. The Council will pay to the Grantee a Maximum Grant Amount of $10,000. Provided, however, that in no event will the Council's obligation under this Agreement exceed the lesser of:

a. the Maximum Grant Amount of $10,000; or,
b. the actual amount expended by the grantee on eligible expenses as specified in paragraph 2.01.

The Council bears no responsibility for cost overruns which may be incurred by the Grantee in performance of the Grant Project.

3.02 Distribution of Grant Funds. The Council will distribute Grant funds according to the following schedule:

a. Within thirty working days after Council execution of this Agreement, the Council will distribute to the Grantee 45% of the Maximum Grant Amount.

b. Upon Council approval of Grantee's February 2024 financial report required by paragraph 5.02, the Council will distribute to the Grantee 45% of the Maximum Grant Amount.

c. Upon approval of Grantee's January 2025 financial report required by paragraph 5.02, the Council will distribute to Grantee 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 paragraph 3.01. 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

paragraph 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 owed. Distribution of any funds or approval of any report is not a waiver by the Council of any Grantee noncompliance with this Agreement.

3.03 Repayment of Unauthorized Use of Grant Proceeds. Upon a finding by Council staff that the Grantee has made an unauthorized or undocumented use of grant proceeds, and upon a demand for repayment issued by the Council, the Grantee will promptly repay the amounts to the Council.

3.04 Reversion of Unexpended Funds. All funds granted by the Council under this Agreement that have not been expended for authorized Grant Project activities as described in paragraph 2.01 will revert to the Council.

IV. ACCOUNTING AND RECORDKEEPING REQUIREMENTS

4.01 Documentation of Grant Project Costs. Grantee must support all costs charged to the Grant Project with proper documentation, including properly executed payroll and time records, invoices, contracts, receipts for expenses, or vouchers, evidencing in detail the nature and propriety of the charges.

4.02 Establishment and Maintenance of Grant Project Information. Grantee will establish and maintain accurate, detailed, and complete separate accounts, financial records, documentation, and other evidence relating to: i) Grantee's performance under this Agreement, and ii) the receipt and expenditure of all grant funds under this Agreement. The Grantee will establish and maintain this information in accordance with generally accepted accounting principles and practices and retain intact all Grant Project information until the latest of:

a. complete performance of this Agreement; or
b. six years following the term of this Agreement; or
c. if any litigation, claim, or audit is commenced during either of these periods, then when all the litigation, claims or audits have been resolved.

If the Grantee engages any contractors to perform any part of the Grant Project activities, Grantee's contract for these services must include provisions requiring the contractor to establish and maintain Grant Project information in accordance with the provisions of this paragraph and to allow audit of this information in accordance with paragraph 4.03.

4.03 Audit. The accounts and records of the Grantee relating to the Grant Project are subject to audit. During the time of maintenance of information under paragraph 4.02, authorized representatives of the Council, and either the legislative auditor or the state auditor in accordance with Minnesota Statutes, section 16C.05, subdivision 5, will have access to all books, records, documents, accounting practices and procedures, and other information for the purpose of inspection, audit, and copying during normal business hours. The Grantee will provide proper facilities for access and inspection.

V. REPORTING AND MONITORING REQUIREMENTS

5.01 Monitoring Work Plan. The WOMP Monitoring Work Plan (Exhibit A) includes the specific geographic area and watershed outlet affected by the Grant Project, the tasks to be undertaken together with schedules and the organization responsible for the tasks' costs. The Grantee Financial Responsibilities portion of the WOMP Monitoring Financial Responsibilities document (Exhibit B) lists

the Grantee expenses eligible for reimbursement by the Council, subject to the limitations of paragraph 2.01. Grantee will abide by the Monitoring Work Plan, including the Quality Control Provisions listed in the Monitoring Work Plan.

5.02 Grant Project Financial Reports. In February 2024 and January 2025, 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 paragraph 2.01.

5.03 Changed Conditions. Grantee will notify the Council immediately of any change in conditions, law or ordinance, or any other event that may affect the Grantee's ability to perform the Grant Project in accordance with the terms of this Agreement.

VI. GRANT PROJECT ACTIVITY PERIOD; TERM; TERMINATION

6.01 Project Activity Period. Grantee will complete the Grant Project activities specified in paragraph 1.01 during the period from February 1, 2023 through December 31, 2024 (the "Project Activity Period").

6.02 Term. The term of this Agreement extends from the effective date of this Agreement to a date 60 calendar days following the end of the Project Activity Period, to permit closeout of this Agreement.

6.03 Termination. Either the Council or the Grantee may terminate this Agreement at any time, with or without cause, by providing the other party written notice of termination at least 30 days prior to the effective date of termination. Upon termination Grantee is entitled to compensation for Grant Project activities in accordance with this Agreement which were satisfactorily performed and incurred prior to the effective date of the termination. Any remaining grant funds which have been distributed to Grantee will be returned to the Council no later than the effective date of termination. Upon the effective date of termination, a) all data collected by Grantee prior to the effective date of termination must be turned over to the Council by Grantee; and b) all Council personal property in possession of Grantee wherever located and all property acquired with grant funds must be turned over to the Council by Grantee.

6.04 Termination by Council for Noncompliance. If the Council finds that there has been a failure to comply with the provisions of this Agreement, the Council may terminate the Agreement at any time with seven calendar days written notice to the Grantee. If Grantee fails to cure the noncompliance within that seven calendar day period, the Agreement is terminated for noncompliance. Noncompliance includes failure to make reasonable progress toward completion of the Grant Project. If the Council finds that the Grantee's noncompliance is willful and unreasonable, the Council may terminate or rescind this Agreement and require the Grantee to repay the grant funds in full or in a portion determined by the Council. Nothing in this Agreement may be construed to limit the Council's legal remedies to recover grant funds.

6.05 Effect of Grant Project Closeout or Termination. Grant Project closeout or termination of this Agreement does not invalidate continuing obligations imposed on the Grantee by this Agreement. Grant Project closeout or termination of this Agreement does not alter the Council's authority to disallow costs and recover funds on the basis of a later audit or other review, and does not alter the Grantee's obligation to return any funds due to the Council as a result of later refunds, corrections, or other transactions.

VII. COUNCIL's GRANT MANAGER AND PROJECT MANAGER

Financial aspects of this Agreement will be handled by the Council's Grant Manager. The Council's Grant Manager for this Agreement is Joe Mulcahy, or other person as may be designated in writing by the Council.

Technical aspects of the Grant Project, including supervision of the Grantee under the Monitoring Work Plan, will be handled by the Council's Project Manager. The Council's Project Manager for this Agreement is Casandra Champion, or other person as may be designated in writing by the Council.

Nothing in this Agreement authorizes the Grant Manager or Project Manager to execute amendments to this Agreement.

VIII. GRANT PROPERTY AND DATA.

8.01 Title. Title to all personal property at the monitoring station site as described in Exhibit A and all property acquired with grant funds will remain with the Council. The Council authorizes the Grantee to utilize the personal property at the site in carrying out the Grant Project activities during the Project Activity Period.

8.02 Maintenance. Grantee will maintain any personal property at the site in good operating order. If, during the Project Activity Period, any personal property is no longer available for use in performing the Grant Project, whether by planned withdrawal, misuse, or casualty loss, the Grantee must immediately notify the Council's Project Manager.

8.03 Utility Services. The Council will make arrangements with local utilities to provide both telephone and electrical hookups as needed at the monitoring station specified in Exhibit A. All utility accounts serving the monitoring station will be in the name of the Council. All telephone and electric utility costs for the monitoring station will be paid by the Council.

8.04 Grant Project Closeout or Termination. No later than a) the effective date of termination as provided in Sections 6.03 or 6.04 of this Agreement or b) no later than 60 calendar days following the end of the Project Activity Period ("Project Closeout Date"), whichever is applicable Grantee must turn over to the Council:

i) all data defined in Section 9.04 of this Agreement collected by Grantee prior to the Project Closeout Date or the effective date of; and

ii) all Council personal property in possession of Grantee wherever located and all property acquired with Grant funds.

If the Agreement has not been terminated by either party and Grantee continues to participate in the Watershed Outlet Monitoring Program (WOMP2) through a subsequent grant agreement with the Council, Grantee is not required to comply with Section 8.04 subparagraph (ii) until Grantee's participation in the WOMP2 program ceases.

IX. GENERAL CONDITIONS

9.01 Amendments. The terms of this Agreement may be changed only by mutual written agreement of the parties. These changes will be effective only upon the execution of written amendments signed by duly authorized officers of the parties to this Agreement.

9.02 Assignment Prohibited. Except as provided in paragraph 1.02, the Grantee may not assign, contract out, sublet, subgrant, or transfer any Grant Project activities without the express prior written consent of the Council. The Council may condition this consent on compliance by the Grantee with terms and conditions specified by the Council.

9.03 Indemnification. The Grantee assumes liability for and agrees to defend, indemnify and hold harmless the Council, its members, officers, employees and agents, from and against all losses, damages, expenses, liability, claims, suits, or demands, including without limitation attorney's fees, arising out of, resulting from, or relating to the performance of the Grant Project by Grantee or Grantee's employees, agents, contractors, or subcontractors.

9.04 Grant Project Data. Grantee may not copyright or patent the results of the Grant Project, the reports submitted, and any new information or technology that is developed with the assistance of this grant. The Grantee must comply with the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13, in administering data under this Agreement. If Grantee receives a request to release grant project data, Grantee must immediately notify and consult with the Council's Project manager. Grantee's response to the request must comply with applicable law.

9.05 Nondiscrimination. Grantee will comply with all applicable laws relating to nondiscrimination and affirmative action. In particular, the Grantee will not discriminate against any employee, applicant for employment, or participant in this Grant Project because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local civil rights commission, disability, sexual orientation, or age; and further agrees to take action to ensure that applicants and employees are treated equally with respect to all aspects of employment, including rates of pay, selection for training, and other forms of compensation.

9.06 Promotional Material: Acknowledgment. Grantee will submit to the Council a copy of any promotional information regarding the Grant Project disseminated by the Grantee. The Grantee will appropriately acknowledge the grant assistance made by the State and the Council in any promotional materials, reports, and publications relating to the Grant Project.

9.07 Compliance with Law; Obtaining Permits, Licenses and Authorizations. Grantee will conduct the Grant Project in compliance with all applicable federal, state, and local laws, ordinances or regulations. The Grantee is responsible for obtaining all federal, state, and local permits, licenses, and authorizations necessary for performing the Grant Project.

9.08 Workers Compensation; Tax Withholding. The Grantee represents that it is compliance with the workers compensation coverage requirements of Minnesota Statutes, section 176.181, subdivision 2, and that it, and any of its contractors or material suppliers, if any, under this contract, are in compliance with the tax withholding on wages requirements of Minnesota Statutes, section 290.92.

9.09 Jurisdiction, Venue, and Applicable Law. Venue for all legal proceedings arising out of this Agreement, or breach of this Agreement, will be in the state or federal court with competent jurisdiction in Ramsey County, Minnesota. All matters relating to the performance of this Agreement will be controlled by and determined under the laws of the State of Minnesota.

9.10 Counterparts and Electronic Signatures. This Agreement may be executed in any number of counterparts, each of which when executed will be deemed to be an original and the counterparts will together constitute one Agreement. A copy of this Agreement, including its signature pages, will be binding and deemed to be an original. Electronic signatures using Adobe Sign, or a similar program, will be deemed an original signature.

9.11 Incorporation of Joint Powers Agreement. The Council has undertaken certain obligations as part of a Joint Powers Agreement with the Minnesota Pollution Control Agency. A copy of the Joint Powers Agreement is attached and incorporated in to this Agreement as Exhibit C. Obligations imposed by the Joint Powers Agreement on subgrantees or subcontractors are binding on the Grantee, and the terms

of the Joint Powers Agreements are incorporated into this Agreement. The terms of the Joint Powers Agreement which are specifically incorporated include, without limitation, the following:

Section 7	State Audits
Section 8	Government Data Practices
Section 9	Intellectual Property Rights
Section 12	E-Verify Certification
Section 13	Clean Water Funding

This paragraph does not create any contractual relationship between the State and Grantee. The Grantee is not a third-party beneficiary of the Joint Powers Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers on the dates below. This Agreement is effective upon final execution by both parties.

GRANTEE _____

Date _____

By _____

Name _____

Title _____

METROPOLITAN COUNCIL

Date _____

By _____

Sam Paske
Assistant General Manager, Planning Department

WOMP2
Revised 3/23

Item 4G.
BCWMC 4-20-23

Stantec Consulting Services Inc.
7500 Olson Memorial Highway Suite 300, Golden Valley MN 55427-4886

December 5, 2022
Amendment 1: March 29, 2023

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

2023 Bassett Creek Watershed Outlet Monitoring Program Services Amendment 1

Dear Ms Jester,

This document serves as an amendment to the 2023 Bassett Creek Watershed Outlet Monitoring Program Services scope dated 12/5/22. The amendment was requested by BCWMC in response to a request for additional monitoring.

Additional Scope of Work

Task 2. Routine Monitoring

The Minnesota Department of Agriculture has requested collection of pesticide samples (2 samples during the months of May, June, July, and August, 8 total). Stantec will add for an additional 0.5 hour for sample drop off time for 8 visits and $40 in expenses for ice to complete the pesticide sample collection and delivery to the Minnesota Department of Health.

Cost Estimate

Stantec proposes to perform the scope of work stated above on a time and materials basis for an additional estimated cost of $740 for a new total of $18,824. A detailed breakdown of the additional estimated costs is provided below.

Reference: **Bassett Creek Watershed Outlet Monitoring Program Services Amendment 1**

Table 1: Tasks and estimated costs.

Project Team	Task	Labor	Cost
Anne Wilkinson/ Kurt Krautman	Task 2: Routine Monitoring	4	$ 700
	Expenses		$ 40
	Total Estimated Project Cost		**$ 740**

Summary

Thank you for this opportunity to work with the BCWMC. Should you have any questions, or need clarification of anything presented in this amendment, please do not hesitate to contact Anne Wilkinson at 612 712-2003 or anne.wilkinson@stantec.com.

Regards,

Stantec Consulting Services Inc.

Anne Wilkinson
Civil Engineer in Training
Phone: 763 252 6877
anne.wilkinson@stantec.com

Eileen Weigel, PE
Associate, Senior Water Resource Engineer
Phone: 763.252.6853
eileen.weigel@stantec.com

Reference: **Bassett Creek Watershed Outlet Monitoring Program Services Amendment 1**

By signing this proposal, Bassett Creek Watershed Management Commission authorizes Stantec to proceed with the services herein described and the Client acknowledges that it has read and agrees to be bound by Professional Services Terms and Conditions agreed upon in contract dated 12/5/22. For the avoidance of doubt, this letter proposal, if approved and executed below by the Bassett Creek Watershed Management Commission, will supplement Stantec's previously approved proposal, dated 12/5/22. Accordingly, all services described herein will be performed pursuant to the same terms and conditions that govern the parties' ongoing relationship .

This proposal is accepted and agreed on the Day day of Month, Year.

Per: Bassett Creek Watershed Management Commission

Enter Name & Title _____ _____

Print Name & Title Signature

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. Securing and entering into a contract with a licensed contractor to perform the CLP herbicide treatment and adhering to 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. 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 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. Reimbursing the Park District for 83% (which is estimated to be $32,600) of the cost of the CLP treatment contractor as contemplated in section 4(e) above. Reimbursement for the treatment shall not exceed $35,000 and shall be made by the Commission following an invoice submitted by the Park District, and if approved shall thereafter be paid by the Commission within 45 days.

f. 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.

g. Providing an additional $5,000 to the Park District to augment the AIS inspection program at the French Regional Park boat launch.

6. 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.

7. 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.

8. TERMINATION

This Agreement will terminate at the end of the 2023 boat launch inspection season, estimated to be Monday September 4, 2023. 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 Commission will pay pro rata for that portion of the CLP treatment completed in accordance with Sections 4 and 5.

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

resourceful. naturally.
engineering and environmental consultants

BARR

Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co. (Barr)
Subject: Item 4I: BNSF Bridge Replacement – Minneapolis, MN
BCWMC April 20, 2023 Meeting Agenda
Date: April 13, 2022
Project: 23270051.58 2023 2307

4I BNSF Bridge Replacement– Minneapolis, MN BCWMC 2022-27

Summary:

Project Proposer: City of Minneapolis

Proposed Work: Railroad bridge replacement

Basis for Review at Commission Meeting: Proposed crossing and work in the floodplain

Impervious Surface Area: No change

Project Schedule: Work is currently planned for July – September 2023.

Recommendation for Commission Action: Conditional approval

General Project Information

The proposed project is located along the Main Stem of Bassett Creek, northwest of the intersection of Chestnut Avenue West and Penn Avenue North in Minneapolis. The work includes removing the existing super-structure and placing precast concrete structures onto the existing piers with an on-track crane, resulting in 0 acres of disturbance and no change in impervious surface from existing to proposed.

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 Main Stem of Bassett Creek at the project site is 814.8 feet NAVD88 upstream of the bridge and 814.7 downstream of the bridge. The February 2021 BCWMC Requirements for Improvements and Development Proposals (Requirements) document states that projects must meet the following criteria:

- Projects within the floodplain must maintain no net loss in floodplain storage.
- Projects within the floodplain must maintain no increase in flood level at any point along the trunk system (managed to at least a precision of 0.00 feet).
- The lowest member of all crossings shall be at least 1 foot above the floodplain to prevent debris accumulation unless approved by the BCWMC.

Floodplain Storage

The proposed project will result in 0 cubic yard of floodplain fill due to the bridge replacement.

Floodplain Elevation (No Rise)

The BCWMC model was used to model the existing and proposed condition to demonstrate no rise in flood level along the creek. The BCWMC model was used to perform a relative comparison of the existing bridge and the new bridge at this location. Table 1 reports the 100-year high water elevation upstream and downstream of the existing and proposed condition. Results shown in Table 1 demonstrate "no increase in flood level" when comparing the existing and proposed bridge.

Table 1: Comparison of Existing and Proposed 100-Year High Water Elevation

Location	100-Year Existing Flood Elevation (ft)	100-Year Proposed Flood Elevation (ft)	Increase in Flood Level from Proposed to Existing (ft)
Upstream of Bridge	814.76	814.76	0.00
Downstream of Bridge	814.75	814.75	0.00

Lowest Crossing Member

The Requirements document states the lowest member of all crossings shall be at least 1 foot above the floodplain unless approved by the BCWMC, to minimize obstruction of flood flows. The existing bridge and the proposed bridge both have portions of the bridge deck lower than the 100-year floodplain elevation. For the proposed project, the average lowest member is 1.4 feet below the 100-year floodplain (compared to 2.13 feet for existing conditions). The conveyance area under the bridge will increase due to the existing pier structures remaining in place and the super structure being raised be approximately 0.7 feet. Given constraints with existing railroad track grade, raising the lowest member of the bridge to be at least 1 foot above the floodplain is not feasible.

Section 4 of the Requirements Documents provides the following policy from Section 4.2.2 of the Watershed Management Plan:

> 10. The lowest member of all crossings shall be at least 1 foot above the 100-year floodplain to prevent debris accumulation unless approved otherwise by the BCWMC.

The highlighted portion of the policy allows the Commission flexibility to approve projects without requiring the variance process. The BCWMC has approved other projects where the bridge across the creek did not meet the lowest member criteria (i.e. most recently the Bassett Creek Park Pedestrian Bridge Improvements – BCWMC 2022-08). Communication with the applicant's consultant indicate that BNSF will provide a general statement on how they handle maintenance due to debris.

Lakes, Streams, and Wetlands

The City of Minneapolis is the local government unit (LGU) responsible for administering the Wetland Conservation Act; therefore, BCWMC wetland review is not required.

Rate Control

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

Water Quality

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

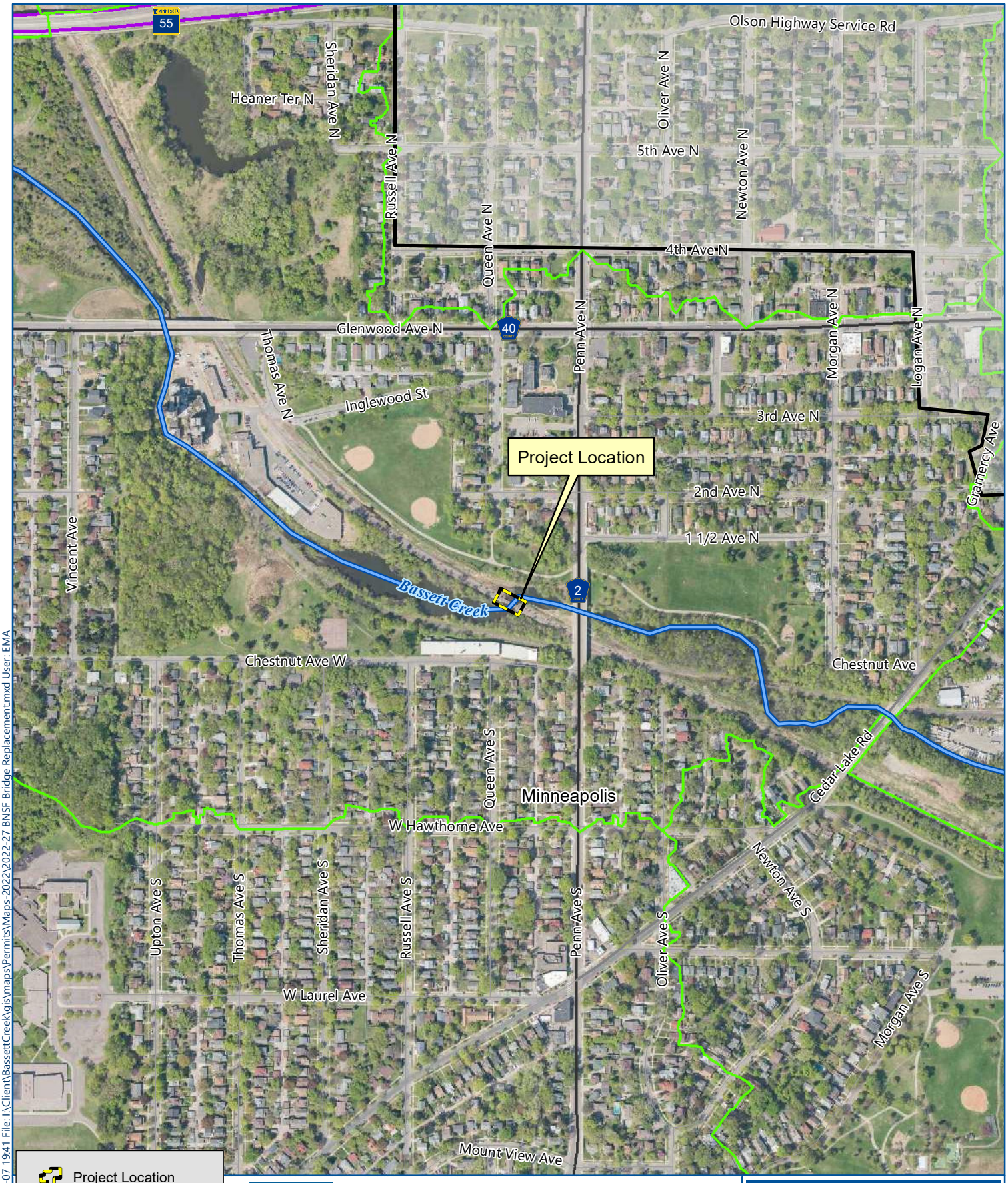
Erosion and Sediment Control

The proposed project does not result in more than 10,000 square feet of land disturbance; therefore, BCWMC erosion and sediment control review is not required.

Recommendation for Commission Action

Conditional approval based on the following comments:

1. The following updates must be made to the XPSWMM models:
    a. The cross section of link LBCD041.C in the corrected effective model and proposed model must be modified to include the three individual piers of the bridge, instead of the one pier.
    b. Link LBCD041.OF in the proposed model must be modified to represent the new overflow based on the proposed bridge height.
2. The Requirements Document states that the lowest member of all crossings shall be at least one foot above the floodplain to prevent debris accumulation. The BCWMC is concerned about debris accumulation due to the restriction of flows. We acknowledge that there are limitations regarding the bridge reconstruction and modifying the lowest member to meet the Requirements Document. We request the applicant prepare and submit to the BCWMC Engineer a maintenance plan to clear accumulated debris from the bridge to minimize potential flooding impacts.



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

BARR

N

0 250 500 Feet

Bassett Creek Watershed Management Commission

BCWMC 2022-27
BNSF BRIDGE
REPLACEMENT
Minneapolis, MN

LOCATION MAP

Barr Footer: ArcGIS 10.8.1, 2023-04-07 1941 File: I:\Client\BassettCreek\gis\maps\Permits\Maps-2022\2022-27 BNSF Bridge Replacement.mxd User: EMA

MEMORANDUM OF UNDERSTANDING
SOCHACKI PARK WQI PROJECT IMPLEMENTATION

This Memorandum of Understanding ("MOU") is made this ___ day of _____, 2023, by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization (the "Commission"), the Three Rivers Park District, a body corporate and politic under the laws of Minnesota ("TRPD"), and the cities of Robbinsdale and Golden Valley, each a Minnesota municipal corporation ("Robbinsdale and "Golden Valley," respectively). The Commission, TRPD, Robbinsdale, and Golden Valley may be referred to herein collectively as the "Parties."

RECITALS

A. On September 17, 2015, the Commission adopted the Bassett Creek Watershed Management Commission Watershed Management Plan (the "Commission Plan"), a watershed management plan within the meaning of Minnesota Statutes, section 103B.231. The Commission Plan incorporates the Commission's 10-year capital improvement program, and the projects contained therein are generally eligible to be paid for with Commission levy dollars.

B. Sochacki Park is a 62-acre public park located in Robbinsdale and Golden Valley, and said park is jointly operated and maintained by TRPD, Robbinsdale, and Golden Valley. The park contains three DNR public water wetlands known as Grimes Pond, North Rice Pond, and South Rice Pond, which each have poor levels of water quality and discharge directly into Bassett Creek.

C. TRPD recently completed the Sochacki Park Subwatershed Assessment which identifies several best management practices that include water quality improvements within Sochacki Park, certain components of which will meet the criteria for Commission CIP funding (the "Proposed Sochacki Park WQI Project"). The Proposed Sochacki Park WQI Project would be a component of a larger park project, and TRPD has therefore proposed and requested that the Commission formally add the Proposed Sochacki Park WQI Project to its Commission Plan and contribute CIP levy funds toward its construction in accordance with state and local laws.

D. The Proposed Sochacki Park WQI Project includes elements and best management practices in and around Sochacki Park that would directly result in improved water quality and improved wetland functions within Sochacki Park, which would result in water quality improvements to Bassett Creek.

E. On March 16, 2023, the Commission chose to begin the formal process necessary to add the Proposed Sochacki Park WQI Project to its Commission Plan, which requires a minor plan amendment, and provided direction to staff to work with the other Parties to memorialize next steps related to project implementation.

F. To that end, this MOU is intended to provide clarity related to procedural requirements for the Commission's involvement in the Proposed Sochacki Park WQI Project, including timelines and expectations, and therefore it establishes a general roadmap for the various steps necessary to ensure that the Parties have an understanding of those elements moving forward.

MEMORANDUM OF UNDERSTANDING

In consideration of the foregoing recitals, which are incorporated into and made a part of this MOU, it is hereby understood by the Parties as follows:

1. Requirements for Commission Participation and Funding. Before the Proposed Sochacki Park WQI Project can be formally ordered by the Commission, constructed, and funded with Commission tax levy dollars, a number of procedural steps are necessary, and those steps and the Parties' understanding for how they will be implemented are outlined in subsections 1.A-E below. Nothing contained herein shall be interpreted as a guarantee that the Proposed Sochacki Park WQI Project will indeed be ordered and funded by the Commission, and to that end, each party understands the risks associated with incurring any project-related expenses prior to the completion of all required steps.

   A. *Minor Plan Amendment*. The Proposed Sochacki Park WQI Project must first be formally added to the Commission Plan. Although the process for doing that has been initiated, certain formal steps are now required, including, but not necessarily limited to, due notice and review by various public bodies, a 30-day comment period, a public hearing before the Commission, which is scheduled for May 18, 2023, and final Commission action thereafter. The Commission is currently in the process of following those steps to the extent required.

   B. *Feasibility Study Preparation; Commission Review*. If the Proposed Sochacki Park WQI Project is added to the Commission Plan via the above-described plan amendment process, it cannot proceed unless and until the Commission reviews a project feasibility study and thereafter provides direction on which alternatives to implement with Commission CIP funding. To that end, TRPD intends to, at its sole expense, hire Barr Engineering to prepare said feasibility study during 2023 so that the Commission is able to set an appropriate maximum levy and final levy for 2024. Said feasibility study must meet all Commission requirements, including those contained in the Commission's Feasibility Study Criteria document, dated October 17, 2013, a copy of which has been provided to TRPD. Following preparation of said feasibility study, the Commission will review and provide direction related to the project's water quality elements and a decision for which option(s) are to be implemented with Commission CIP funding.

   C. *County Review*. If the Commission decides, in its sole discretion, to move forward with one or more water quality elements of the Proposed Sochacki Park WQI Project, the project will be reviewed by the Hennepin County Board of Commissioner's before it can be formally ordered and included in the

Commission's annual tax levy. County review would be expected in July or August of 2023, and the Parties understand that said review process may result in changes to or the potential removal of the Proposed Sochacki Park WQI Project from the Commission's annual tax levy request.

D. *Ordering the Project; Public Hearing*. Following the above steps, the final step of ordering the Proposed Sochacki Park WQI Project would likely be presented at the Commission's regular meeting on September 21, 2023. During that meeting, the Commission would hold a duly noticed public hearing before determining whether to formally order the project and enter into a separate cooperative agreement as detailed in section 1.E below.

E. *Cooperative Agreement*. The Commission's practice for implementing capital improvement projects is to enter into a cooperative agreement with another public body, e.g. one of its member cities, through which (i) the public body is responsible for designing the project, letting a contract, administering project construction, and ensuring long-term project maintenance; and (ii) the Commission is responsible for reimbursing the public body for actual project costs up to a certain not-to-exceed amount based on estimated costs and available funding. To that end, the Parties understand that a subsequent cooperative agreement between the Commission and one or more of the other three Parties will be necessary if the Proposed Sochacki Park WQI Project is ultimately ordered and said agreement will include all terms and conditions incorporated by the Commission on other capital projects that it provides reimbursement for. The specific roles and responsibilities of the Parties would be established within that cooperative agreement.

2. Project Reimbursement, Design and Construction.

A. *Reimbursement*. Assuming that all required procedural steps are satisfied and the Proposed Sochacki Park WQI Project is formally ordered by the Commission, the Commission will be responsible for a portion of construction costs not to exceed a specific figure expressly approved by the Commission during the formal proceedings summarized in section 1 above, and such reimbursement is anticipated to be in addition to any grant funding. Final reimbursement numbers, when determined by the Commission, and all requirements related thereto, will be included in the cooperative agreement contemplated in subsection 1.E above. The Commission will not be responsible for any additional costs or expenses associated with the project, all of which must be paid for by the other Parties to whatever extent negotiated between them.

B. *Design*. Plans and specifications for the Proposed Sochacki Park WQI Project (the "Plans") will be designed by TRPD and its engineer in close collaboration with the other Parties. TRPD and its engineer will work collaboratively with designated representatives from all Parties throughout the design phase to ensure that input is received and considered throughout the process. Design plans, status,

and engineering cost estimates will be shared with the Parties throughout the design phase and whenever reasonably requested. Commission reimbursement is expressly contingent on the Commission's review and approval of the Plans at both the 50 percent and 90 percent design phases, with express limitations on alterations thereafter, and specific details regarding the review process as it relates to the Plans will be incorporated into the cooperative agreement contemplated in subsection 1.E above.

C. *Contracting for Construction*. It is understood that the Commission will not be responsible for any obligations associated with bidding, awarding a contract, and administering said contract for the Proposed Sochacki Park WQI Project, but rather those responsibilities will be taken on by either TRPD, Robbinsdale, or Golden Valley in accordance with the eventual terms of the cooperative agreement contemplated in subsection 1.E above.

3. Ownership and Maintenance. The cooperative agreement contemplated in subsection 1.E above will formally assign ownership and maintenance responsibilities for all such components and improvements and will include terms and conditions for the long term maintenance and repairs to ensure the Proposed Sochacki Park WQI Project's long-term sustainability. The Commission does not perform ongoing maintenance of capital improvement projects and so the cooperative agreement will delegate such responsibilities to one or more of the other Parties hereto.

4. Grant Applications. The Parties intend to pursue various grant opportunities to help fund the Proposed Sochacki Park WQI Project and will coordinate with one another to the extent necessary as it relates to any grant applications or other grant-related processes.

5. Ongoing Cooperation. The Parties understand and acknowledge the substantial benefits of the Proposed Sochacki Park WQI Project and intend to cooperate with one another in good faith to ensure that said project, if ultimately ordered and carried out, is delivered in a timely manner pursuant to the goals and understandings outlined herein.

[signature page to follow]

IN WITNESS WHEREOF, the Parties have executed this MOU as of the day and year first written above.

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

By:_____
Catherine Cesnik, Chair

And by:_____
Wayne Sicora, Secretary

THREE RIVERS PARK DISTRICT

By: _____
John Gibbs, Board Chair

And by: _____
Boe Carlson, Superintendent

CITY OF ROBBINSDALE

By:_____
Bill Blonigan, Mayor

And by:_____
Tim Sandvik, City Manager

GOLDEN VALLEY

By: _____
Shep Harris, Mayor

And by: _____
Tim Cruikshank, City Manager

Item 5A.
BCWMC 4-20-23
Full Document
Online

Feasibility Report for Bassett Creek Main Stem Restoration, Regent Avenue to Golden Valley Road (2024 CR-M)—DRAFT

Golden Valley, Minnesota

Prepared for
Bassett Creek Watershed Management Commission

April 2023

4300 MarketPointe Drive, Suite 200
Minneapolis, MN 55435
952.832.2600
www.barr.com

Feasibility Report for the 2024 Bassett Creek Main Stem Restoration Regent Avenue to Golden Valley Road

April 2023

Contents

List of Tables

List of Figures

List of Appendices, Attachments, or Exhibits

Abbreviations

BANCS	Bank Assessment for Non-Point Source Consequences of Sediment
BCWMC	Bassett Creek Watershed Management Commission
BWSR	Minnesota Board of Water and Soil Resources
BEHI	Bank Erosion Hazard Index
CIP	capital improvement program
CSW	construction stormwater
CWA	Clean Waters Act
EAW	Environmental Assessment Worksheet
FAA	Federal Aviation Administration
IPaC	Information, Planning, and Conservation System
LGU	local government unit
LUST	leaking underground storage tank
MCBS	Minnesota County Biological Sites
METC	Metropolitan Council
MnDNR	Minnesota Department of Natural Resources
MPCA	Minnesota Pollution Control Agency
NBS	near bank stress
NHIS	Natural Heritage Information System
NRCS	Natural Resources Conservation Act
NRHP	National Register of Historic Places
NWI	National Wetland Inventory
OSA	Office of the State Archaeologist
ROW	right-of-way
PWI	public water inventory
RMP	resource management plan
SHPO	State Historic Preservation Office
SNA	scientific natural areas
TP	total phosphorus
TRPD	Three Rivers Park District
TSS	total suspended solids
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
WCA	Wetland Conservation Act
WMA	Wildlife Management Areas

1 Executive Summary

1.1 Background

The Bassett Creek Watershed Management Commission's (BCWMC) current Capital Improvement Program (CIP) (Table 5-3 in the 2015-2025 Bassett Creek Watershed Management Plan, as revised) includes the Bassett Creek Main Stem Channel Restoration from Regent Avenue North to Golden Valley Road (CIP 2024-CR-M). At their August 2022 meeting, the Commission approved the BCWMC Engineer's proposal to conduct a feasibility study for the Main Stem Channel Restoration.

As is required for BCWMC CIP projects, a feasibility study must be completed prior to the BCWMC holding a hearing and ordering the project. This feasibility study examines methods to stabilize and restore areas of erosion within the corridor, as well as improve aquatic and riparian habitats. The Commission Engineer investigated three options during this feasibility study. The three options developed were based on restoring areas ranked low to high using prioritization metrics provided by the City of Golden Valley and the Commission Engineer.

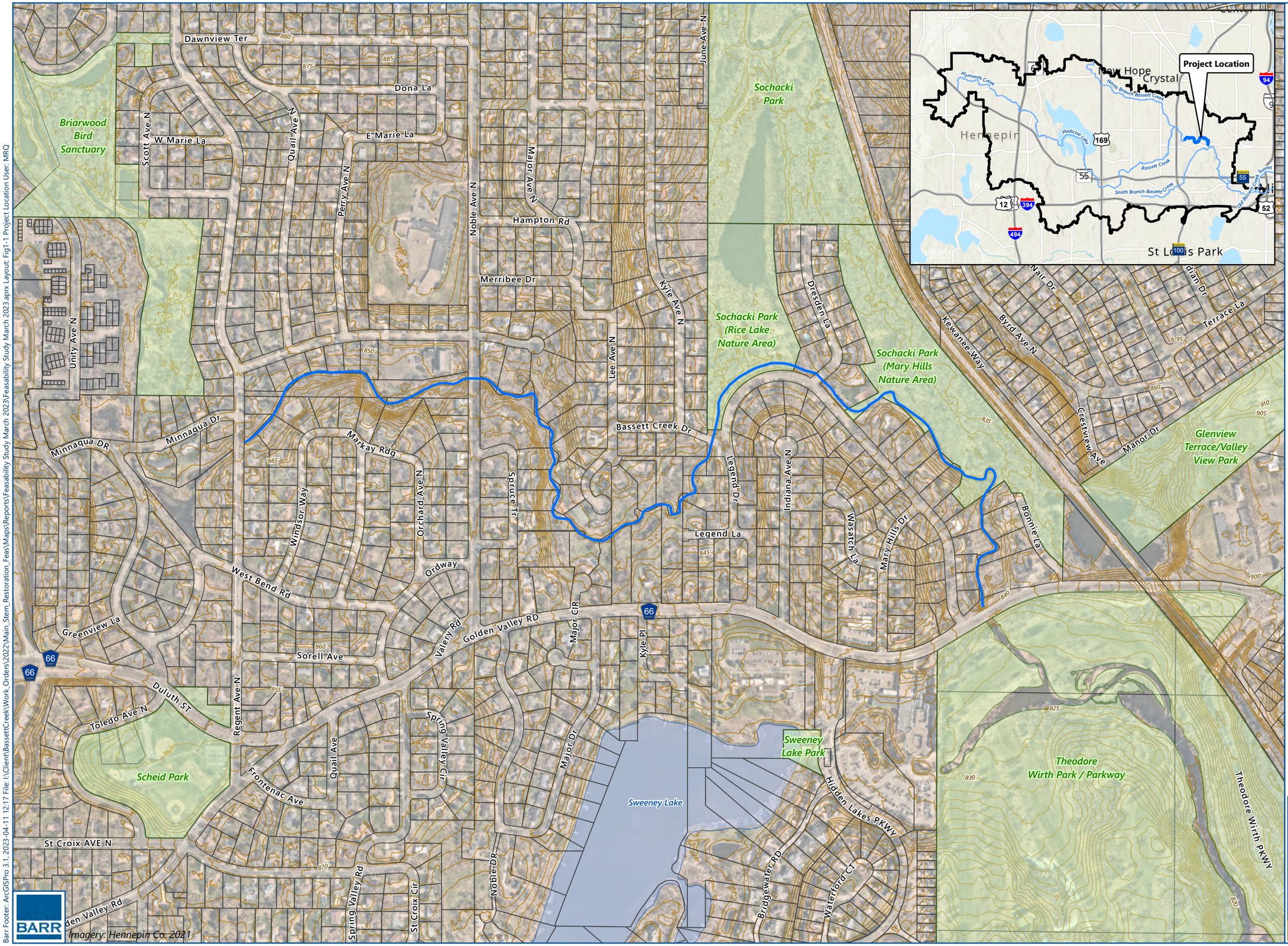
If ordered, the BCWMC will utilize the BCWMC CIP funds to implement the proposed project. The source of these funds is an ad valorem tax levied by Hennepin County over the entire Bassett Creek watershed on behalf of the BCWMC. In addition to BCWMC CIP funds, Golden Valley plans to contribute channel maintenance funds ($200,000) and Capital Improvement Program funds ($100,000) toward project implementation.

1.2 General Project Description and Site Characteristics

The Bassett Creek Main Stem Restoration project area is located along Bassett Creek between Regent Avenue North and Golden Valley Road. The project will focus on restoring eroding stream banks and improving aquatic and riparian habitats (Figure 1-1).

The approximately 7,000-foot reach is located on a combination of privately owned and publicly owned properties, including portions of land owned by Golden Valley, and operated in partnership with Three Rivers Park (TRPD) through the Sochacki Park Joint Powers Agreement. The creek maintains a steady base flow year-round and meanders through neighborhoods and wooded backyards and alongside a wooded reach of Sochacki Park. Erosion of the stream banks varies along the reach from mild to severe, with eroding bank heights varying from 2.5 to approximately 8 feet.

The 7,000-foot reach was broken into four separate reaches for mapping purposes. Reach 1 is located between Regent Avenue North and Noble Avenue, Reach 2 is between Noble Avenue and Bassett Creek Drive, Reach 3 is between Bassett Creek Drive and Station 56+00, and Reach 4 is between Station 56+00 and Golden Valley Road (Figure 5-1).



Barr Footer: ArcGISPro 3.1, 2023-04-11 12:17 File: I:\Client\BassettCreek\Work_Orders\2022\Main_Stem_Restoration_Feas\Maps\Reports\Feasability Study March 2023\Feasability Study March 2023.aprx Layout: Fig1-1 Project Location User: MRQ

The measures identified for potential implementation consist of the following:

- Stream bank grading and vegetation establishment
- Removal of trees and invasive vegetation (e.g., buckthorn)
- Stabilizing channels that carry parking lot runoff
- Installing a variety of stream stabilization measures to reduce erosion, including riprap, root wads and toe wood, coir logs, rock or log j-hook vanes and cross vanes, fascines, and live stakes
- Further investigation of degraded pipe outfalls and repairing/replacing outfalls and associated pipes as needed
- Identifying opportunities to install small structural BMPs upstream of outfalls
- Establishing new vegetation in areas disturbed by construction
- Further investigation of degraded pipe outfalls and repairing/replacing outfalls and associated pipes as needed
- Protecting existing utility infrastructure
- Identifying opportunities to install small structural BMPs upstream of outfalls

This study identifies 79 unique locations for stabilization, which have been grouped into 40 restoration areas within the approximate 7,000-foot assessed reach. The restoration areas are ranked from low to high priority. Figure 5-1 shows the potential restoration areas, and Table 5-4 details the proposed restoration methods for each area.

Water quality improvements resulting from the project range from 31.8 to 82.4 pounds per year of total phosphorus reductions and 63,500 to 165,000 pounds per year of total suspended solids reduction (Section 6.0). Tree removals also vary by option (Table 1-1).

Table 1-1 Total TP and TSS Reductions and Tree Removals

Option Description	Project Cost Estimate[1,4]	Annualized Cost[2]	TP Loading		TSS Loading		Tree Loss[5]
			Load Reduction (lb/yr)	Cost/lb/yr Reduced[3]	Load Reduction (lb/yr)	Cost/lb/yr Reduced[3]	
Option 1. High-ranked restoration areas	$982,000 ($835,000–$1,277,000)	$62,000	41.8	$1,483	83,524	$0.74	37
Option 2. High- and medium-ranked restoration areas	$1,685,000 ($1,433,000–$2,191,000)	$108,000	64.8	$1,667	132,205	$0.82	62

Option Description	Project Cost Estimate[1,4]	Annualized Cost[2]	TP Loading		TSS Loading		Tree Loss[5]
			Load Reduction (lb/yr)	Cost/lb/yr Reduced[3]	Load Reduction (lb/yr)	Cost/lb/yr Reduced[3]	
Option 3. All proposed restoration areas	$2,118,000 ($1,801,000–$2,754,000)	$136,000	82.4	$1,650	164,820	$0.83	82

(1) A Class 4 screening-level opinion of probable cost, as defined by the American Association of Cost Engineers International (AACE International), has been prepared for these options. The opinion of probable construction cost provided in this table is based on the Commission Engineer's experience and qualifications and represents our best judgment as experienced and qualified professionals familiar with the project. The cost opinion is based on project-related information available to the Commission Engineer at this time and includes a conceptual-level design of the project. It includes 20% project contingency and 30% for planning, engineering, design, and construction administration. The lower bound is assumed at -15%, and the upper bound is assumed at +30%.

(2) Assumed to be 15% of the total project cost for annual maintenance, plus replacement cost associated with major repairs and the initial project cost distributed evenly over a 30-year project lifespan.

(3) Annualized cost divided by estimated annual pollution load reduction.

(4) Costs do not include easements or construction access routes

(5) Tree loss is defined as the loss of healthy hardwood deciduous trees that are 6 inches or greater in diameter, softwood deciduous trees that are 12 inches or greater in diameter, and coniferous trees that are 4 inches or greater in diameter

1.3 Recommendations

The Bassett Creek Main Stem Restoration Project (CIP 2024-CR-M) will provide water quality improvement by 1) repairing actively eroding sites and 2) preventing erosion at other sites by installing preemptive measures to protect existing stream banks. Overall, this project will reduce erosion, total suspended solids, and phosphorous loading. The project is consistent with the goals (Section 4.1) and policies (Section 4.2.5) for stream restoration and protection in the 2015-2025 BCWMC Watershed Management Plan.

As part of the feasibility study, the Commission Engineer evaluated three restoration options for eroding areas ranked from low to high throughout the creek corridor. If funding allows, we recommend implementing option 3—completing all proposed restoration areas of high, medium, and low priority—but this option comes at a higher cost. Therefore, if a lower-cost project is desired, we recommend implementing (at a minimum) option 1—completing high-priority areas—and completing medium-to-low-ranked areas as the budget allows. Once an option is selected, we recommend that the opinion of cost identified in this study be used to develop a levy request for this project and that it proceed to the design and construction phase.

2 Background and Objectives

The BCWMC 2015 Watershed Management Plan (Plan) addresses restoring stream reaches damaged by erosion or affected by sedimentation (1). Section 3.4 of the BCWMC Plan describes the issue and the benefits of stream restoration, and Section 4.2.5 describes the Commission's policies related to streambank restoration and stabilization. The Plan's 10-year Capital Improvement Program (CIP) includes streambank restoration and stabilization projects.

This feasibility study follows the protocols developed by the U.S. Army Corps of Engineers (USACE) and the BCWMC for projects included in the 2009 BCWMC Resource Management Plan (RMP) (2) Although this project is not included in the RMP, it is in close proximity and similar to other RMP projects.

This study examines the feasibility of restoring sites along the Main Stem of Bassett Creek in Golden Valley from Regent Avenue North to Golden Valley Road (see Figure 2-1). The City of Golden Valley conducts annual creek inventories and determined that this 7,000-foot-long reach of the creek has significant erosion. This project is included in the BCWMC current CIP (2024-CR-M).

Restoration of sites along this reach is proposed to be included as a group for design and construction in the BCWMC's 2024 CIP.

Project Stationing
Legacy Trees
Significant Trees
Bassett Creek
Existing Stabilization (from Golden Valley City Staff)
Bike and/or Pedestrian Trail System
Private Parcel
Public Parcel
Easement

Near Bank Stress Rating (NBS)
Extreme
Very High
High
Moderate
Low
Very Low

Bank Erosion Hazard Index (BEHI)
Very High
High
Moderate

Utilities
Gravity Storm Sewer
Sanitary Main

0 350
Feet

Bassett Creek Watershed Management Commission

EXISTING CONDITIONS AND EROSION EXTENTS
Main Stem
Restoration Feasibility Study
BCWMC

FIGURE 2-1

BARR

Imagery: NearMap May 2022

Barr Footer: ArcGISPro 3.1, 2023-04-11 12:25 File: I:\Client\BassettCreek\Work_Orders\2022\Main_Stem_Restoration_Feas\Maps\Reports\Feasability Study March 2023\Feasability Study March 2023.aprx Layout: Fig2-1 Existing Conditions and Erosion Extents User: MRQ

2.1 Goals and Objectives

The objective of this study is to review the feasibility of implementing measures to protect and improve Bassett Creek, including stabilizing eroding stream banks and re-establishing desirable vegetation on this reach of Bassett Creek and to provide conceptual designs and opinions of costs of measures that could potentially be used at each of the selected erosion sites.

2.1.1 Scope

The City of Golden Valley conducts an annual creek inventory, which identified significant erosion in the 7,000-foot reach between Regent Avenue and Golden Valley Road. The eroded reach is scheduled to be repaired in the winter of 2024-2025 as part of the BCWMC CIP (2024-CR-M). Prior to the BCWMC holding a hearing and ordering a CIP project, a feasibility study must be completed. The purpose of this work is to complete a feasibility study to identify potential stream restoration concepts along the reach.

The first major component of the feasibility study was to complete field investigations to evaluate and prioritize unstable segments of the creek within the 7,000-foot reach. The Commission Engineer conducted field investigations in the Fall of 2022, including a creek walk, tree survey, and drone flight. During the same time frame, we also performed desktop analyses that included wetland delineations, cultural and historical assessments, and environmental review.

The Commission Engineer utilized data gathered from the field and desktop analyses to develop concept stream restoration options. This report presents the options, including an evaluation of erosion prevention; the advantages and disadvantages of each option; cost estimates; life expectancy analysis; pollutant removals and annualized pollutant reduction cost estimates; and permitting requirements.

2.1.2 Stream Stabilization

The goals of the stream stabilization project include the following:

- Reducing sediment loading and associated nutrient and contaminant loading to Bassett Creek and improving downstream water quality by stabilizing eroding banks
- Preserving natural features along Bassett Creek and contributing to natural habitat quality and species diversity by planting native vegetation in eroded areas and areas disturbed by project construction activities
- Preventing future channel erosion along the creek and subsequent degradation of water quality downstream by establishing a stable channel cross section and profile

2.1.3 Considerations

- Avoid floodplain impacts; several residences are located near the creek, so it is critical that the proposed project does not increase flood elevations that impact these properties.
- Maintain existing floodplain storage by ensuring that project features do not increase flood elevations.

- Seek opportunities to enhance vegetation and habitat within the reach, including in riparian areas adjacent to stream bank restoration areas.
- Utilize soft armoring (bioengineering) techniques as much as possible and where feasible.
- Protect adjacent utilities (sanitary and storm) and infrastructure (streets, trails, bridges).
- Minimizing tree removals

2.2 Background

2.2.1 Reach Description

This reach of the Bassett Creek Main Stem (Figure 2-1) extends approximately 7,000 feet from Regent Avenue North to Golden Valley Road. The reach flows through a combination of privately owned properties and publicly owned properties, including portions of land owned by Golden Valley, and operated in partnership with Three Rivers Park District (TRPD) through the Sochacki Park Joint Powers Agreement. Land use immediately adjacent to most of the reach is residential.

The Commission Engineer and Golden Valley staff walked the reach in October 2022 and identified 40 eroding segments. The total length of the streambank identified for restoration and stabilization is approximately 3,975 feet on the right bank (looking downstream) and 3,395 feet on the left bank (looking downstream). Photos of each of the erosion sites are found in Appendix A. The Commission Engineer selected the restoration areas based on those deemed to be the most critical for meeting the BCWMC goals and objectives while providing a cost-effective benefit.

Stream bank erosion is a natural process that occurs at some rate on all stream channels. However, the natural erosion rate can be accelerated by local and regional changes in land use and hydrology. The bank erosion and bank failures present throughout the project area appear to be caused by a combination of natural stream erosion processes, problems associated with changing watershed hydrology, direct historical impacts on the stream channel, and effects of riparian land use. The sediment load from the erosion and scour increases phosphorus loads to downstream water bodies, decreases the clarity of water in the stream, destroys aquatic habitats, increases sedimentation in downstream wetlands and lagoons in Theodore Wirth Park, and reduces the flow capacity of the channel.

Stable stream channels are often said to be in a state of "dynamic equilibrium" with their watersheds, adjusting to changes in the watershed hydrology. It may take many years or decades for a stream to fully adjust to a rapid change in watershed hydrology. The use of stormwater best management practices (BMPs) helps reduce the impact of development projects on streams. Nonetheless, development and land-use alterations fundamentally change the hydrology of the watershed. These changes to hydrology often include increased magnitude and frequency of high-flow events, which subsequently increase erosion rates.

5 Potential Improvements

5.1 Description of Potential Improvements

As described in Section 1.2, the project along the 2024 Bassett Creek Main Stem Restoration reach would consist of a variety of stream stabilization measures to address erosion problems. Figure 2-1 shows the identified potential stream restoration areas, and Table 5-1 lists the potential stream stabilization measures for each area. There are several stream restoration techniques that can be used, although not all of them would be practicable or applicable to the stream erosion problems on Bassett Creek. The techniques discussed below and included in the conceptual design are among commonly used techniques. Those included in the concept design were selected for their functionality and the expectation that most contractors have had experience with the installation of the technique. The final design will determine the most appropriate measures to use at each individual site to meet the objectives of all parties involved. The final design could include techniques not included in these concept designs.

5.1.1 Hard Armoring and Bioengineering Stream Stabilization Techniques

Techniques for stream stabilization generally fall into two categories: hard armoring and bioengineering (also known as soft armoring). Hard armoring techniques include the use of engineered materials such as stone (riprap or boulders), gabions, and concrete to stabilize slopes and prevent erosion. Bioengineering techniques employ biological and ecological concepts to control erosion, using vegetation or a combination of vegetation and construction materials, including logs and boulders. Techniques that do not use vegetative material but are intended to achieve stabilization of natural flow patterns and create in-stream habitat, such as boulder or log vanes, are generally included under the umbrella of bioengineering.

Hard armoring and bioengineering techniques present different challenges, costs, and benefits for stream stabilization design. Hard armoring methods are viewed as standard and time-tested and typically have a longer life span due to the permanence of the materials used. Hard armoring is usually effective in preventing erosion where it is installed; however, placement must consider downstream impacts, understanding that the armoring may push the erosive stresses downstream. Hard armoring typically requires little maintenance; however, if the armoring fails, maintenance or replacement can be expensive, particularly if the armoring materials need to be removed from the site.

Bioengineering techniques maintain more of a stream's natural function and provide better habitat and a more natural appearance than hard armoring. With bioengineering, if vegetation is well-established, this approach can also be self-maintaining. Due to the biodegradation of construction materials and variable vegetation establishment success, it is typically assumed that bioengineering installations have a shorter life span and may need more frequent (if less expensive) maintenance, particularly as the vegetation is becoming established. Compared to hard armoring, the success of bioengineering techniques is more dependent on the skill of the designer and installer and the unique site and stream characteristics—sometimes making bioengineering construction more expensive. In some instances, bioengineering is not appropriate due to anticipated high velocities, proximity to infrastructure, and/or site conditions that are not conducive to vegetation establishment.

Technical stakeholders for this feasibility study, including the USACE, expressed a preference for bioengineering over hard armoring for stream stabilization where possible. In addition, the current BCWMC Watershed Management Plan (see Section 4.2.5 of Reference (1) states: "recognizing their benefits to biodiversity and more natural appearance, the BCWMC will strive to implement stream and streambank restoration and stabilization projects that use soft armoring techniques (e.g., plants, logs, vegetative mats) as much as possible and wherever feasible." The BCWMC also recognizes that in some cases, soft armoring techniques can require significant tree removal, which can have negative consequences, depending on the type and condition of trees in the project area. Therefore, the BCWMC seeks to balance soft armoring with preserving desirable tree species**.**

5.1.2 Stream Stabilization Techniques Evaluated

We evaluated several techniques for stabilizing the streams within the project area. J-hook vanes or boulder cross vanes could be used to stabilize the channel bed and introduce flow variability and an improved riffle/pool sequence. The use of grading, root wads, toe wood, fascines, coir logs, and the establishment of vegetation on eroding banks will stabilize these areas from further sediment loss and improve habitat within the pools that have become overly shallow. The deeper pools will improve habitat, especially during winter months. Vegetation establishment in the stream banks will include enhanced buffers with native vegetation that have deeper roots to reduce erosion and improve riparian habitat. Table 5-1 summarizes the stream stabilization techniques evaluated for this feasibility study. Additional stabilization techniques may be reviewed and implemented as part of the design phase.

Table 5-1 Potential Stream Stabilization Measures

Design Element	Purpose	Ecological Benefit
J-hook Vanes 	Logs and/or boulders installed in the stream bed to route flows away from outer banks and toward the center of the channel	Scour pools develop downstream of the low end of the vane near the center of the channel, while sediment and debris build up near the high end of the vane, protecting the bank and providing habitat diversity for aquatic species.
Cross Vanes 	Boulders buried in the stream bed and extending entirely across the stream ("cross vanes") to achieve one or more of the following goals: re-direct flows away from banks, encourage sediment deposition in selected areas, and control stream bed elevations	Scour pools develop over time downstream of the center of the vane, which provide habitat diversity for species that prefer pools to faster flowing in-channel habitat.

Design Element	Purpose	Ecological Benefit
Root Wads 	Tree trunks with the root ball attached, installed either singly (root wads) or in conjunction with additional large woody debris and/or riprap to increase bank roughness and resistance to erosion, re-direct flows away from banks, and provide a bench for the establishment of riparian vegetation	Creates undercut/overhanging bank habitat features
VRSS/Toe Wood Bank Stabilization 	Soil lifts created with a combination of root wads and long-lasting, biodegradable fabric and vegetated to stabilize steep slopes and encourage the establishment of root systems for further stabilization	Creates undercut/overhanging bank habitat features and vegetated floodplain bench/riparian habitat
Riprap Toe with Bank Grading and Vegetation Establishment 	Riprap placed along the toe of the streambank prevents undermining of the bank. Vegetating the bank provides surface protection while establishing root systems, and grading to a flatter slope makes the streambank less susceptible to erosion.	Vegetation placed above the riprap enhances riparian habitat and provides shading of the creek.
Vegetated Riprap 	Vegetated riprap incorporates habitat enhancement with hard armoring to stabilize steep slopes.	Creates vegetated riparian habitat and enhances biological connectivity between the channel and riparian area.
Fascines and Coir Logs	Fascines and coir logs can be placed along the toe of a stream bank in low-velocity areas to help establish vegetation and associated rooting systems to stabilize the stream bank.	Creates vegetated riparian habitat and adds roughness to dissipate energy at the toe of the slope.

Design Element	Purpose	Ecological Benefit
		
Vegetated Buffer 	Established along a stream bank or overbank area to stabilize bare soils and increase resistance to fluvial erosion	Using trees, shrubs, and a seed mix of grass and forbs provides a diverse array of vegetation strata and habitat types. Allows for more naturalized aesthetics, with emphasis on native species.

5.2 Concepts Evaluated

Three design alternatives were presented at a public open house on March 1, 2023 (Table 5-2).

Table 5-2 Open House Concept Alternatives Summary

Alternative	Description
Alternative 1—In-Stream Structures	Stream stabilization using primarily in-channel structures with minimal grading, riprap, and vegetation establishment. Alternative 1 prioritizes minimal land disturbance and tree removal.
Alternative 2—Toe Stabilization with Bioengineering Methods	Stream stabilization using bioengineering techniques with minimal in-stream structures and riprap; it also includes moderate grading and vegetation establishment. Alternative 2 differs from Alternative 1 with additional overbank grading and few in-stream structures.
Alternative 3—Bank Grading with Riprap and Vegetation Establishment	Stream stabilization using bank grading, riprap, and vegetation establishment with minimal in-stream structures and bioengineering. Alternative 3 differs from Alternative 2 and 1 with more land disturbance, fewer in-stream structures, less bioengineering, and more hard armoring.

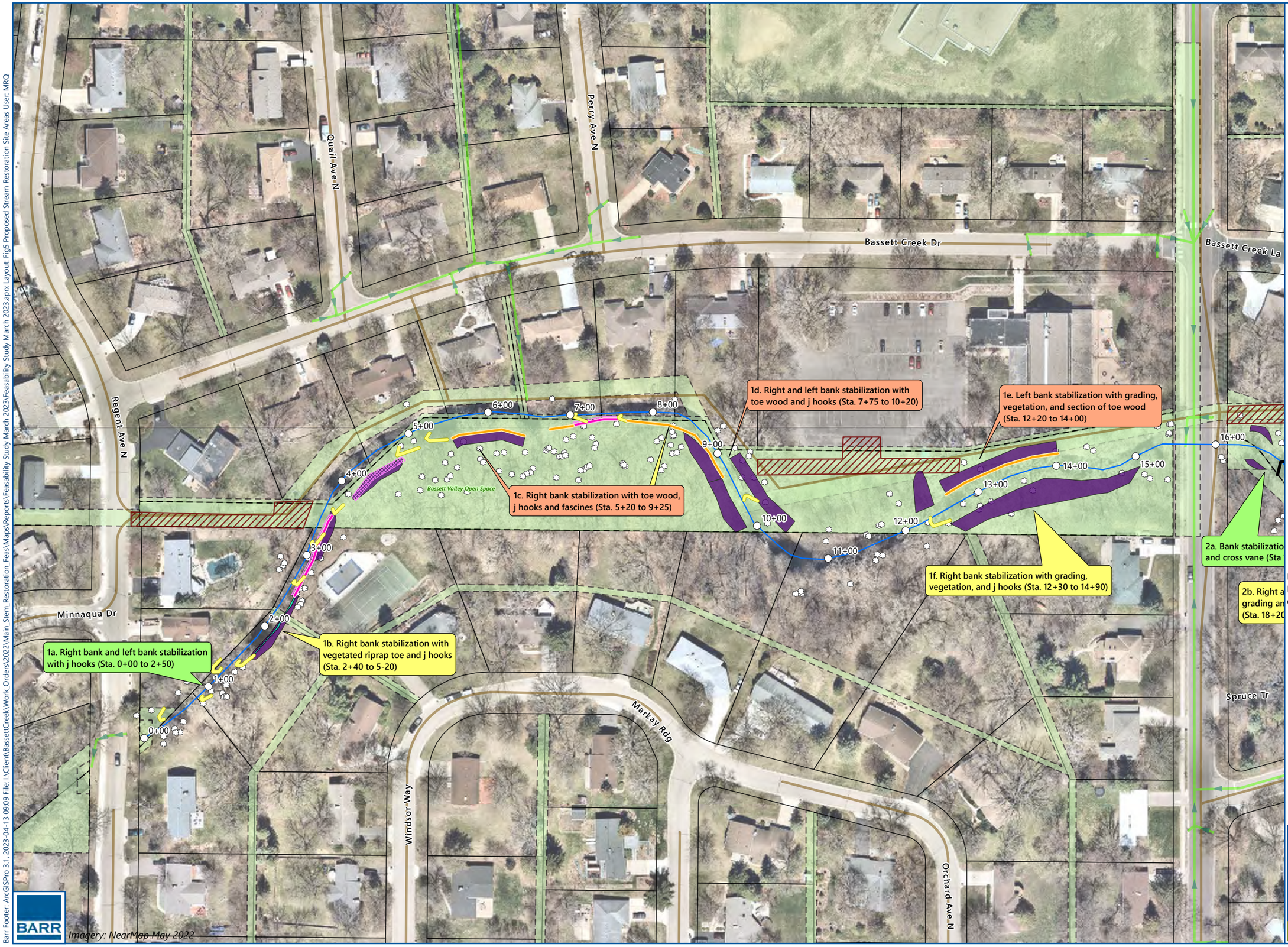
Further details of each alternative and other materials used at the public open house are presented in Appendix C.

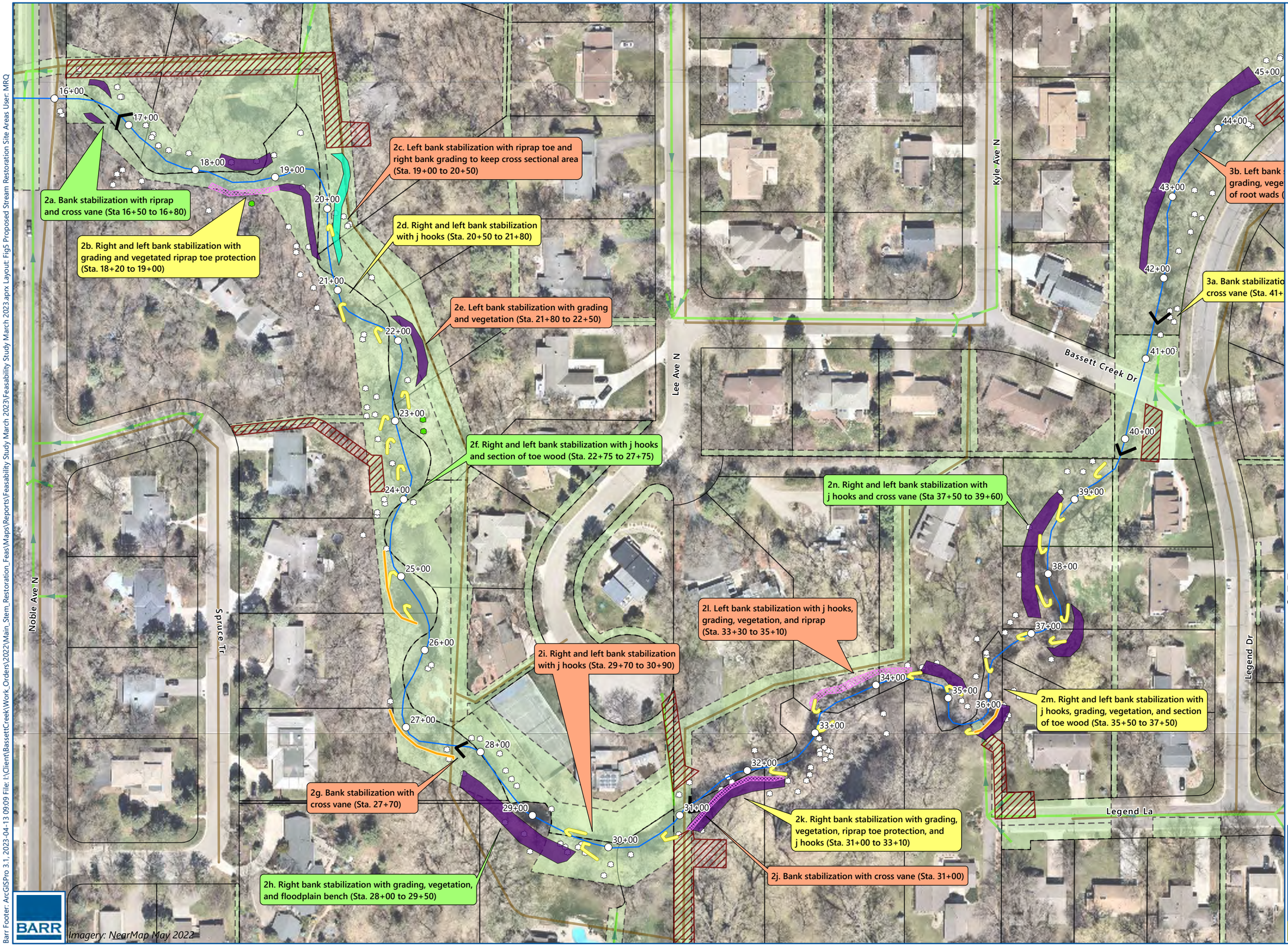
Utilizing feedback obtained from residents during the open house, the Commission Engineer developed a recommended restoration concept that incorporates elements of all three alternatives. Recommended

restoration measures along the reach include in-stream structures, toe stabilization, bioengineering methods, bank grading, riprap, and vegetation establishment.

The recommended restoration concept includes 79 unique stabilization locations to address varying erosion concerns, including bank sloughing, toe erosion, streambank undercutting, tributary erosion, and scour associated with existing infrastructure. Each individual proposed stream repair reach varies from 50 to 300 feet in length. The individual proposed repair segments were grouped together into 40 restoration areas shown in Figure 5-1 through Figure 5-4. Restoration areas are made of multiple individual stream stabilization locations that are grouped together based on proximity and methods of stabilization. To better organize the various stream restoration areas, they are labeled based on one of four broader reaches:

- Reach 1 is from Regent Avenue North to Noble Avenue
- Reach 2 is from Noble Avenue to the intersection of Bassett Creek Drive and Legend Drive
- Reach 3 is from the intersection of Bassett Creek Drive and Legend Drive to stream station 56+00 (southeast of the intersection of Dresden Lane and Bassett Creek Drive)
- Reach 4 is from stream station 56+00 to Golden Valley Road. The recommended restoration concept would result in approximately 7,370 linear feet of bank stabilization, which includes approximately 3,395 feet of stabilization on the left bank (looking downstream) and 3,975 feet of stabilization on the right bank (looking downstream).


Quail Ave N
Perry Ave N
Bassett Creek Dr
Bassett Creek La
Regent Ave N
Minnaqua Dr
Markay Rdg
Windsor Way
Orchard Ave N
Spruce Tr
Bassett Valley Open Space
0+00
1+00
2+00
3+00
4+00
5+00
6+00
7+00
8+00
9+00
10+00
11+00
12+00
13+00
14+00
15+00
16+00
1a. Right bank and left bank stabilization with j hooks (Sta. 0+00 to 2+50)
1b. Right bank stabilization with vegetated riprap toe and j hooks (Sta. 2+40 to 5-20)
1c. Right bank stabilization with toe wood, j hooks and fascines (Sta. 5+20 to 9+25)
1d. Right and left bank stabilization with toe wood and j hooks (Sta. 7+75 to 10+20)
1e. Left bank stabilization with grading, vegetation, and section of toe wood (Sta. 12+20 to 14+00)
1f. Right bank stabilization with grading, vegetation, and j hooks (Sta. 12+30 to 14+90)
2a. Bank stabilizatio
and cross vane (Sta
2b. Right a
grading an
(Sta. 18+20
Project Stationing
Bassett Creek
Legacy Trees
Significant Trees
Private Parcel
Public Parcel
Easement
Utilities
Gravity Storm Sewer
Sanitary Main
Proposed Restoration
Cross Vane
Fascines
J Hooks
Toe Wood
Proposed Construction Access
Rip Rap
Root Wad and RipRap Combination
Bank & Channel Grading and ECBs
Priority Level
Low
Medium
High
Note:
Number in priority site restoration area callouts refer to the Bassett Creek subreach.
N
0
100
Feet
Bassett Creek Watershed Management Commission
PROPOSED STREAM RESTORATION SITE AREAS
Main Stem
Restoration Feasibility Study
BCWMC
FIGURE 5-1
BARR
Imagery: NearMap May 2022
Barr Footer: ArcGISPro 3.1, 2023-04-13 09:09 File: I:\Client\BassettCreek\Work_Orders\2022\Main_Stem_Restoration_Feas\Maps\Reports\Feasability Study March 2023\Feasability Study March 2023.aprx Layout: Fig5 Proposed Stream Restoration Site Areas User: MRQ



Project Stationing
Bassett Creek
Legacy Trees
Significant Trees
Private Parcel
Public Parcel
Easement

Utilities
- Gravity Storm Sewer
- Sanitary Main

Proposed Restoration
- Cross Vane
- Fascines
- J Hooks
- Toe Wood
- Proposed Construction Access
- Rip Rap
- Root Wad and RipRap Combination
- Bank & Channel Grading and ECBs

Priority Level
- Low
- Medium
- High

Note:
Number in priority site restoration area callouts refer to the Bassett Creek subreach.

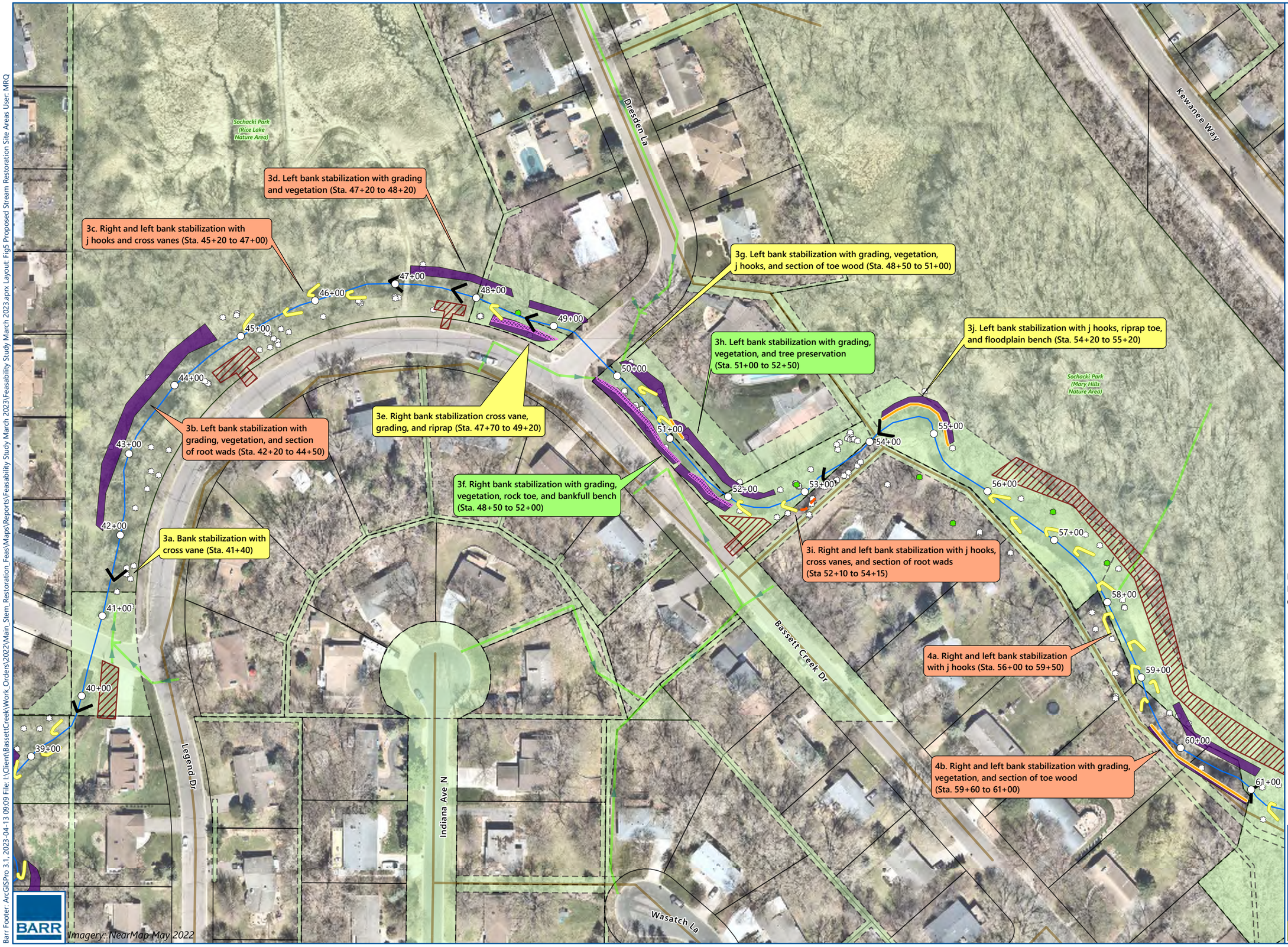
0 100
Feet

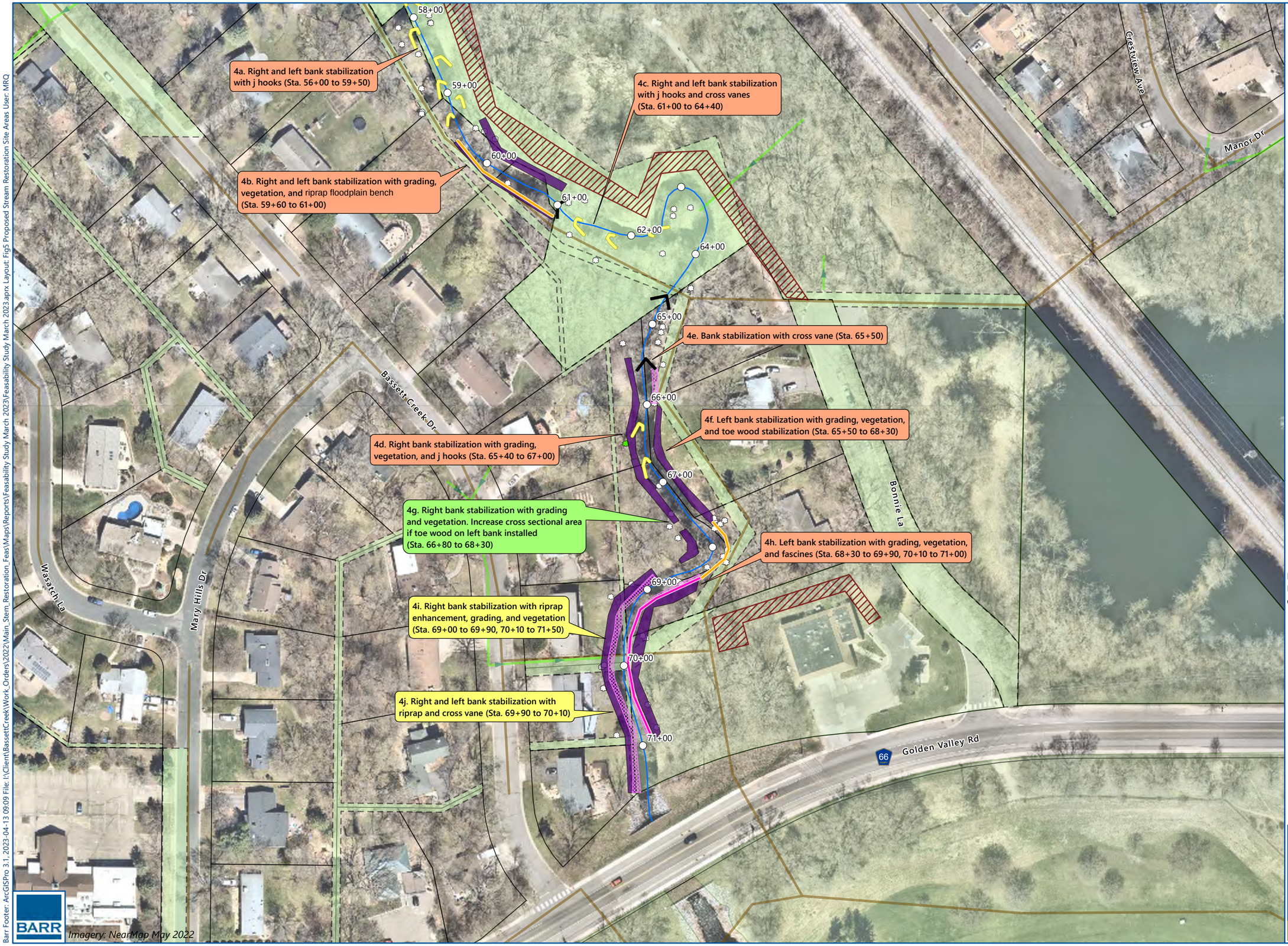
Bassett Creek Watershed Management Commission

PROPOSED STREAM RESTORATION SITE AREAS
Main Stem
Restoration Feasibility Study
BCWMC

FIGURE 5-2

BARR





Project Stationing
Bassett Creek
Legacy Trees
Significant Trees
Private Parcel
Public Parcel
Easement

Utilities
Gravity Storm Sewer
Sanitary Main

Proposed Restoration
Cross Vane
Fascines
J Hooks
Toe Wood
Proposed Construction Access
Rip Rap
Root Wad and RipRap Combination
Bank & Channel Grading and ECBs

Priority Level
Low
Medium
High

Note:
Number in priority site restoration area callouts refer to the Bassett Creek subreach.

0 100
Feet

Bassett Creek Watershed Management Commission

PROPOSED STREAM RESTORATION SITE AREAS
Main Stem
Restoration Feasibility Study
BCWMC

FIGURE 5-4

BARR

Due to the extensive length of recommended stabilization measures, the Commission Engineer assigned a numeric score for the various restoration locations based on the prioritization metrics noted below. The metrics are a combination of elements provided by Golden Valley staff and further developed by the Commission Engineer. Table 5-3 provides a summary of the scoring system used for this feasibility analysis.

Table 5-3 Scoring Methodology for Stream Restoration Areas

Golden Valley Prioritization Metric	Weight for Scoring
Severity of existing erosion	Varied based on Bank Erosion Hazard Index (BEHI) score. Moderate=1, High=2, Very high= 3
Public ownership/easement	2 points if construction occurs on public land, public easement, and/or platted easement
Protection of existing structures/infrastructure (within 25 feet of streambank)	15 points if protecting sanitary sewer structures and 5 points if protecting other infrastructure or structures (storm sewer and other utilities, streets, trails, bridges, driveways)
Impact on surrounding areas	1 point if the site requires minimal to no channel or bank grading
Potential for future erosion	Varied, based on summing BEHI and NBS values as described below. Moderate BEHI=1, High BEHI=2, Very high BEHI= 3, Very low NBS=1, Low NBS=2, Moderate NBS=3, High NBS= 4, Very high NBS=5
Opportunity for habitat creation or restoration	1 point if upland or stream habitat creation, based on stream restoration technique
Maintaining healthy trees, native significant trees	1 point if protecting significant trees
Vegetation establishment	1 point if vegetation establishment is part of stream restoration
Ease of construction access	2 points if construction access can be primarily through public property and/or easements and feasible based on site conditions (i.e., no overly steep slopes, extensive tree removal, etc.)
Consider proximity/possibility for other improvements	1 point if near flood control project inspection areas

Specific details related to the exact locations of restoration and prioritization rankings are presented in Appendix D. Using the scoring criteria described above, each restoration area was given a ranking value of low, medium, or high based on the average score of the individual stream reaches within each restoration area. The rankings were typically determined as follows:

- Low: Average score below 12
- Medium: Average score between 12 and 15.9
- High: Average score of 16 and above

After the scores and rankings were determined, engineering judgment and City input were used to manually adjust rankings. As a result of scoring and prioritization, the recommended restoration concept

6.1.2 Anticipated Pollutant Removals

The Commission Engineer estimated the pollutant (total phosphorus (TP) and total suspended solids (TSS)) removals that would result from the proposed Bassett Creek Main Stem Restoration Project using approaches developed by Rosgen et al. (3) and Minnesota Board of Water and Soil Resources (BWSR) (9).

The proposed stabilization measures will result in reduced stream bank erosion and, therefore, reduced sediment and phosphorus loading to the Main Stem of Bassett Creek and all downstream water bodies, including the Mississippi River and Lake Pepin. The existing stream bank erosion rate (in units of feet per year) for each stabilization location was estimated based on a field assessment method known as the Bank Assessment for Non-Point Source Consequences of Sediment (BANCS) model (3).

The BANCS model uses two erosion-estimation tools to develop risk ratings: BEHI and NBS. The BEHI rating evaluates the susceptibility of a segment of stream bank to erosion as a result of multiple processes: surface erosion, fluvial entrainment (movement of material that becomes suspended in the channel during high flows), and mass erosion (wasting). The NBS rating characterizes the energy distribution against a segment of stream bank; disproportionate energy distribution in the near-bank region can accelerate bank erosion. The BEHI and NBS estimation tools are applied in a field assessment for each segment of stream bank potentially contributing sediment to the stream channel. The Commission Engineer performed BEHI assessments for multiple segments of the Main Stem project area during site visits in October 2022 and completed NBS ratings using aerial imagery from Google Earth dated 2022.

The field-determined BEHI and NBS ratings for the Main Stem project area are shown in Figure 2-1 and in tabular form in Appendix E. Approximately 42% of the eroding right banks (looking downstream) are in the moderate BEHI category, 56% are in the high BEHI category, and 1% are in the very high BEHI category. Approximately 46% of the left eroding banks (looking downstream) are in the moderate BEHI category, and 54% are in the high BEHI category. The majority of the right and left banks are either a very low or low NBS category, with four reaches rated higher than a low NBS category.

To convert BEHI and NBS ratings into a stream bank erosion rate estimate, the BANCS model relies on measured bank erosion data to develop relationships applicable to various hydrologic and geologic conditions. No such relationship is currently available for Minnesota; this feasibility study uses relationships developed from data collected in sedimentary and metamorphic geologic regions in North Carolina (Figure 5-34 of (3)). Appendix E shows the estimated bank erosion rate for each stabilization location; estimated erosion rates range from 0.008 to 0. 7 feet per year.

The estimated total sediment load from bank erosion is calculated using the approximate dimensions of the eroding stream banks at each restoration area. The effects of stabilization options on water quality are estimated based on the assumption that each stabilization measure successfully addresses erosion at the site and brings erosion to a low rate, representative of a stable stream in this geologic setting. For this analysis, we assumed a stable low erosion rate means there would be no change in NBS, and the BEHI erosion would be improved to half of the erosion rate of a moderate BEHI score. Appendix E shows the resulting estimated sediment load reduction for all proposed restoration areas. We calculated the

corresponding reduction of TSS and TP loads using an estimation tool developed by BWSR (9). The BWSR tool assumes that all eroded sediment becomes TSS, which is conservative because eroded sand and gravel are typically not suspended but transported as bedload. The BWSR tool also assumes that the TP load is equivalent to 1.0 pound of TP per ton of eroded sediment.

The total reduction in pollutant loading resulting from stabilization depends on the total linear feet of channel selected for stabilization. Table 6-2 summarizes the pollutant loading reductions based on the approximate length of restoration.

Table 6-2 Pollutant Reduction by Proposed Option

Restoration Length, by Option	Total Suspended Solids Reduction (lb/yr)	Total Phosphorus Reduction (lb/yr)
Option 1: 3,830 linear feet[1] – High priority areas only	83,524	41.8
Option 2: 5,425 linear feet[1] – High and medium priority areas	132,205	64.8
Option 3: 7,370 linear feet[1] – High, medium, and low priority areas	164,820	82.4

1. Linear feet = sum of right and left bank that is repaired

6.2 Easement Acquisition

In general, most of the project reach is adjacent to easements or City of Golden Valley property that can be used for construction access. However, there is limited access available between Noble Avenue and Bassett Creek Drive (Reach 2). Therefore, coordination with residents is required for construction access and temporary construction easement acquisition in this reach.

6.3 Permits Required for Project

The proposed project is expected to require the following permits/approvals, regardless of the selected concept:

- Clean Water Act Section 404 and Section 401 Water Quality Certification
- Construction Stormwater General Permit from the MPCA
- Compliance with the Minnesota Wetland Conservation Act
- Environmental Assessment Worksheet (potentially required, see paragraph 6.3.4 for more detail)
- Public Waters Work Permit from the MnDNR
- Stormwater Management Permit from the City of Golden Valley
- Right-of-Way Management Permit from the City of Golden Valley

6.3.1 Section 404 Permit

The USACE regulates the placement of fill into wetlands if they are hydrologically connected to a Water of the United States in accordance with Section 404 of the Clean Water Act (CWA). In addition, the USACE may regulate all proposed wetland alterations if any wetland fill is proposed. The MPCA may be involved in wetland mitigation requirements as part of the CWA Section 401 water quality certification process for the 404 Permit.

The BCWMC developed its Resource Management Plan (RMP) with the goal of completing a conceptual-level USACE permitting process for proposed projects. The RMP was submitted to the USACE in April 2009 and revised in July 2009. This feasibility study follows the protocols for projects within the BCWMC RMP.

The USACE 404 permit requires a Section 106 review for historic and cultural resources. The results of the archeological reconnaissance study are included in Section 3.0. If the State Historic Preservation Office (SHPO) requests more detailed information, a Phase I Archaeological Survey may need to be completed. A Phase I Archaeological Survey can be completed in 45 days or less during a frost-free period. The USACE staff anticipates that the 404 permit review and approval process could require 120 days to complete. These projects may fit under the USACE Nationwide Permit 13 for bank stabilization or Nationwide Permit 27 for restoration, or a Regional General Permit. Verification of the USACE Nationwide Permit requirements and comparison to the proposed project features/impacts will be necessary during the project design phase to determine which permit is most applicable. Coordination with the USACE will help to confirm specific requirements related to the project.

6.3.2 Minnesota Pollution Control Agency (MPCA) Permits

Construction of the proposed project will require a National Pollutant Discharge Elimination System/State Disposal System Construction Stormwater (CSW) General Permit issued by the MPCA. The CSW permit will require the preparation of a SWPPP that explains how stormwater will be controlled within the project area during construction.

Based on the findings of the desktop review of the MPCA's "What's In My Neighborhood?" database (see Section 3.6), it is not anticipated that environmental impacts such as contaminated soil and debris will be encountered during stream restoration activities; therefore, it is not anticipated that the project will require minimization measures for disposing of contaminated soil. In the unlikely event that environmental impacts are encountered during the creek restoration earthwork, contaminated materials will need to be handled and managed appropriately. The response to the discovery of contamination typically includes entering the MPCA's voluntary program. A construction contingency plan could be prepared for the project in accordance with MPCA guidance. This would include specifying Initial procedures for handling potentially impacted materials, collecting analytical samples, and working with the MPCA to determine a method for managing impacted materials.

6.3.3 Minnesota Wetland Conservation Act

The Minnesota Wetland Conservation Act (WCA) regulates the filling and draining of wetlands and excavation within Type 3, 4, and 5 wetlands—and may regulate any other wetland type if fill is proposed. The WCA is administered by local government units (LGUs), which include cities, counties, watershed management organizations, soil and water conservation districts, and townships. The City of Golden Valley is the LGU for the entire project area. The Minnesota Board of Water and Soil Resources (BWSR) oversees administration of the WCA statewide.

As described in Minnesota rules 8420, the WCA is applicable to the types of wetland impacts that could be a part of this project, and a permit related to wetland impacts may be required; however, the LGU will have the final determination.

6.3.4 Environmental Assessment Worksheet

The Minnesota Environmental Policy Act of 1973 (MEPA) established the Environmental Quality Board (EQB), which oversees the formal environmental review process for the state of Minnesota. An Environmental Assessment Worksheet (EAW) is a screening tool used to determine whether a full environmental impact statement is needed. Minnesota Rules 4410.4300 (Mandatory EAW Categories) identifies triggers that would require a project proposer to prepare an EAW. Minnesota Rules 4410.4300 Subp. 27A requires an EAW for projects that will change or diminish the course, current, or cross-section of one acre or more of any public water or public waters wetland. For this mandatory EAW category, the responsible government unit (RGU) would be the MnDNR or the LGU for the project. Since the project is primarily a stream restoration project, the MnDNR may be able to waive the requirement for an EAW. Further coordination with the MnDNR would be needed to determine if an EAW would be required before issuing a Public Waters Work Permit.

6.3.5 Public Waters Work Permit

The MnDNR regulates projects constructed below the ordinary high water level of public waters, watercourses, or wetlands, which alter the course, current, or cross-section of the water body. Public waters regulated by the MnDNR are identified on published PWI maps. Bassett Creek is a public watercourse, so the proposed work may require an MnDNR public waters work permit.

6.3.6 City of Golden Valley Permits

The City of Golden Valley requires Stormwater Management Permits for land-disturbing activities that remove soils or vegetation, including but not limited to clearing, digging, dredging, draining, or filling. This permit is also required for projects within floodplains or adjacent to water bodies. The City of Golden Valley will require a Stormwater Management Permit for the proposed project.

In addition, the City of Golden Valley requires a Right-of-Way (ROW) permit for excavations and obstructions within the public right-of-way, streets, easements, and parks. The City of Golden Valley requires a ROW permit for the proposed project.

6.4 Other Project Impacts

6.4.1 Tree Loss

The estimated tree removals resulting from the implementation of the proposed project depend on the proposed restoration length (i.e., which design option is selected). Appendix F includes a summary of the estimated healthy tree removal by species. Tree removal estimates for each estimate are:

- Option 1: 37 trees
- Option 2: 62 trees

- Option 3: 82 trees

The number of trees removed could be reduced by protecting trees during construction.

6.4.2 Water Quality Impacts

The proposed stabilization measures will result in a reduction of the sediment and phosphorus loading to Bassett Creek and all downstream water bodies, including the Mississippi River and Lake Pepin. We estimated total suspended sediment and total phosphorus loadings prior to and after stabilization using BEHI and NBS ratings from the field, described in further detail in Section 6.1.2

6.4.3 Utility Considerations

One of the important considerations for implementing this stream restoration project is the stream's proximity to infrastructure, such as sanitary and storm sewer lines. Throughout the 7,000-foot reach, sanitary lines are present, crossing the creek channel and running along creek banks. If the sanitary line were to break, there is the potential for a release of sewage into the creek, which would drastically decrease the creek's water quality.

7 Project Cost Considerations

7.1 Opinion of Cost

The cost estimate is a Class 4 feasibility-level cost estimate as defined by the American Association of Cost Engineers International (AACE International) and uses the assumptions listed below and detailed in the following sections.

- The cost estimate assumes a 20% construction contingency.
- Costs associated with design, permitting, and construction observation (collectively "engineering") are assumed to be 30% of the estimated construction costs (excluding contingency).
- Construction easements may be necessary to construct the project; however, the costs were not estimated as part of this study
- Additional work may be required to determine if cultural and/or historical resources are present at any project site.

The Class 4 level cost estimates have an acceptable range of between -15% to -30% on the low range and +20% to +50% on the high range (10). Based on the development of concepts and initial vetting of the concepts by the City of Golden Valley, BCWMC, and MnDNR, it is not necessary to utilize the full range of the acceptable range for the cost estimate. We assume the final costs of construction may range between -15% and +30% of the estimated construction budget. The assumed contingency for the project (20%) incorporates the potential high end of the cost estimate range.

Table 7-1 summarizes the feasibility-level total construction cost estimates, the 30-year annualized total construction cost estimates, and the annualized costs per pound of TSS and TP removed for the Main Stem Restoration Project. Table 7-1 presents the cost for each of the prioritized preferred options described in Section 5.2. Appendix G provides detailed cost-estimate tables for all options.

Table 7-1 Bassett Creek Main Stem Stream Restoration Project Options Cost Summary

Option Description	Project Cost Estimate[1,4]	Annualized Cost[2]	TP Loading		TSS Loading	
			Load Reduction (lb/yr)	Cost/lb/yr Reduced[3]	Load Reduction (lb/yr)	Cost/lb/yr Reduced[3]
Option 1. High-ranked restoration areas	$982,000 ($835,000–$1,277,000)	$62,000	41.8	$1,483	83,534	$0.74
Option 2. High- and medium-ranked restoration areas	$1,685,000 ($1,433,000–$2,191,000)	$108,000	64.8	$1667	132,205	$0.82
Option 3. All proposed restoration areas	$2,118,000 ($1,801,000–$2,754,000)	$136,000	82.4	$1,650	163,820	$0.83

(1) A Class 4 screening-level opinion of probable cost, as defined by the American Association of Cost Engineers International (AACE International), has been prepared for these options. The opinion of probable construction cost provided in this table is based on the Commission Engineer's experience and qualifications and represents our best judgment as experienced and qualified professionals familiar with the project. The cost opinion is based on project-related information available to the Commission Engineer at this time and includes a conceptual-level design of the project. It includes 20% project contingency and 30% for planning, engineering, design, and construction administration. The lower bound is assumed at -15%, and the upper bound is assumed at +30%.
(2) Assumed to be 15% of the total project cost for annual maintenance, plus replacement cost associated with major repairs and the initial project cost distributed evenly over a 30-year project lifespan.
(3) Annualized cost divided by estimated annual pollution load reduction.
(4) Costs do not include easements or construction access routes

7.2 Funding Sources

The BCWMC will utilize the BCWMC CIP funds to implement these projects. The source of these funds is an ad valorem tax levied by Hennepin County over the entire Bassett Creek watershed on behalf of the BCWMC. In addition to BCWMC CIP funds, Golden Valley plans to contribute channel maintenance funds ($200,000) and capital improvement funds ($100,000) toward project implementation.

7.3 Project Schedule

The BCWMC will hold a public hearing in September 2023 on this project. Pending the outcome of the hearing, the BCWMC will consider officially ordering the project, entering into an agreement with the City of Golden Valley to design and construct the project, and certifying to Hennepin County a final 2024 tax levy for this project.

The construction work would likely begin in winter 2024/2025, as tree removal should occur in the period from October 15 to early April, outside of the northern long-eared bat's active season (mid-April – October 14). Additionally, excavation during the winter would be appropriate to complete the major

earthwork during periods with less frequent runoff events. Final construction and restoration will be completed in the spring/summer of 2025.

For project construction to occur in the winter of 2024/2025, project design should begin in the winter of 2023/2024 or spring of 2024. If project construction is scheduled for winter 2024/2025, summer 2024 bidding is recommended. This will give contractors adequate scheduling time to complete the project at a reasonable price. In the intervening time, the City would gather public input, prepare the final design, and obtain permits.

8 Recommended Option

The Commission Engineer and City recommend implementing option 1 with the level of funding that is currently available and option 2 or 3 – completing restoration in all high, medium, and low priority areas if additional funding is obtained through the CIP or grants. All three options propose using a combination of stream stabilization methods discussed in Section 5.2. The three options for restoration are based on a low, medium, and high prioritization ranking of restoration areas. The highest priority areas are included in the first option, the medium and high are included in the second, and all of the areas are included in the third. Restoration areas were prioritized based on criteria provided by the City of Golden Valley and additional criteria from the Commission Engineer (see Section 5.2). All three options would effectively stabilize eroding banks, preserve the natural beauty of Bassett Creek, contribute to habitat improvements, reduce the chance of potential future erosion, and protect existing infrastructure. If funding is available, the Commission Engineer and City recommend implementing option 2 or 3 for several reasons, including: economies of scale (larger projects can result in lower unit costs), efficiencies related to working with a single contractor for all site work, practicality of limiting site disturbance to a single project timeline, simplified permitting for a single project rather than multiple projects, and addressing all erosion that has been identified in the reach at the same time.

Section 7.1 summarizes the costs of the three prioritized recommended concepts. Option 3 comes at a higher cost than other options. Therefore, if funding is not available and a lower-cost project is desired, we recommend implementing (at a minimum) option 1—completing high-priority areas—and completing medium- to low-ranked areas as budget allows.

Nine Mile Creek Discovery Point
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Eden Prairie, MN 55346
(952) 835-2078
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Item 5B.
BCWMC 4-20-23

MEMO

TO: Nine Mile Creek Board of Managers
FROM: Brett Eidem, Natural Resource Project and Planning Manager
DATE: March 29, 2022
RE: Diversity, Equity, Inclusion and Accessibility Policy

Background

NMCWD has continued to discuss Diversity, Equity, Inclusion and Accessibility since it was prioritized at the October 27 Board and Staff Retreat. Previous drafts of the policy emphasized how we manage the water and natural resources through our 10 Year Water Management Plan, which was developed in collaboration with local communities and partners. Ultimately, the NWCWD is adopting this DEIA policy to justify the importance of developing a DEIA plan, to be incorporated in our continued strategic watershed management planning and prioritization. At the March 15 Board Meeting, The Board and staff discussed the draft policy and recommended some grammatical changes, which have been incorporated into this most recent draft.

Below is an updated draft of the NMCWD Diversity, Equity, Inclusion and Accessibility (DEIA) policy:

The Nine Mile Creek Watershed District strives to understand and to prioritize diversity, equity, inclusion and accessibility. Within the context of strategic watershed management, the district will work toward addressing current and historical inequities in every facet of its operation.

Request

Adopt NMCWD DEIA policy.

Item 5Ci.
BCWMC 4-20-23

Bassett Creek Watershed Management Commission

MEMO

To: BCWMC Commissioners and Alternate Commissioners
From: Laura Jester, Administrator
Date: April 12, 2023

RE: 2025 Watershed Plan Development Update

The Commission has been working on development of the 2025-2035 Watershed Management Plan since early last year and are on track with the timeline and budget as laid out in the scope of work for Plan development approved in March 2022. The Plan Steering Committee will begin its work soon (Section 1 below); progress on the tasks in Phases 1, 2 and 3 of the Plan development process are reported in Section 2.

1. Plan Steering Committee (PSC)

The first PSC meeting will likely be held at the end of May or early June to review the Plan purpose, content, and the PSC's role in the Plan development process. The input gathered from the public, cities, county, agencies, partner organizations and adjacent WMOs will be reviewed along with the outcomes of the Gaps Analysis and complex issues investigation (Phase 2 as noted below). The committee will work to refine and prioritize the issues as a recommendation to the full Commission.

2. Plan Development Progress

Phase 1: Initial Stakeholder Engagement

Activities for gathering input from stakeholders began early in 2022 and continue today. Below is a list of activities from the scope of work and the current status/outcome of each.

1. Developing a stakeholder engagement plan for BWSR review and approval

   The stakeholder engagement plan was developed in April 2022 and reviewed/approved by MN Board of Water and Soil Resources (BWSR) staff. The plan essentially mirrors the outreach and engagement plan outlined in Phase 1 of the overall scope of work. Staff have been implementing this plan as noted in the items below.

2. Notifying plan review authorities of the plan update and summarizing responses

   The official notification letter was sent to plan review authorities in April 2022. Responses were submitted by BWSR, MN Pollution Control Agency, MN Department of Natural Resources, Metropolitan Council, Hennepin County, and Three Rivers Park District. Individual response letters can be found here: www.bassettcreekwmo.org/document/2025-plan-update.

3. Gathering input from BCWMC member cities regarding priority issues, including:
    a. Input from city technical staff gathered by Commission staff
    b. Input from city councils/commissions gathered via commissioners and/or city staff

   Input from city staff, councils, and city commissions was sought last spring and early summer. A Plan Update factsheet, plan process graphic, and questionnaire were developed for use by city staff. Most cities provided input, which was presented at a Commission workshop in July 2022 (see below) and will be used by the Plan Steering Committee and commissioners to prioritize issues and set goals.

4. Hosting Commission workshop to kickoff Plan update process and identify overarching watershed issues and future implementation strategies, opportunities, and challenges

   This workshop was held in July 2022 and resulted in a list of issues where more information was needed to better understand the issue and the possible role for the Commission to address. This information led directly to the scope of work for Phase 2 of the Plan Update scope (see below).

5. Hosting an "Equity in Watershed Management" workshop

   This workshop was held in April 2022 to learn how equity principles (like diversity, equity, inclusion, and access (DEIA)) can be incorporated and addressed within watershed management. The event featured speakers from multiple organizations and small group discussions. The agenda, presentations, and documents are available at: https://www.bassettcreekwmo.org/document/2025-plan-update.

6. Hosting an on-line survey to gather input from residents and various stakeholder groups

   The online survey was open June 2022 – January 2023 (and was recently reopened at the request of Minneapolis neighborhoods). Results through January were summarized and presented at the February 2023 Public Open House. Additional results will the gathered and summarized in the coming weeks and months.

7. Meeting with members of underrepresented community groups

   Progress on reaching these community groups has been slower than hoped. The Administrator and/or Minneapolis commissioners attended a few neighborhood association meetings but, aside from gathering some survey responses, very little input was received. In December 2022, the Commission approved a policy for compensating community members for their participation in focus group meetings or individual interviews. We are hosting a focus group meeting on April 22nd with residents in the Jordan neighborhood. We are still in discussions with leadership of the Harrison Neighborhood Association and Northside Residents Redevelopment Council on how best to engage with residents in those areas.

8. Engaging the public at partner/community events (as health restrictions allow)

   The following meetings, events, and outreach mechanisms were attended by commissioners, TAC members, and/or Commission staff to relay information about the BCWMC, the plan development process, and to promote the online survey.

   - Haha Wakapadan Community Event, Golden Valley, 6/4/2022
   - Electric Vehicle Showcase, Golden Valley, 6/16/2022
   - National Night Out, Medicine Lake, 8/2/2022
   - Plymouth Kids Fest, Plymouth, 8/4/2022
   - Jordan Area Community Council Event with Metro Blooms, Minneapolis, 9/8/2022

- Elim Church Harvest & Creation Care Celebration, Robbinsdale, 9/25/2022
- Golden Valley Sustainability Fair, Golden Valley, 9/25/2022
- Sun Sailor article, multiple cities, 9/8/2022
- Sun Post guest column, multiple cities, 9/15/2022
- Northside Resident Redevelopment Council Annual Meeting, Minneapolis, 10/17/2022
- New Hope City Days, New Hope, 11/1/2022
- Bryn Mawr Neighborhood Assoc Board Meeting, Minneapolis, 11/9/2022
- Jordan Area Community Council Annual Meeting, Minneapolis, 11/15/2022
- Northside Resident Redevelopment Council Board Meeting, Minneapolis, 11/21/2022

Commissioners, TAC members, and/or Commission staff will continue to attend meetings and events throughout the plan development process.

9. Hosting a public kickoff/initial planning meeting

   The public open house was held February 28, 2023 at the Golden Valley Library. Thirty-four residents, stakeholders and partners joined twenty-two commissioners, staff, and TAC members at the event to learn about the BCWMC and lend their input. See the full report in this meeting packet (Item 5Cii).

10. Summarizing stakeholder input and hosting a Commission issue prioritization workshop

    This workshop of the whole Commission is tentatively slated for the June Commission meeting or later in June, depending on the wishes and schedules of commissioners. The PSC will tackle this activity first (refine and prioritize issues) and will bring recommendations to the whole Commission at this workshop.

11. Establishing a Planning Technical Advisory Committee (TAC) for input throughout Plan development

    A Planning TAC that includes member city staff, plan review authority staff from state agencies, Hennepin County, Metropolitan Council, and other technical partners (such as Three Rivers Park District and Minneapolis Park and Rec Board) identified by the Commission will be convened this summer.

Phase 2: Pre-Plan work to address challenging issues

As part of the 2025 Watershed Management Plan (Plan) update, several complex issues should be evaluated to determine the appropriate role for the Commission. These are issues that are estimated to require consideration beyond the scope of a typical Plan update due to their complexity, emerging nature, or other factors. In September 2022, the Commission approved the scope and budget for Phase 2, which was based on results of the July 11, 2022 Commission workshop.

Gaps Analysis

A gaps analysis was completed in May 2022. Results were presented at the July 2022 Commission Workshop (and included with workshop materials). The matrix below provides a qualitative comparison of 1) the relative effort or complexity to address each gap, and 2) the relative priority to address each gap as estimated by Commission staff. Priority level is subject to further discussion by the Commission.

		Priority to address		
		Low	**Medium**	**High**
Complexity / difficulty to address	**High**	• Community BMP grants		• DEI • CIP process • Chloride pollution • H&H modeling and mapping • Linear project requirements
	Medium	• WBIF policies • Grant funding for flood risk reduction • Sediment deltas	• AIS management • Buffer standard implementation • Impaired waters and TMDLs • Update priority waterbodies • Assess organizational capacity* • Stream health assessment • Bassett Creek Valley Plan	• Goal measurability* • Progress assessment* • Water quality modeling • Climate change and precipitation trends • Education program
	Low	• Performance standards documentation • Groundwater mgmt. roles • Shoreline habitat monitoring • NPDES construction stormwater permit	• Infiltration guidance	• Wetland priority areas*

* Plan content requirement per Minnesota Rules 8410

Challenging Issues and Linear Project Standards

Many of the challenging issues will be considered through the general development of issues, goals, policies and programs as the Plan development unfolds. Other challenging issues are more technical and require the analysis and investigation by the Commission Engineers and TAC. Analyses continue for many of the technically challenging issues (listed below). A report on the outcomes of the analyses will be presented at the first PSC meeting to aid in refining and prioritizing issues.

Technically challenging issues:

- Assess impacts of climate change on water resources and build climate resiliency
- Strategies to address chloride pollution
- Water quality standards for linear projects
- Stormwater management in Bassett Creek Valley
- Programs to manage or restore riparian areas
- Evaluate stream health to address biotic impairments

Regarding the complex issue of linear project standards - options for possibly updating the Commission's standards for linear projects were presented at the February 2023 Commission meeting after initial input from the TAC. After some discussion of the options, commissioners requested the addition of advantages and disadvantages to each option so they could better rank their preference. At a subsequent TAC meeting, city staff provided further input on the options and the advantages and disadvantages of each. Due to the complexity of the issue and numerous options to consider, staff recommends that the PSC first review the information and bring a recommendation to the full Commission.

Phase 3: Development of the draft Plan document

Although some preliminary Phase 3 work has begun (developing plan format and layout), the concentrated work in this phase will begin in earnest upon the completion of the Commission issue identification and prioritization workshop. Additional Phase 3 work related to the land and water resource inventory will occur in preparation for PSC and Commission meetings/workshops.

Item 5Cii.
BCWMC 4-20-23

Bassett Creek Watershed Management

Report on
2025 BCWMC Watershed Management Plan
Public Meeting

April 11, 2023

On Tuesday, February 28, 2023, the Bassett Creek Watershed Management Commission (Commission) hosted a public open house to engage with watershed residents and stakeholders and gather input for development of its 2025 Watershed Plan. The open house fulfilled the requirements of Minnesota Rules 8410.0045 Subp.5 to host an "initial planning meeting presided over by the organization's governing body to receive, review, and discuss input" on the 2025 Plan.

The meeting was publicly noticed and was held at the Golden Valley Library from 4:00 – 7:00 p.m. The Commission used an open house format to provide flexibility for visitors to come and go on their own schedules. Free childcare was offered to promote accessibility and was used by four families.

Invitees and Attendance

Groups directly invited to the open house included:

- Member city staff, council members, city clerks, city commission members
- Bryn Mawr Neighborhood Association
- Harrison Neighborhood Association
- Jordan Area Community Council
- Northside Residents Redevelopment Council
- Hennepin County staff
- Hennepin County Commissioners Fernando, Greene, and Lunde
- Met Council staff
- MN Board of Water and Soil Resources staff
- MN Department of Natural Resources staff
- MN Pollution Control Agency staff
- MN Department of Health staff
- MN Department of Transportation staff
- Three Rivers Park District staff and commissioners
- Minneapolis Park and Recreation Board staff and commissioners
- Metro Blooms staff
- Freshwater staff
- BCWMC meeting announcement recipients
- Former BCWMC commissioners
- Volunteers monitoring lakes in the watershed
- Lake association/lake group leaders
- Friends of Bassett Creek
- Members of the Native Community in Golden Valley
- Wellington Management
- Minnesota Renewable Now
- Survey respondents who listed an email for further updates (79)

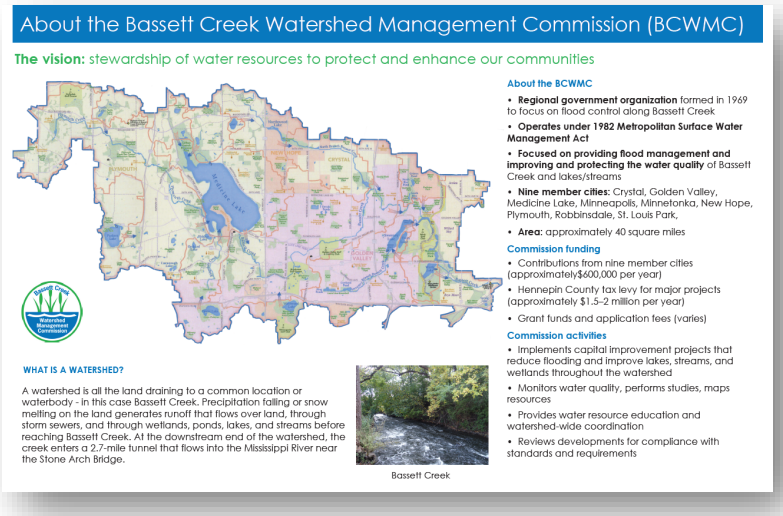
Attendees included:

- 34 residents, partners, and stakeholders from BCWMC communities
- 3 BCWMC staff
- 11 BCWMC commissioners/alternate commissioners
- 8 BCWMC TAC members
- At least five member cities were represented by commissioners or alternates at all times, maintaining the mandatory quorum for this public meeting.

Event Materials and Content

The event included general educational displays and materials, a scrolling slide show of watershed photos (water resources, projects, people), and six "boards" on easels with information on various topics including:

- General BCWMC information and map
- Map showing subwatersheds and flow paths through the watershed
- Graphic depicting the planning process and milestones
- Map with location of BCWMC Capital Improvement Projects
- Results of public input survey
- Summary of input from member cities and agencies



A slide show of photos and the boards listed above are available online at: www.bassettcreekwmo.org/document/2025-plan-update.

The event also included 5 tables, each focused on a different topic, where visitors could engage with commissioners, staff, and/or TAC members about the topic. Relevant materials were available on each topic along with discussion prompts to help engage with visitors. "Table topics" included:

- Water Quality & Pollution (with map of impaired waters and highly impervious land uses)
- Flooding/Water Levels and Climate Resiliency (with map of 100-year flood inundation areas)
- Equity/Inclusion/Outreach
- Natural Habitats & Stream/Lake Shorelines (with map of wetlands, parks, and areas of biodiversity)
- BCWMC Roles & Responsibilities (Who, How, $$)

Before leaving the room visitors were asked to:

- Rank the importance of the topics listed above according to how much effort and resources BCWMC should use in addressing or improving the issue
- List anything missing from the issues and opportunities presented
- Relay the most important thing the BCWMC could do to improve waters in their community.

Feedback Gathered

It was clear that many participants learned new things about water resources, the BWCMC, and the BCWMC's work and activities at the event. There was a lot of good discussion and engagement with residents, partners, and stakeholders. Actual comments recorded included (by topic):

Natural Habitats and Stream/Lake Shorelines

- Suggestion to create and distribute new homeowners packet of information for new lakeshore and streambank homeowners so they know how lakes and streams "work" and why restored shorelines and streambanks are important, etc.
- Need more access to the creek for nearby residents in the Bassett Creek Valley

Water Quality and Pollution:

- Too much trash including tennis balls and plastic in Parkers Lake
- Need new/stronger stormwater requirements for street projects (Plymouth resident)

Equity/Inclusion/Outreach

Diversity and Equity:

- Consider hosting more "drop in" events like this – especially at libraries; have open houses or workshops in diverse communities. Consider spaces for outreach like Y's, community centers, churches, Three Rivers Park District parks
- Can be difficult to address diversity issues as some populations are transient
- Might reach new audiences with text messages
- Difficult for some community members to worry about surface water issues when more pressing and immediate needs are present (like food security, housing, public safety)

General Education Ideas:

- Need to communicate how everyday contaminants damage the water
- Combine efforts and share resources, events, and information with other cities
- Adopt a Drain Program is valuable and effective – especially when neighbors have signs at the storm drain indicating that it drains to a water body
- Bassett Creek Watershed sign at Westwood Nature Center is effective
- Need residents to identify Bassett Creek as being "THEIR creek" - develop a stronger sense of identity with water
- New homeowners guides for lawn care, shoreline care
- Youth education at elementary schools

Where People Get Their News:

- U of M, BCWMC website, Department of Natural Resources, Educational Fair, Minnesota Public Radio, Clean Water Action, newspapers, talking with neighbors, Washington Post, blogs, Sun Sailor, daily paper, city hall, summer picnic held by city, 10:00 news, Minnehaha Creek Watershed website

Ideas for Updating Watershed Map (green paper/folded map):

- Population density
- Areas of focus or concern
- Biking and walking trails
- Add QR code for more information
- Name the minor watersheds (rather than enumerating)

BCWMC Roles & Responsibilities:
(from Shingle Creek WMC Commissioner)

- BCWMC should work more with the West Metro Water Alliance (WMWA) (education activities)
- Fully fund WMWA's educator position to full time
- More collaboration

Final Prompts:

Did we miss any issues or opportunities important to you?

- Work with school to educate kids and summer camps
- Education around dredging
- Monitor/regulate wake boating (this comment also received an "awesome" from another person)
- #1 invasive species like starry stonewort

What is the ONE most important thing BCWMC can do to improve waters in your community?

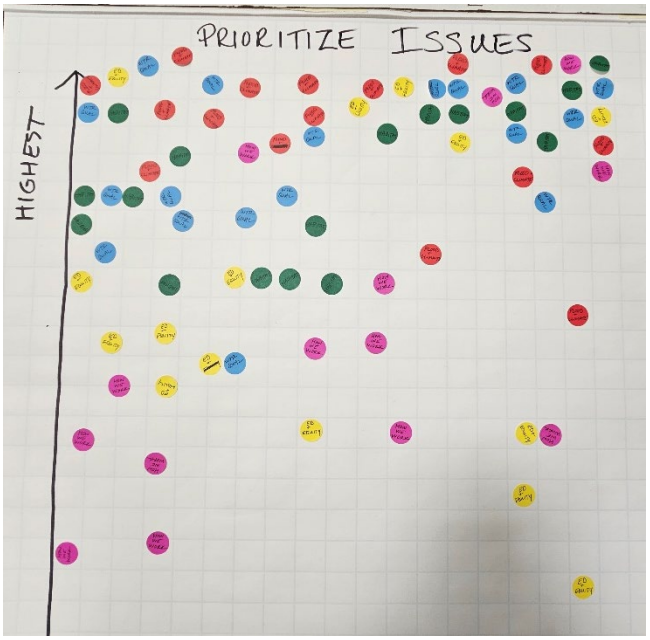
- Make Medicine Lake cleaner and the entire watershed will be better and cleaner!
- Help on salt reduction
- Use small amounts of chlorine to kill the carp
- Educate property owners on how to improve banks (shorelines/streambanks)
- Educate homeowners on best practices (mulching, composting, less fertilizers)
- Educate homeowners on the benefits of buffers and encourage planting through education and helping to source plants

Participants ranked the issues from lowest (bottom of paper) to highest (top of paper) according to the amount of effort and resources BCWMC should use in addressing or improving the issue.

Flooding/water levels and climate resiliency were generally grouped as a high priority, followed by water quality and pollution; and natural habitats and lake/creek shorelines. Education, outreach and equity appear to rank lower, followed by BCWMC work (who, how, funding).

Color coding:

- Flooding/Water Levels & Climate Resiliency
- Water Quality & Pollution
- Natural Habitats & Lake/Creek Shorelines
- Education, Outreach, & Equity
- BCWMC Work: Who, How, Funding



Item 6A.
BCWMC 4-20-23

Bassett Creek Watershed Management Commission

MEMO

Date: April 12, 2023
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 2021): 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 GoldenValley 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 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 recognize and assign roles and responsibilities for implementation more formally. The draft agreement was developed over several months and multiple conversations among the parties. At the May 2021 meeting the Commission approved to waiver potential conflict of the Commission legalcounsel 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 were held in the park in 2021 to gather input on park concepts. Project partners met regularly throughout design 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 by the Commission at the January 2022 meeting; 90% design plans were approved at the March 2022 meeting along with an agreement with MPRB and Minneapolis for construction. The agreement was approved by all three bodies. Commission Engineers finalized designs and assisted with bidding documents. Bids were returned in early August. At the meeting in August, the Commission approved moving forward with project construction (through MPRB), and approved a construction budget (higher than previously budgeted) and an amended engineering services budget. MPRB awarded the construction contract. In late November the contractor began the initial earthwork and started on portions of the stormwater pond excavations. By late December the 1st phase of construction was complete with the ponds formed and constructed. The contractor began driving piles in late January and began installing underground piping in early February. At the March meeting, the Commission approved an increase to the engineering services budget and learned the construction budget is currently tracking well under budget. The change order resulting from the City of Minneapolis' request to replace a city sewer pipe resulted in extra design/engineering costs that were approved by the Administrator so work could continue without delays. The MPRB will reimburse the Commission for those extra costs and will, in-turn, be paid by the city. Project website: http://www.bassettcreekwmo.org/projects/all- projects/bryn-mawr-meadows-water-quality-improvement-project

2020 Jevne Park Stormwater Improvement Project (ML-21) Medicine Lake (No change since April): 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 informed lake association and city about summer activities and plans for a fall alum treatment. Approximately 1,000 bluegills were released into Schaper Pond in late May. Carp population assessments by electroshocking in Sweeney Lake and Schaper Pond were completed last summer. A report on the carp assessment was presented in January. Monitoring in Schaper Pond in 2023 and a reassessment of carp populations in 2024 were approved in early 2023. Carp box netting in 2024 is also approved, as needed. Project webpage: http://www.bassettcreekwmo.org/index.php?cID=277.

Sweeney Lake Water Quality Improvement Project, Golden Valley (SL-8) (No change since Feb 2023): 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 anotherround 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. This year, the Commission is continuing carp population assessments and performing an alum treatment this fall. At the September meeting the Commission awarded a contract for the alum treatment. The treatment was completed the week of October 16th. Post treatment water quality results were presented in January and an interim grant report, budget update, and invoice to MPCA were submitted by February 1st. The lake is slated to be removed from the impaired waters list in 2024. This project and all reporting will be complete early this year. 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 January): At their meeting in December 2016, the Commission took action to contribute up to $830,000 of Four Seasons CIP funds for stormwater management at the Agora development on the old Four Seasons Mall location. At their February 2017 meeting the Commission approved an agreement with Rock Hill Management (RHM) and an agreement with the City of Plymouth allowing the developer access to a city-owned parcel to construct a wetland restoration project and to ensure ongoing maintenance of the CIP project components. At the August 2017 meeting, the Commission approved the 90% design plans for the CIP portion of the project. At the April 2018 meeting, Commissioner Prom notified the Commission that RHM recently disbanded its efforts to purchase the property for redevelopment. In 2019, a new potential buyer/developer (Dominium) began preparing plans for redevelopment at the site. City staff, the Commission Engineer and I have met on numerous occasions with the developer and their consulting engineers to discuss stormwater management and opportunities with "above and beyond" pollutant reductions. Concurrently, the Commission attorney has been working to draft an agreement to transfer BCWMC CIP funds for the above and beyond treatment. At their meeting in December, Dominium shared preliminary project plans and the Commission discussed the redevelopment and potential "above and beyond" stormwater management techniques. At the April 2020 meeting, the Commission conditionally approved the 90% project plans. The agreements with Dominium and the city of Plymouth to construct the project were approved May 2020 and project designers coordinated with Commission Engineers to finalize plans per conditions. In June 2021, the City of Plymouth purchased the property from Walmart. The TAC discussed a potential plan for timing of construction of the stormwater management BMPs by the city in advance of full redevelopment. At the August 2021 meeting, the Commission approved development of an agreement per TAC recommendations. The city recently demolished the mall building and removed much of the parking lot. At the December meeting the Commission approved the 90% design plans and a concept for the city to build the CIP project ahead of development and allow the future developer to take credit for the total phosphorus removal over and above 100 pounds. Negotiations on an agreement between the city and BCWMC are on-going. Project webpage: http://www.bassettcreekwmo.org/index.php?cID=282.

2021 Parkers Lake Drainage Improvement Project (PL-7) (No change since July): 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 complete and vegetation is currently being established. www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2021 Parkers Lake Chloride Reduction Project (PL-7) (No change since October): 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 thisproject. 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 were held last fall and winter to develop recommendations on BMPs. A technical findings report was presented at the July 2022 meeting. At the September meeting, the Commission approved a scope and budget for a study of the feasibility of in-lake chloride reduction activities. That study is now underway by the Commission Engineer. Additionally, the city is sampling the stormwater pond at their maintenance facility. Project website: www.bassettcreekwmo.org/projects/all-projects/parkers-lake-drainage-improvement-project

2021 Mt. Olivet Stream Restoration Project (ML-20) (No change since July): The feasibility study for this project was approved in May 2020 withAlternative 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 complete and vegetation is currently being established. www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project

2021 Main Stem Lagoon Dredging Project (BC-7): 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. 90% plans were approved at the June meeting. A project flyer and FAQs page were developed in conjunction with MPRB staff. They are posted on the webpage and were distributed to MPRB and Loppet staff at the Chalet and Trailhead. At the October meeting the Commission awarded the construction contract to the lowest responsive, responsible bidder: Fitzgerald Excavating and Trucking and contract documentation was completed thereafter. A pre-construction meeting was held November 28th. Dredging began in January and was completed in March 2023. Two pay requests from the contractor have been approved. Site restoration will get underway later this spring and early summer. Project website:www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-lagoon-dredging-project

2022 Medley Park Stormwater Treatment Facility (ML-12): 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 and the grant agreement approved in March 2022. 50% design plans were approved in February 2022 and 90% plans were approved at the May 2022 meeting. Final plans and bid documents were developed by the city's consultation (Barr Engineering). Construction began in November and winter construction was finished in late January 2023. The Contractor has demobilized from the site until late spring. Restoration and vegetation of the site will begin June 1st. 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 March): 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 andcomment 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. A public open house was held September 29th. 90% were approved at the October Commission meeting. Six construction bids were received in late February with several of them under engineer's estimates. Rachel Contracting was the low bidder and the City will be recommending Rachel Contracting to the City Council at the March 7 city council meeting. Construction is anticipated to begin in late March or early April 2023. Two additional bids and contracts are coming later this year for site restoration and replacing the outlet from DeCola Pond D to DeCola Pond E. Project webpage: www.bassettcreekwmo.org/projects/all- projects/sea-school-wildwood-park-flood-reduction-project.

2024 CIP Projects: Feasibility Studies Underway for

Bassett Creek Restoration Project: Regent Ave. to Golden Valley Rd. (2024 CR-M) (**See Item 5A)**

A public open house was held March 1st with 30 residents attending. The draft feasibility report will be presented at this meeting.

Ponderosa Woods Stream Restoration Project, Plymouth (ML-22)

A public open house was held February 13th with 3 residents attending. A draft feasibility report is expected at the May Commission meeting.

Administrator Report March 3 – April 12, 2023

Subject	Work Progress
CIP	• Main Stem Lagoon Dredging Project: Reviewed information related to project progress. Correspondence regarding prevailing wage requirements with Dept of Labor and Industry • Main Stem Restoration Project Regent Ave to Golden Valley Road Project: Reviewed and provided comments on draft feasibility study report • Ponderosa Woods Stream Restoration Project: Reviewed and provided comments on draft feasibility report • Bryn Mawr Meadows Water Quality Project: Developed mechanism for reimbursement of Commission expenses for extra design and engineering services for new city sewer pipe • Revised CIP budgets for accountant, created new CIP tracking spreadsheet, corresponded with Plymouth and Golden Valley re: submitting final reports and reimbursement requests for completed CIP projects •
Bassett Creek Tunnel	• Met with Commission Engineer and Attorney to review next steps in drafting agreement with Minneapolis tunnel inspections, maintenance, development reviews, and emergency response • Set next meeting with city staff
Education & West Metro Water Alliance (WMWA)	• Attended April WMWA meeting • Attended Low Salt, No Salt MN campaign check in meeting • Inventoried CAMP monitoring equipment and put supplies together for 2023 volunteers; delivered supplies to volunteers • Developed and sent email to commissioners with volunteer needs
Administration	• Developed agenda; reviewed invoices and submitted expenses spreadsheet to Redpath; developed Administrator's report; reviewed bank statements, investment statements and financial report; reviewed memos and documents for Commission meeting; disseminated Commission meeting information to commissioners, staff, and TAC; updated online calendar; drafted meeting follow up email; ordered catering for April Commission meeting • Continued preparing for Bassett Creek Valley Stakeholder meeting including coordinating speakers,

	refining invitation list, coordinating with venue, developing and sending invitation, developing internal agenda, reviewing presentations, attending event, sending follow up correspondence to speakers and invitees, posting materials online • Developed agenda and materials for March 29th TAC meeting including updating linear project standards options table (for the meeting and after the meeting to incorporate discussion at the meeting) • Drafted March Commission meeting minutes • Drafted resolution of appreciation for Commissioner Lawrence • Applied for DNR permit for herbicide treatment of curly-leaf pondweed on Medicine Lake • Corresponded with TRPD staff and developed agreement for 2023 cost shared activities; submitted agreement to Commission Attorney for review • Reviewed agreement with Met Council for WOMP station and submitted to Commission Attorney for review • Corresponded with MN Department of Agriculture staff re: their request for assistance with pesticide monitoring on the creek at the WOMP site; coordinated with Stantec and Commission Attorney to amend WOMP contract to add this monitoring • Reviewed materials and participated in Met Council 2025 Water Plan Policy meeting • Relayed CIP process and implementation steps for Commission Attorney to develop Memorandum of Understanding (MOU) for Sochacki Park Water Quality Improvement Project; corresponded with partners to gather comments • Develop draft 2024 Operating Budget with input from Commission Engineers • Set and participated in Budget Committee meeting • Corresponded with Deputy Treasurer and auditors re: investment income • Set Administrative Services Committee meeting • Participated in annual coordination meeting with St. Louis Park staff • Participated in orientation meeting with new Alternate Commissioner Stamos • Prepared and submitted invoices for WCA-related work on behalf of St. Louis Park and Medicine Lake + two projects with review expenses over $5,000 • Developed Minor Plan Amendment documents; submitted public hearing announcement to official newspapers and all city clerks; sent 30-day review letter to review agencies; posted information on website •
MAWD	• Assisted with development of agenda for April 18th meeting • Reviewed and edited meeting notes from January meeting • Reviewed updates to handbook and participated in Handbook Committee meeting
Grant Work	• Attended train sessions to learn new grant reporting software (eLINK) for Clean Water Funds and Lawns to Legumes program • Reviewed and submitted progress report on Lawns to Legumes grant (implemented through Metro Blooms)
2025 Watershed Management Plan	• Met with Commission Engineers for bi-weekly check in meetings and updated task list • Prepared report on public open house •