Bassett Creek Watershed Management Commission

Regular Meeting
Thursday, July 20, 2023
8:30 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 – June 15, 2023 Commission Meeting
   - B. Acceptance of July 2023 Financial Report
   - C. Approval of Payment of Invoices
     - i. Keystone Waters, LLC – June 2023 Administration
     - ii. Keystone Waters, LLC – June 2023 Administrative Expenses
     - iii. Barr Engineering – June 2023 Engineering Services
     - iv. Kennedy & Graven – May 2023 Legal Services
     - v. Redpath – June 2023 Accounting Services
     - vi. Triple D Espresso – Meeting Catering
     - vii. Stantec – WOMP Monitoring Tasks
     - viii. MMKR – 2022 Financial Audit
     - ix. Metro Blooms – Minneapolis Project Support
     - x. HDR – Website Services
   - D. Approval to Submit Comments on Minnetonka Water Resource Management Plan Update
   - E. Approval of Reimbursement of Salt Symposium Registrations
   - F. Approval to Set Public Hearing for 2024 CIP Projects for September 21st BCWMC Meeting
   - G. Approval to Appoint Alternate Commissioner Harwell to Plan Steering Committee

5. **BUSINESS**

   A. Review 2022 Water Quality Monitoring Reports for Lost and Northwood Lakes (40 min)
   B. Receive Update on Main Stem Lagoon Dredging Project (10 min)

   BREAK (Chair's discretion)

   C. Consider Approval of Agreement with City of Plymouth for Four Seasons Area Water Quality Improvement Project (20 min)
   D. Consider Directing Staff to Prepare Clean Water Fund Grant Application (10 min)
   E. Consider Approving Administrator's Appointment to MN Association of Watershed Administrator's Executive Committee (10 min)

F. Consider Submitting Resolutions to Minnesota Watersheds (10 min)

6. COMMUNICATIONS (10 minutes)

A. Administrator's Report
   i. Update on 2022 Audit
   ii. 2022 Watershed Tour
   iii. Sochacki Park Water Quality Improvement Project Public Open House
   iv. MN Watersheds Survey
   v. Golden Valley Sustainability Fair Volunteers Needed
   vi. Plans for August Issue Prioritization Workshop
B. Engineer
C. Legal Counsel
D. Chair
E. Commissioners
F. TAC Members
G. Committees
   i. Administrative Services Committee
   ii. Budget Committee
   iii. Plan Steering Committee Meetings

7. INFORMATION ONLY (Information online only)

A. BCWMC Administrative Calendar
B. CIP Project Updates www.bassettcreekwmo.org/projects
C. Grant Tracking Summary and Spreadsheet
D. WCA Notices – Plymouth
E. Annual Salt Symposium
F. 2022 Annual Report: MN Aquatic Invasive Species Research Center

8. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Administrative Services Committee Meeting: Tuesday, July 18th 1:00 p.m., Golden Valley Library
- Metro Watersheds Quarterly Meeting: Tuesday, July 18th, 7:00 – 9:00 p.m., via Zoom
- Sochacki Park Water Quality Improvement Project Public Open House, Wednesday July 26th 4:30 – 7:00 pm., Robbinsdale City Hall
- BCWMC Budget Committee Meeting: Thursday, July 27th, 1:00 p.m., Brookview
- Golden Valley Sustainability Fair: Sunday July 30th 9:00 a.m. – 1:00 p.m., City Hall Campus
- BCWMC Plan Steering Committee Meeting: Tuesday, August 1st, 10:00 a.m., GV City Hall
- Annual Salt Symposium: August 1 & 2, 7:30 a.m. – 3:00 p.m., livestream https://www.bolton-menk.com/salt-symposium/.
- BCWMC Regular Meeting: Thursday August 17th, 8:30 a.m., Golden Valley City Hall

Bassett Creek Watershed Management Commission

AGENDA MEMO
Date: July 13, 2023
To: BCWMC Commissioners
From: Laura Jester, Administrator
RE: Background Information for 7/20/23 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 – June 15, 2023 Commission Meeting- **ACTION ITEM with attachment**

   B. Acceptance of July 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 – June 2023 Administration
      ii. Keystone Waters, LLC – June 2023 Administrative Expenses
      iii. Barr Engineering – June 2023 Engineering Services
      iv. Kennedy & Graven – May 2023 Legal Services
      v. Redpath – June 2023 Accounting Services
      vi. Triple D Espresso – Meeting Catering
      vii. Stantec – WOMP Monitoring Tasks
      viii. MMKR – 2022 Financial Audit
      ix. Metro Blooms – Minneapolis Project Support
      x. HDR – Website Services

   D. Approval to Submit Comments on Minnetonka Water Resource Management Plan Update – **ACTION ITEM with attachment** – *In a letter dated June 1, 2023, the City of Minnetonka requested review and comments during a 60-day review period on updates to the city's Water Resource Management Plan. I did an initial review of the plan and prepared some comments. Commission Engineer Chandler reviewed the technical aspects of the plan and prepared additional comments. Please note: In anticipation of this review at the January meeting, the Commission waived the conflict of interest for Engineer Chandler to review the plan which was developed by other staff at Barr Engineering. Commission staff recommends approval to submit the attached comment letter to the City of Minnetonka. Comments are due August 1st.*

   E. Approval of Reimbursement for Salt Symposium Registrations **– ACTION ITEM no attachment** – *Alternate Commissioner Hauer registered for the Salt Symposium being held virtually August 1 and 2. I recommend approval of reimbursement of registration costs for any commissioner or alternate commissioner who registers for the event. The Commission's education budget includes funds for this type of commissioner training*.

   F. Approval to Set Public Hearing for 2024 CIP Projects for September 21st BCWMC Meeting – **ACTION ITEM no attachment** – *Before setting the final 2024 levy and officially ordering the CIP projects, the Commission should hold a public hearing on its 2024 CIP projects at its September meeting. Staff recommends setting the hearing date so that the 45-day notice to member cities can be provided.*

G. Approval to Appoint Alternate Commissioner Harwell to Plan Steering Committee – **ACTION ITEM no attachment** – *Stacy Harwell was recently appointed as the Alternate Commissioner by the City of Minnetonka. She requests to be appointed to the Plan Steering Committee. Staff recommends approving the appointment.*

5. BUSINESS

A. Review 2022 Water Quality Monitoring Reports for Lost and Northwood Lakes (40 min) – **INFORMATION ITEM with attachments** – *In 2022, the Commission monitored Lost Lake in Plymouth and Northwood Lake in New Hope. The monitoring reports are attached here. Barr Engineering staff will present the results at this meeting.*

B. Receive Update on Main Stem Lagoon Dredging Project (10 min) – **INFORMATION ITEM no attachment** – *The Commission Engineer will provide an update on the current status with this project and recent communications with the contractor. There is currently no action for the Commission to consider*.

C. Consider Approval of Agreement with City of Plymouth for Four Seasons Area Water Quality Improvement Project (20 min) – **ACTION ITEM with attachment** – *Staff recommends approval of the agreement with Plymouth for this project's design, construction, and long-term maintenance along with the ability to provide some pollutant removal capacity to a future developer. The agreement was drafted by the Commission Attorney in cooperation with Plymouth staff and other Commission staff in accordance with Commission action in December. Please see the attached memo for additional background*.

D. Consider Directing Staff to Prepare Clean Water Fund Grant Application (10 min) – **ACTION ITEM with attachment online** – *Commission staff recommend submitting a Clean Water Fund (Project and Practices) grant application for the Bassett Creek Main Stem Restoration Project (Regent Ave to Golden Valley Road) 92024CR-M). The grant application is due August 24th. This grant program is administered through the MN Board of Water and Soil Resources (BWSR). The Commission has been successful at obtaining Clean Water Fund grants in the past. This is a competitive grant but we believe this project would score well due to its benefits to improve water quality and habitat; and the completion of a comprehensive feasibility study which includes targeted restoration areas and outcomes. The document outlining the program and the request for proposals (grant applications) is available with meeting materials online.*

E. Consider Approving Administrator's Appointment to MN Association of Watershed Administrator's Executive Committee (10 min) – **ACTION ITEM with attachment** – *At their meeting on June 20th, the MN Association of Watershed Administrators (MAWA) elected me to the MAWA Executive Committee pending BCWMC Board approval. Please see the attached memo with more information.*

F. Consider Submitting Resolutions to Minnesota Watersheds (10 min) – **DISCUSSION ITEM with no attachment** - *The Commission could consider drafting and submitting policy recommendations to the MN Watersheds (MW) organization (formerly MAWD) for consideration in MW's resolutions process. After review by the MW Resolutions Committee, resolutions would be evaluated by the MW membership and voted on at the annual meeting in December. Approved resolutions would become part of MW's 2024 legislative platform. Staff does not have any recommended resolutions at this time*.

6. COMMUNICATIONS (10 minutes)

A. Administrator's Report – **INFORMATION ITEM with attachment**

i. Update on 2022 Audit
ii. 2022 Watershed Tour
iii. Sochacki Park Water Quality Improvement Project Public Open House
iv. MN Watersheds Survey
v. Golden Valley Sustainability Fair Volunteers Needed
vi. Plans for August Issue Prioritization Workshop

B. Engineer
C. Legal Counsel
D. Chair
E. Commissioners
F. TAC Members
G. Committees
i. Administrative Services Committee
ii. Budget Committee
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Item 4A.
BCWMC 7-20-23

Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting & Public Hearing
Thursday, June 15, 2023
8:30 a.m.
Golden Valley City Hall, 7800 Golden Valley Road

1. CALL TO ORDER and ROLL CALL

On Thursday, June 15, 2023 at 8:31 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	*Absent*
Golden Valley	Paula Pentel	*Vacant*	Eric Eckman, Drew Chirpich
Medicine Lake	Clint Carlson	*Absent*	*Absent*
Minneapolis	Michael Welch	Jodi Polzin	Katie Kowalczyk
Minnetonka	Maryna Chowhan	*Vacant*	*Absent*
New Hope	Jere Gwin-Lenth	Jen Leonardson	Nick Macklem
Plymouth	Catherine Cesnik	*Absent*	Ben Scharenbroich
Robbinsdale	Wayne Sicora	Bob Stamos	Mike Sorensen, Richard McCoy
St. Louis Park	RJ Twiford	*Vacant*	*Absent*
Administrator	Laura Jester, Keystone Waters, LLC		
Engineers	Karen Chandler, Kallie Doeden, Jessica Olson - 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: Commissioner Gwin-Lenth moved to approve the agenda. Commissioner Pentel seconded the motion. Upon a vote the motion carried 7-0. Cities of Medicine Lake and Minnetonka absent from the vote.

4. CONSENT AGENDA

MOTION: Commissioner Gwin-Lenth moved to approve the consent agenda. Commissioner Pentel seconded the motion. Upon a vote the motion carried 7-0 Cities of Medicine Lake and Minnetonka absent from the vote.

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

- Approval of Minutes – May 18, 2023 Commission Meeting
- Acceptance of June 2023 Financial Report
- Approval of Payment of Invoices
- Approval to Support HaHa Wakpadan Pronunciation Video
- Approval of Funding Support for Metro Blooms Programs

5. BUSINESS

[Commissioner Carlson arrives.]

Administrator Jester and Chair Cesnik reminded commissioners that the decisions made on alternatives to implement in Items 5A and 5B would impact the maximum levy request being considered in Item 5D.

A. Review Final Feasibility Study and Choose Option for Main Stem Restoration Project (2024 CR-M)

Commission Engineer Olson gave an overview of the project which would reduce erosion, improve water quality, and improve habitat by restoring up to 7,370 linear feet of streambank from Regent Ave to Golden Valley Road. She noted that a few pieces of information had changed since the Commission reviewed the draft feasibility study at the April meeting. She reviewed the restoration techniques that would be used and relayed how the prioritization scoring was increased for stream sections with public ownership or easements. This change shifted some parcels between alternatives and changed the cost for each alternative slightly. (Three sites shifted from medium priority to high priority; one site shifted from low priority to medium priority.)

[Commissioner Chowhan arrives.]

Engineer Olson noted that 50% of the parcels in Alternative 1 are publicly owned, while 45% and 43% of parcels are publicly owned for Alternatives 2 and 3, respectively. She noted that implementation of any of the options would require coordination with private landowners – something city staff is experienced in and ready to do for this project. She recommended that the Commission implement Alternative 1 (restoring high priority areas), and if funding allows to implement Alternative 2 (restoring high and medium priority areas) or Alternative 3 (restoring high, medium, and low priority areas). Overall, she recommended restoring as many areas as possible, noting that priorities may shift slightly during design and construction due to landowner willingness, access, and bid results.

It was noted that 50% and 90% design plans would be reviewed and approved by the Commission before construction bidding activities. TAC member Chirpich (Golden Valley) noted that residents are very interested in the project so far and no one has indicated opposition. Although he noted some residents could decide not to be involved once more details are available.

Commissioner Welch noted that since adaptive management may be needed during construction, the agreement with the city should specify how the Commission would be involved with potential changes and what discretion would be given to the Administrator. He noted it will be important to define the process to make decisions quickly and take advantage of opportunities if they arise.

There was discussion about the levy funding that could be used for this project given the price tag of just over $2,000,000 for implementing Alternative 3. Administrator Jester noted that grant funding could be sought for this project and that the current CIP includes levy funding over 2024 and 2025 but could include levy funding in 2026 as well. She showed examples of how the project budget could be spread over three years and the subsequent implications to the levy amounts for 2024, 2025, and 2026.

Commissioner Pentel and Engineer Olson advocated for restoring as many areas as possible during this project because of the savings in mobilization and effort. It was noted the Commission would not likely do restoration work along this stretch again for many years. Engineer Olson noted that restoring all areas (Alternative 3) is the most cost effective for design and scale of the project. Commissioner Chowhan noted that construction and restoration will only be more costly in the future.

MOTION: Commissioner Pentel moved to approve implementation of Alternative 3: restoration of high, medium, and low priorities for the Main Stem Restoration Project (2024 CR-M). Commissioner Chowhan seconded the motion. Upon a vote the motion carried 9-0.

B. Review Additional Information and Choose Option for Ponderosa Woods Stream Restoration Project (ML-22)

Commission Engineer Doeden provided a summary of the project which would restore about 1,000 linear feet of an intermittent stream tributary to Medicine Lake. She noted the Commission reviewed the draft feasibility study at the May meeting. She reminded commissioners of the alternatives presented in May including:

Alternative 1: small footprint design
Alternative 1.5: small footprint design with additional buckthorn removal
Alternative 2: medium footprint design (additional buckthorn removal plus more hard armoring of the creek)
Alternative 3: large footprint design (additional buckthorn removal plus re-meandering a portion of the channel)

She reviewed additional information that was gathered in response to questions and comments from the May meeting including pros and cons among each alternative and comparisons with the Medicine Lake Total Maximum Daily Load (TMDL) Study. She reported that total phosphorus reductions from the project would constitute about 0.8% of the total reduction needed according to the Medicine Lake TMDL. At the May meeting, she noted the following qualitative benefits of buckthorn removal and revegetation of the understory on water quality:

- Buckthorn shades out the understory vegetation, which leads to exposed soils and increased erosion potential
- Removing buckthorn and other degraded trees opens the tree canopy and allows sunlight to reach the ground to promote understory vegetation growth (including native plants).
- Buckthorn will continue to re-seed the area if not removed.
- The more buckthorn that can be removed leads to more water quality and habitat improvements

Engineer Doeden reported that the Commission Engineer sought additional quantitative information on the water quality benefits of buckthorn removal and revegetation. Although there is limited information, preliminary research shows that carbon and nitrogen accumulate beneath buckthorn at a higher rate than other plants, which is likely due to buckthorn's higher production of leaf litter that decomposes faster than native plants. This faster decomposition may also result in higher nitrate loads, which could be inferred to higher phosphorus loads. The research has also found that the higher carbon and nitrogen levels attract the invasive earthworm; together, they act to rapidly expose the soil.

Engineer Doeden also reported that the whole project area is within a City of Plymouth drainage and utility easement area.

Engineer Doeden reiterated the Commission Engineer's and city staff's recommendation to implement Alternative 1.5 and explained that Alternative 3 may lead to stagnant water with poor habitat. It was noted that the cost difference between Alternatives 1 and 1.5 was all due to buckthorn removal. Alternate Commissioner Polzin asked if future projects should look at additional buckthorn removal. Administrator Jester noted that although the 2 additional acres of buckthorn management included in Alternatives 1.5, 2, and 3, may seem like upland restoration (which is not a practice undertaken by the BCWMC), the whole area is actually within the floodplain which is directly connected to the creek. Commissioner Pentel noted that the article on the benefits of buckthorn removal included with meeting materials was a compelling reason to implement Alternative 1.5. There was a question about ongoing buckthorn maintenance. TAC member Scharenbroich reported that Plymouth is committed to maintaining the site and already provides similar maintenance on other sites.

MOTION: Commissioner Chowhan moved to approval implementation of Alternative 1.5 for the Ponderosa Woods Stream Restoration Project (ML-22). Commissioner Pentel seconded the motion. Upon a vote the motion carried 9-0.

C. Receive Update on Sochacki Park Water Quality Improvement Project and Feasibility Study

Administrator Jester gave an overview of the Sochacki Park Water Quality Improvement Project reminding commissioners of the project goals to improve water quality in three DNR public water wetlands (Grimes Pond, North and South Rice Ponds) in Robbinsdale and Golden Valley. She reported that the Memorandum of Understanding with Three Rivers Park District and the cities of Robbinsdale and Golden Valley regarding the implementation process for the project was fully executed. She also reviewed funding sources for implementation of all best management practices (BMPs) included in the subwatershed analysis including $600,000 from BCWMC CIP funds, potential grant funds, and other partner funds. She noted Three Rivers Park District recently submitted a request for congressionally-designated funding.

Commission Engineer Chandler reported on progress of the feasibility study, noting that a kick off meeting was held and was attended by Chair Cesnik, Commissioner Pentel, and Commissioner Sicora. She listed the field investigations that are taking place and noted a public open house and technical stakeholder meeting will be held soon. She noted the draft report will be presented at the August commission meeting.

Chair Cesnik noted her concern with possible contamination at this site and her desire to be involved with the Phase I Environmental Assessment. Alternate Commissioner Hauer also indicated her desire to be involved with the assessment. Engineer Chandler reported that indications are that demolition debris is located on the site, which is different from dealing with an old unregulated landfill of mixed waste.

Jami Markle with Three Rivers Park District indicated his appreciation for the partnership and noted that the site and environment may likely benefit from removing the debris and that some adaptive management may be needed as the project progresses.

There was discussion about why the Commission is only being requested to contribute 25% of the overall estimated costs. TAC member Eckman indicated that many sources, including grant funds are likely coming together and the local expenditure of 25% is a good start for grant match. Alternate Commissioner Hauer requested to review detailed cost share components in the future.

D. Set Maximum 2024 Levy

Administrator Jester reviewed the options for the 2024, 2025, and 2026 levy amounts given the decisions on implementation of alternatives for the above three CIP projects. She recommended levying over all three years (2024, 2025, and 2026) for the Main Stem Restoration Project budget and setting an overall maximum levy request of $2,238,000 in 2024. Chair Cesnik asked if implementation of Alternative 3 for the Main Stem Restoration Project addresses any equity issues. Commissioner Pentel noted that improving water quality all along the stream benefits everyone, including Minneapolis residents. She noted Bassett Creek was historically part of industrial waste sites with far less investment in environmental improvements until recently. Alternate Commissioner Polzin also noted that Alternative 3 for the Main Stem Restoration Project protects the Commission's investments in the Lagoon Dredging Project just downstream. TAC member Eckman noted that Sochacki Park serves a diverse community.

MOTION: Commissioner Pentel moved to approve a maximum levy request of $2,238,000 in 2024 from Hennepin County. Commissioner Gwin-Lenth seconded the motion.

Discussion: Commissioner Welch indicated that he would not be voting in favor of the motion, not because he doesn't think the projects should be implemented, but because he believes the Commission has a shortcoming for implementing large projects and his concern with how the Sochacki Park Project is proceeding. Commissioner Gwin-Lenth expressed his desire for more details about the projects. Commissioner Welch reiterated his concern for how the projects are implemented and potential lack of oversight by the Commission on implementation of levy funds. He noted his desire for the Commission to direct all feasibility studies and to design and construct all projects.

VOTE: Upon a vote the motion carried 8-1 with City of Minneapolis voting nay and all others voting aye.

BREAK – 5-minute break was called by Chair Cesnik. [Commissioner Carlson leaves the meeting.]

E. Consider Adopting Fiscal Policy Regarding Investment Income

Administrator Jester noted that at the May meeting, the Commission considered a recommendation from the Budget Committee regarding the investment income allocation and that at the meeting TAC members requested the ability to review the information and possibly make its own recommendation as there are implications to city assessments and available capital funds. She reported the TAC met on June 7th; their recommendation is included in the memo with meeting materials and is articulated below.

i. Review Recommendation from Technical Advisory Committee

TAC Member McCoy reported that investment income should not be funneled away from the program where the investment originated. He noted there is always a huge demand for capital funding and the investment income should be allocated entirely to the CIP fund. He noted that watershed projects are difficult to budget for due to many unknown site conditions and that unallocated funds would be useful or they could be used for new and different watershed programs. Further, he noted it was better to keep city assessments from fluctuating significantly as may happen with variable investment income. He also noted it is a false narrative to say that residents benefit more from lower city assessments.

Commissioner Anderson asked if there were other options considered by the TAC. TAC member Scharenbroich said they briefly discussed capping the investment income to the operating budget and using the rest in the CIP budget. Commissioner Anderson noted that some of the investment income does, indeed, come from investments originating from general funds.

Commissioners asked to review the proposed 2024 operating budget options including implications to city assessments with TAC recommended vs. Budget Committee recommended investment income allocations. It was noted that the TAC recommendation results in about a 10% increase in city assessments over 2023 while the Budget Committee's recommendation results in a 5.8% increase. Administrator Jester noted that the overall budget increase is due to monitoring three lakes rather than the typical two lakes (in order to stay in line with the approved monitoring program), additional flood control project inspections which are offset by a transfer from the long term flood control project account, projected additional development reviews, which are offset by review fees, and slightly higher legal and financial management expenses.

There was consensus that the Budget Committee should review the TAC's recommendation before a policy decision is made.

ii. Review Recommendation from Budget Committee

The Budget Committee's recommendation may change pending discussion of the TAC recommendation. There was no further discussion on the current recommendation.

F. Set Proposed 2024 Operating Budget and City Assessments

Administrator Jester indicated that member cities should receive a proposed 2024 budget and city assessments by July 1st so they can comment by August 1st and a final budget can be approved at the August meeting. Chair Cesnik recommended that the Commission send the proposed budget that uses the TAC recommended policy and results in the higher city assessments.

[Commissioner Welch leaves the meeting.]

Budget Committee Chair Sicora indicated his agreement and noted that the Budget Committee still needs to get audit figures and should take into consideration the TAC's recommendations along with comments from cities. It was decided the Budget Committee would meet once all the information was gathered and would come to the August meeting with a final recommendation.

MOTION: Commissioner Sicora moved to submit the 2024 proposed operating budget which incorporates the TAC's recommendation on investment income to member cities for comment. Alternate Commissioner Polzin seconded the motion. Upon a vote the motion carried 9-0.

G. Receive Information on Plymouth Regional Treatment Planning

Commission Engineer Chandler reported that Plymouth staff recently discussed with Commission Engineers and Administrator their plans to incorporate regional treatment for future development when it reconstructs roads around their city center. She noted that the additional treatment capacity would then be available for future redevelopment in the area; she also noted that this scenario is allowed under Commission requirements. She noted the multiple benefits from this approach including better maintenance of the stormwater management features as they'll be city-owned, and treatment of runoff now – even before redevelopment happens. She noted that the Commission will still review the street reconstruction project and any future redevelopment projects in the area and that the most complicated piece will be keeping track of the treatment capacity allocations among projects.

TAC member Scharenbroich noted a feasibility study for the stormwater management features is currently underway. Alternate Commissioner Polzin requested information on how the new treatment would impact the Medicine Lake TMDL and noted that the Commission should see that kind of data (TMDL impacts) regularly. TAC Member Eckman noted that Golden Valley has several regional treatment facilities and that tracking of treatment allocations is key. TAC member Scharenbroich noted that the city's MS4 permit requires that they provide TMDL reporting that tracks pollution reduction figures.

H. Receive Information on Proposed Transition of Commission Engineer

Commission Engineer Chandler reported that she plans to retire at the end of 2025 (after more than 10 years as the Commission Engineer) and will be starting a transition to a new BCWMC primary engineer later this year – first by shadowing her at meetings and gradually taking over more tasks throughout 2024 and 2025. She recommended that Barr engineer Stephanie Johnson be the new primary engineer. There were no concerns voiced by commissioners on that choice. Commissioner Gwin-Lenth appreciated the long-range planning.

I. Receive Update on Main Stem Lagoon Dredging Project

Commission Engineer Chandler reported that a notice of claim was sent to the contractor on May 19th and that site restoration was completed by the contractor on May 26th but she noted that vegetation management is challenging in a drought. She reported that the Commission Engineer sent an official opinion of the claim letter to the contractor with guidance from the Commission Attorney and that the next steps depend on the contractor's response. All future information will be brought to the Commission.

J. Review Status of 2023 Annual Operating Budget

Administrator Jester noted that the Commission is one third of the way through the fiscal year and that the budget is currently on track or slightly under budget in most categories. There were no questions or concerns from commissioners.

6. COMMUNICATIONS

A. Administrator's Report – Administrator Jester reported on upcoming events related to the Ha Ha Wakpadan oral history project. She said she would send an email with the list of upcoming events to commissioners.
B. Engineer
   i. Update on 2023 Water Monitoring Activities – Engineer Chandler reported that monitoring on Sweeney and Twin Lakes is progressing along with Plymouth Creek monitoring. She also reported that Schaper Pond monitoring and WOMP flow monitoring continues on schedule although more rain events would be helpful!
C. Legal Counsel – Nothing to report.
D. Chair – Nothing to report.
E. Commissioners – Nothing to report.
F. TAC Members
   i. Update on SEA School – Wildwood Park Flood Reduction Project - TAC member Eckman reported that project construction is about 15% complete and will continue through the summer. He reported a vegetation restoration contractor will be brought in later this summer.
   ii. Update on Medley Park Water Quality Improvement Project – TAC member Eckman reported that project construction is complete and vegetation restoration is underway.
G. Committees – Administrator Jester asked commissioners to watch for polls to schedule committee meetings.

7. **INFORMATION ONLY (Information online only)**
   - **A.** BCWMC Administrative Calendar
   - **B.** CIP Project Updates www.bassettcreekwmo.org/projects
   - **C.** Grant Tracking Summary and Spreadsheet
   - **D.** WCA Notices – Plymouth
   - **E.** Annual Salt Symposium
   - **F.** MN Watersheds May Newsletter
   - **G.** BWSR Legislative Summary

8. **ADJOURNMENT -** The meeting adjourned at 11:20 a.m.

Item 4B.
BCWMC 7-20-23

Bassett Creek Watershed Management Commission
Statement of Financial Position

	Capital Improvement Projects	General Fund	TOTAL
ASSETS			
Current Assets			
Checking/Savings			
101 · Wells Fargo Checking	332,733.98	923,344.82	1,256,078.80
102 · 4MP Fund Investment	3,501,986.62	136,357.47	3,638,344.09
103 · 4M Fund Investment	2,483,650.36	-4,786.74	2,478,863.62
Total Checking/Savings	6,318,370.96	1,054,915.55	7,373,286.51
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	6,382,573.91	1,059,994.71	7,442,568.62
TOTAL ASSETS	**6,382,573.91**	**1,059,994.71**	**7,442,568.62**
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
211 · Accounts Payable	16,346.86	103,551.41	119,898.27
Total Accounts Payable	16,346.86	103,551.41	119,898.27
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	466,566.41	103,551.41	570,117.82
Total Liabilities	466,566.41	103,551.41	570,117.82
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	120,425.91	503,851.72	624,277.63
Total Equity	5,882,007.24	990,443.56	6,872,450.80
TOTAL LIABILITIES & EQUITY	**6,348,573.65**	**1,093,994.97**	**7,442,568.62**
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	Jun 16 - Jul 20, 23	Feb 1 - Jul 20, 23	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	2,000.00	50,000.00	30,000.00
413 · WOMP Reimbursement	5,000.00	4,500.00	4,500.00	500.00
414 · State of MN Grants		480.29	11,882.72	-11,882.72
415 · Investment earnings		25,402.06	121,570.19	-121,570.19
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	32,382.35	805,382.91	-29,952.91
Expense				
1000 · Engineering				
1010 · Technical Services	145,000.00	17,313.50	73,914.50	71,085.50
1020 · Development/Project Reviews	80,000.00	8,286.60	40,100.10	39,899.90
1030 · Non-fee and Preliminary Reviews	30,000.00	1,311.50	7,279.00	22,721.00
1040 · Commission and TAC Meetings	15,000.00	2,688.60	8,407.60	6,592.40
1050 · Surveys and Studies	15,000.00	0.00	0.00	15,000.00
1060 · Water Quality / Monitoring	105,000.00	11,055.06	27,684.15	77,315.85
1070 · Water Quantity	9,000.00	1,115.50	3,722.71	5,277.29
1080 · Annual Flood Control Inspection	15,000.00	0.00	3,609.00	11,391.00
1090 · Municipal Plan Review	2,000.00	1,620.00	1,620.00	380.00
1100 · Watershed Monitoring Program	27,000.00	5,330.16	14,321.92	12,678.08
1110 · Annual XP-SWMM Model Updates	3,000.00	22.00	209.00	2,791.00
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	48,742.92	180,867.98	305,132.02
2000 · Plan Development				
2010 · Next Gen Plan Development	53,250.00	4,385.25	35,673.86	17,576.14
2000 · Plan Development - Other		0.00	0.00	0.00
Total 2000 · Plan Development	53,250.00	4,385.25	35,673.86	17,576.14
3000 · Administration				
3010 · Administrator	78,750.00	5,887.50	31,818.75	46,931.25
3020 · MAWD Dues	7,500.00	0.00	0.00	7,500.00
3030 · Legal	17,000.00	3,342.33	10,359.20	6,640.80
3040 · Financial Management	14,540.00	1,075.00	6,215.00	8,325.00
3050 · Audit, Insurance & Bond	18,700.00	1,850.00	12,905.00	5,795.00
3060 · Meeeting Catering	2,400.00	161.23	967.38	1,432.62
3070 · Administrative Services	7,240.00	310.27	1,305.13	5,934.87
3000 · Administration - Other		0.00	0.00	0.00
Total 3000 · Administration	146,130.00	12,626.33	63,570.46	82,559.54
4000 · Education				
4010 · Publications / Annual Report	1,000.00	0.00	1,338.00	-338.00
4020 · Website	1,600.00	687.16	687.16	912.84
4030 · Watershed Education Partnership	18,350.00	6,000.00	9,500.00	8,850.00
4040 · Education and Public Outreach	28,000.00	0.00	9,480.29	18,519.71
4050 · Public Communications	1,100.00	0.00	413.44	686.56
4000 · Education - Other		0.00	0.00	0.00
Total 4000 · Education	50,050.00	6,687.16	21,418.89	28,631.11
5000 · Maintenance				
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	72,441.66	301,531.19	493,898.81
Net Ordinary Income	-20,000.00	-40,059.31	503,851.72	-523,851.72
Net Income	**-20,000.00**	**-40,059.31**	**503,851.72**	**-523,851.72**

Bassett Creek Watershed Management Commission

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

	Project Budget	Jun 16 - Jul 20, 23	Year to Date	Inception to Date Expense	Remaining Budget
Ordinary Income/Expense					
Income					
418 · Property Taxes		1,128,610.08	1,128,610.08		
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	2,934.00		
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		2,427.46	32,242.96		
TW2 · Twin Lake Alum Treatment		0.00	0.00		
Total Income		1,131,037.54	1,163,787.04		
Expense					
1000 · Engineering					
2017CRM · CIP-Main Stem Cedar Lk Rd-Dupon	0.00	0.00	0.00	768,478.47	-768,478.47
2024CRM · CIP-BS Main Stem Restore	85,500.00	374.00	45,613.64	85,495.39	4.61
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	592.50	21,340.82	305,277.15	1,529,722.85
BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	7,848.36	944,973.46	1,532,431.88	1,226,568.12
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	416.00	9,696.43	43,789.81	10.19
NL-2 · CIP-Four Seasons Mall	990,000.00	520.00	520.00	196,968.06	793,031.94
PL-7 · CIP-Parkers Lake Stream Restore	485,000.00	6,596.00	17,202.28	92,966.62	392,033.38
SL-1,3 · CIP-Schaper Pond	612,000.00	0.00	4,014.50	473,742.85	138,257.15
SL-8 · CIP-Sweeney Lake WQ Improvement	568,080.00	0.00	0.00	568,064.13	15.87
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	16,346.86	1,043,361.13	5,923,793.66	6,695,686.34
Net Ordinary Income	-12,619,480.00	1,114,690.68	120,425.91	-5,923,793.66	
Net Income	**-12,619,480.00**	**1,114,690.68**	**120,425.91**		

Bassett Creek Watershed Management Commission
Construction Fund Schedule

		Total Budget	June 16, 23 July 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 7-20-23

Bassett Creek Watershed Management Commission

July 12, 2023

Mr. Phil Olson
City of Minnetonka
14600 Minnetonka Blvd.
Minnetonka, MN 55345

Dear Phil,

The Bassett Creek Watershed Management Commission (BCWMC) reviewed the city's proposed amendment to the Minnetonka Water Resources Management Plan aimed at incorporating updated flood modeling results based on recently completed stormwater management models for the city. The BCWMC has the following comments:

Overall: We concentrated our review on the sections presented with tracked changes. However, in skimming other parts of the text, we find many areas and statements that are outdated and hence are no longer true or accurate. We think it will be confusing to a reader to discern which pieces of information are current (revised through this update) and which pieces are from the original plan. Consider finding a way to make that distinction within the final document.

1. Section 1.5 General Approach to Planning: In section 3 (Flood Control), second to last sentence: Change "watershed districts" to "watershed management organizations" for accuracy and consistency with terminology later in the document.

2. Section 3.13.2 WMO Flood Control Criteria, 3rd paragraph – Change "flood management envelope" to read "flood elevations" as the 2015 Bassett Creek Watershed Management Plan does not use the flood management profile language but rather lists flood elevations.

3. Section 3.13.4.1 City-Wide Modeling—2023 XP-SWMM & PCSWMM, 2nd paragraph, page 33 and 1st and 2nd paragraphs, page 34 - table numbering is off; change "Tables 3-3, 3-4, 3-5, and 3-6" to either "Tables 3-2, 3-3, 3-4, and 3-5" or "Tables 3 -2 through 3-5"

4. Section 3.13.4.3 Watershed Management Organization Modeling BCWMC, 1st paragraph, page 39 – Revise "The BCWMC is still going through the FEMA mapping process and the date of final model and mapping approval is unknown." to read "The MnDNR is still going through the FEMA mapping process for the Bassett Creek watershed and the date of final model and mapping approval is unknown."

   The BCWMC completed its work with the MnDNR on the FEMA model and the FEMA mapping process is now in the MnDNR's hands.

5. Section 3.13.4.3 Watershed Management Organization Modeling BCWMC, 2nd paragraph page 39 – Reword for clarity and accuracy~~: In 2022, the draft FEMA model was updated to incorporate significant projects between 2018 and 2021 (23 projects identified) based on information provided by the member cities. The updated model was approved by the BCWMC in August 2022~~. In July 2022, the BCWMC adopted an updated model that utilized the draft FEMA model along with the incorporation of significant projects completed between 2018 and 2021 (23 projects identified) based on information provided by the BCWMC member cities.
6. Figure 3-22: Crane Lake does not meet state standards for chloride and is likely to be listed for a chloride impairment in 2024. It is worth noting.

7. Tables 3-2 through 3-9: Consider including date/year of data collection or completion of modeling as some tables were updated and some were not.

8. Table 3-2, page 63, subwatershed number 425 (Crane Lake) – The BCWMC 2022 XPSWMM model lists the Crane Lake NWL as 917.31 NAVD88 or 917.13 NGVD 29 (high point in front of 21" pipe, 21" pipe invert at 917.28 NAVD88). Table 3-2 shows the NWL as 917.2 NGVD29, which is higher than that shown in the BCWMC XPSWMM model. Either revise table or let us know if changes to the BCWMC XPSWMM model are needed.

9. Section 4.1.1 Watershed Summary, bottom paragraph on page 123, continued on page 124 – Regarding the text below, it appears the City used the 2017 model and not the updated BCWMC 2022 XPSWMM; please confirm. If not correct, please revise the text:

   "In 2017, the Bassett Creek Watershed Management Commission (BCWMC) Phase 2 XPSWMM model update was published for the entire watershed, including the portion in Minnetonka. This model incorporated more detailed subwatershed, storage and storm sewer information for the watershed, including the major ponds and wetlands. The results and recommendations of this model are available from the BCWMC and will were be used by the city as the starting model for the recent city-wide Atlas 14 modeling is updates."

10. Section 4.1.2.1 – 4.1.2.3 Under Flood Control: Should the flood elevations in these sections be updated? This seems like very outdated information.

11. Section 5.3.1 BCWMC Issues, 3rd paragraph: Consider adding: In July 2022, the BCWMC adopted an updated hydraulic and hydrologic model that utilized the draft FEMA model along with the incorporation of significant projects completed between 2018 and 2021 (23 projects identified) based on information provided by the BCWMC member cities.

12. Section 5.3.5 City of Minnetonka Issues, page 198, 1st paragraph – Regarding the text below, please add something about the City's process to ensure that the proposed changes (i.e., upsizing of pipes) will not increase flood risk in the downstream city.

    "However, implementing future stormwater infrastructure modifications to minimize flood potential will be challenging given the need to balance upstream and downstream flood risk…"

13. Section 5.3.5 City of Minnetonka Issues, page 198, 1st paragraph – change "Watershed Districts" to "watershed management organizations."

14. Appendix E: Hydrologic/Hydraulic Models, Description of 2023 Watershed Models, page 214 – Please clarify if the City updated the models referenced in this statement: "The updated hydrologic and hydraulic models were developed on a watershed basis." Also, regarding this phrase later in the same paragraph, please confirm the version of the BCWMC XPSWMM model that the city used (2017 approved or 2022 approved): "Bassett Creek watershed model updates in 2021."

15. Appendix E: Hydrologic/Hydraulic Models, Description of 2023 Watershed Models, page 215, "updates to the existing conditions models" at the end of 2nd paragraph and continuing on the rest of the page – Please inform us if there were changes to the Bassett Creek model that need to get incorporated into the next BCWMC XPSMM model update (if not already in the 2021 update/adopted 2022).

Thank you for the opportunity to comment. We look forward to continued cooperation with the City of Minnetonka. Please contact Laura Jester at laura.jester@keystonewaters.com or 952-270-1990 if you have questions.

Sincerely,

Catherine Cesnik
BCWMC Chair

Item 5A.
BCWMC 7-20-23

Lost Lake 2022 water quality monitoring

Photo by Laura Jester

About Lost Lake

BCWMC classification	Priority-2 shallow lake
Watershed area	61 acres
Lake size	22 acres
Average depth	3.5 feet
Maximum depth	6.5 feet
Ordinary high water level	-----
Normal water level	939 feet
Downstream receiving water body	None (landlocked)
Location (city)	Plymouth
MPCA impairments	None
Aquatic invasive species	Curly-leaf pondweed, purple loosestrife, reed canary grass, yellow iris, narrow-leaved cattail
Public access	None

Monitoring water quality in Lost Lake

The Bassett Creek Watershed Management Commission (BCWMC) has monitored water quality conditions in the watershed's 10 priority lakes since 1972. The BCWMC performs this monitoring to detect changes or trends in water quality and evaluate the effectiveness of efforts to preserve or improve water quality. A summary of 2022 monitoring efforts on Lost Lake is provided below; more comprehensive information can be found on pages 2–10.

At a glance: 2022 monitoring results

In 2022, the BCWMC monitored Lost Lake for the following:

- Water chemistry (nutrients, chlorophyll *a*, chloride)
- Water clarity and dissolved oxygen
- Phytoplankton and zooplankton (microscopic plants and animals)
- Macrophytes (aquatic plants).

Results of 2022 monitoring show that Lost Lake met the maximum and chronic Minnesota Pollution Control Agency (MPCA) chloride standards but failed to meet the applicable MPCA and BCWMC water quality standards for Secchi disc (a measure of clarity), total phosphorus, and chlorophyll *a*. Trend analyses show a significant increase in chlorophyll *a* and total phosphorus and a significant decline in Secchi disc depth over the past 10 years. More detailed results and recommendations are discussed on page 2.

At a glance: 2022 monitoring results (cont.)

- In 2022, the number of plant species in the lake and Floristic Quality Index (FQI) values were better than the Minnesota Department of Natural Resources (MNDNR) Plant Index of Biotic Integrity (IBI) threshold. These were the highest values measured during the period of record (1993–2022).
- Hooded arrowhead (*Sagittaria calycina*), a rare species in Minnesota listed by the MNDNR as threatened, was observed in the lake in August. This species is drought-tolerant, thrives on large, exposed mud flats, and prefers soft mud (silt) to firm substrates. The dry conditions in 2022 provided favorable conditions for hooded arrowhead.
- Five aquatic invasive species were present in Lost Lake in 2022: curly-leaf pondweed, purple loosestrife, reed canary grass, yellow iris, and narrow-leaved cattail.
- 2022 phytoplankton (algae) numbers from the routine mid-lake monitoring location were within the range observed during the period of record (1993–2022) but were more than an order of magnitude lower than 2017 numbers. The 2022 decrease in phytoplankton numbers was primarily due to a decrease in blue-green algae, a favorable change for the lake.
- Blue-green numbers from the mid-lake monitoring location in 2022 were below the threshold for moderate probability of adverse health effects to recreational users, as outlined by the World Health Organization (WHO). However, a significant blue-green algal bloom occurred along the north shore of the lake in September of 2022. The number of blue-green algae at this location was more than an order of magnitude above the WHO threshold for a moderate probability of adverse health effects to recreational users.
- The highest and second-highest numbers of zooplankton during the period of record (1993–2022) were found in April and September of 2022, respectively.
- In 2022, the numbers of cladocerans (small crustaceans) were higher than in previous years. These increased numbers are likely due in part to an improved plant community that provided greater refuge from fish predation.
- The results of an aquatic invasive species (AIS) suitability analysis indicate that Lost Lake's water quality only partially meets the suitability requirements for rusty crayfish, starry stonewort, spiny waterflea, zebra mussel, faucet snail, and Chinese mystery snail. Hence, these species would likely survive but may not thrive in Lost Lake.
- Although lower oxygen levels were observed near the lake bottom in July, the lake was generally well oxygenated and had sufficient oxygen to support a fish community throughout the monitoring period. The amount of oxygen dissolved in water depends on water temperature, the amount of wind mixing that brings water into contact with the atmosphere, the biological activity that consumes or produces oxygen within a lake, and the composition of groundwater and surface water entering the lake.

Recommendations

- Determine causes for the lake's significant decline in water quality over the past 10 years and identify feasible management measures to improve water quality
- Continue to provide education and information to lake users to reduce AIS introduction
- Continue water quality and biological monitoring at a 5-year frequency

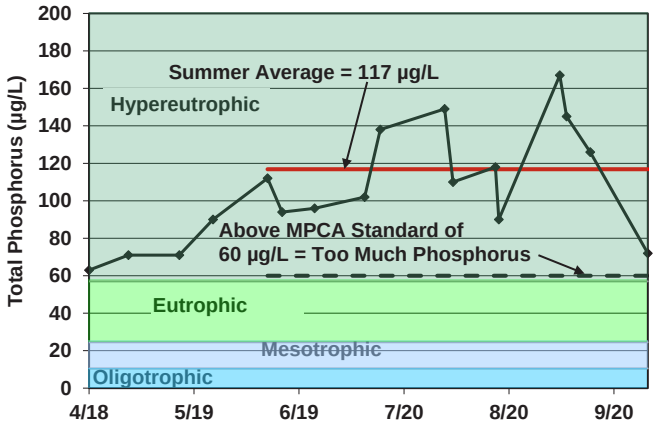
Dry conditions in 2022 provided favorable conditions for hooded arrowhead—a rare, threatened species.

Water chemistry monitoring: 2022

Total phosphorus levels

While phosphorus is necessary for plant and algae growth, too much phosphorus leads to excessive algae, decreased water clarity, and water quality impairment.

- **BCWMC/MPCA standard:** 60 micrograms per liter (µg/L) or less
- **Range:** Low of 63 µg/L in April to a high of 167 µg/L in early September
- **Summer average:** 117 µg/L (failed to meet BCWMC/MPCA standard)



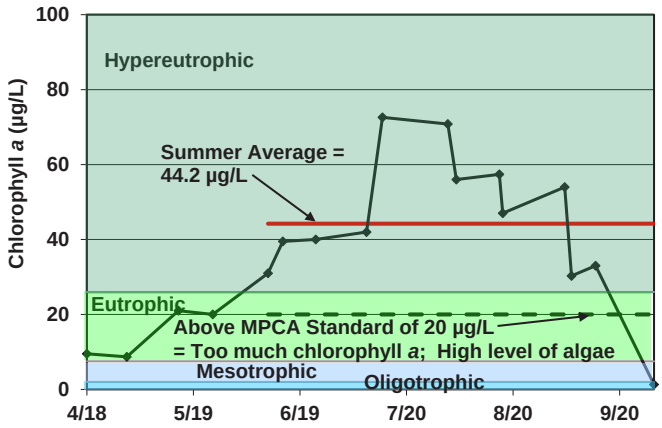
Definitions

- ***Hypereutrophic:*** Nutrient-rich lake conditions characterized by frequent and severe algal blooms and low water clarity; excessive algae can significantly reduce lake oxygen levels
- ***Eutrophic:*** Lake condition characterized by abundant accumulation of nutrients supporting dense growth of algae and other organisms; decay of algae can reduce lake oxygen levels
- ***Mesotrophic:*** Lake condition characterized by medium levels of nutrients and clear water
- ***Oligotrophic:*** Lake condition characterized by a low accumulation of dissolved nutrients, high oxygen content, sparse algae growth, and very clear water

Chlorophyll *a* levels

Chlorophyll *a* is a pigment in algae and generally reflects the amount of algae growth in a lake. Lakes that appear clear generally have chlorophyll *a* levels less than 15 micrograms per liter (µg/L).

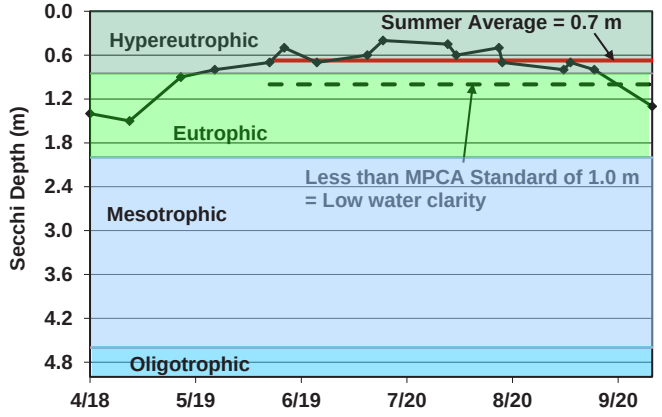
- **BCWMC/MPCA standard:** 20 µg/L or less
- **Range:** Low of 1 µg/L in late September to a high of 72 µg/L in mid-July
- **Summer average:** 44 µg/L (failed to meet BCWMC/MPCA standard)



Water clarity

The number of algae or other photosynthetic organisms in a lake often affects water clarity. It is usually measured by lowering an 8-inch "Secchi" disc into the lake; the depth at which the disc is no longer visible is considered a measure of the water's transparency.

- **BCWMC/MPCA standard:** 1.0 meter or more
- **Range:** Low of 0.4 meters in mid-July to a high of 1.5 meters in late April
- **Summer average:** 0.7 meters (failed to meet BCWMC/MPCA standard)



Water chemistry monitoring: 1977–2022

Summer water quality in Lost Lake has been monitored since 1977. Summer averages (June through September) of total phosphorus, chlorophyll *a*, and Secchi disc depth from 1977 to 2022 are shown in the figures at right. During the period of record, 86 percent of total phosphorus and Secchi disc averages and 79 percent of chlorophyll *a* averages failed to meet the Minnesota State Water Quality Standards for shallow lakes in the North Central Hardwood Forest Ecoregion published in the Minnesota Rules (Minn. R. Ch. 7050.0222 Subp. 4). Summer averages of total phosphorus, chlorophyll *a*, and Secchi depth failed to meet the BCWMC/MPCA standards in 2022.

Trend analyses for the last 10 years show:

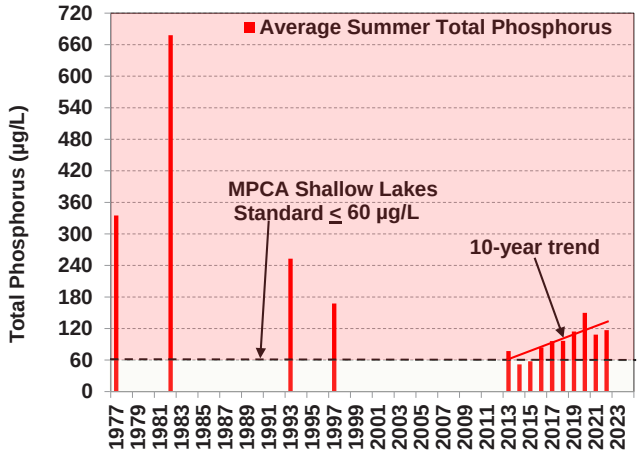
- Increasing summer-average total phosphorus concentrations.
- Increasing summer-average chlorophyll *a* concentrations.
- Declining summer-average Secchi disc depths.

All changes are statistically significant (95-percent confidence level).

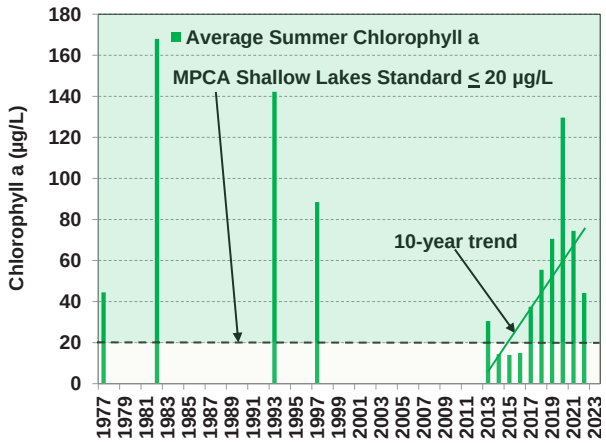
Trend analyses show declining water quality in Lost Lake.

Historical water quality trends

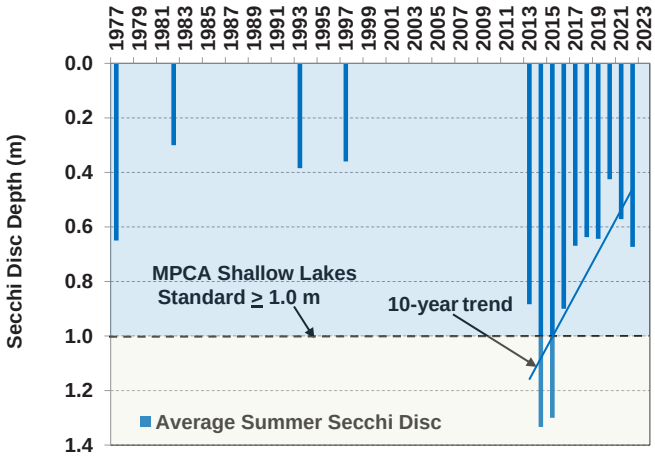
1977—2022 phosophorus levels (significant increase)



1977—2022 chlorophyll *a* levels (significant increase)



1977—2022 secchi disc depths (significant decrease)

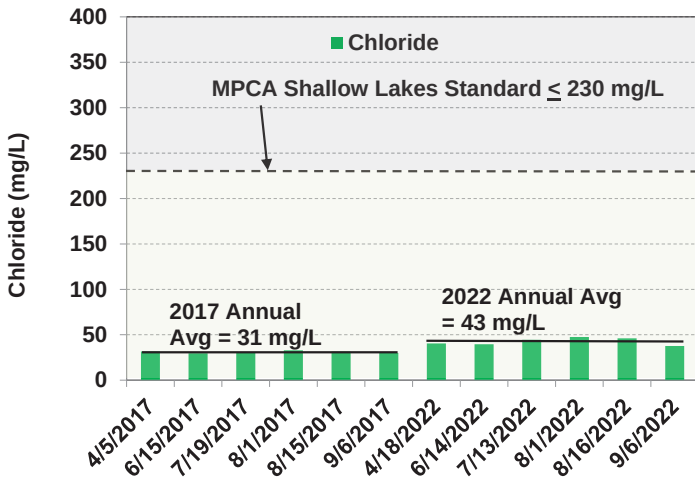


Chloride levels in 2017 and 2022

Chloride concentrations in area lakes have increased since the early 1990s when many government agencies switched from sand or sand/salt mixtures to salt for winter road maintenance. When snow and ice melt, the salt goes with it, washing into lakes, streams, wetlands, and groundwater. It only takes 1 teaspoon of road salt to permanently pollute 5 gallons of water. Once in the water, chloride is very difficult and expensive to remove.

Because high chloride concentrations can harm fish and plant life, the MPCA has established maximum and chronic chloride standards. The maximum standard is the highest concentration of chloride that aquatic organisms can be exposed to for a brief time with zero-to-slight mortality. The chronic standard is the highest chloride concentration that aquatic life can be exposed to indefinitely without causing chronic toxicity. Chronic toxicity is defined as a stimulus that lingers or continues for a long period, often one-tenth the life span or more. A chronic effect can be mortality, reduced growth, reproduction impairment, harmful changes in behavior, and other nonlethal effects. A lake is considered impaired if two or more measurements exceed the chronic criterion (230 mg/L) within a 3-year period or if one measurement exceeds the maximum criterion (860 mg/L).

All 2017 and 2022 measurements were well below the maximum and chronic chloride standards; however, chloride concentrations increased in 2022. The 2022 average annual chloride concentration was 43 mg/L compared with the 2017 average of 31 mg/L.



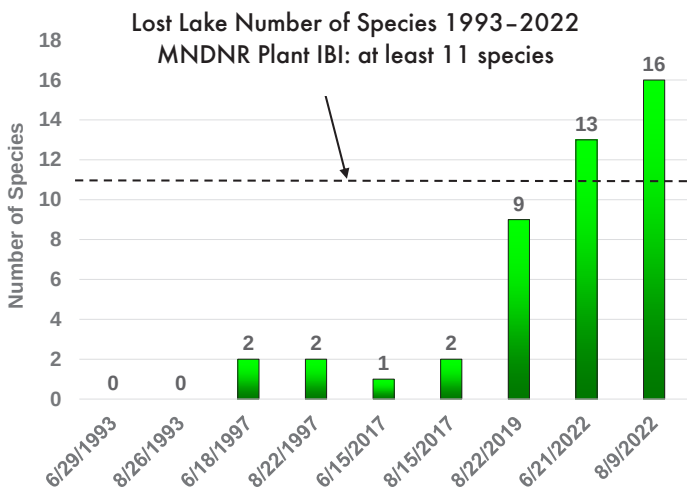
Macrophytes (aquatic plants)

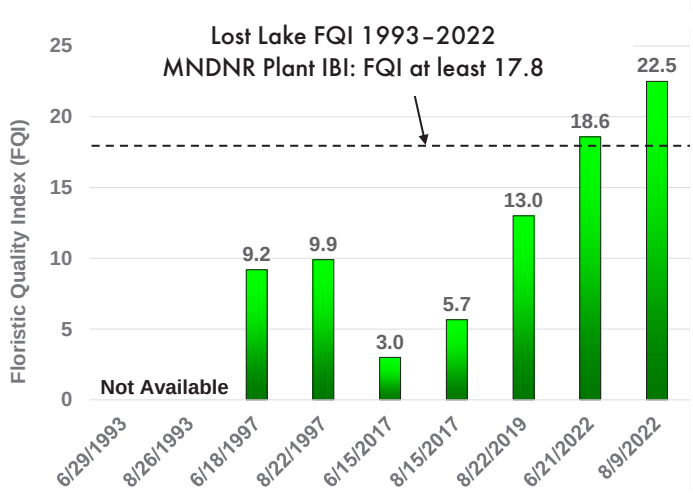
Lake Plant Eutrophication Index of Biological Integrity (IBI)

Eutrophication (excessive nutrients) may harm a lake, including reducing the quantity and diversity of plants. The MNDNR developed a Lake Plant Eutrophication Index of Biological Integrity (IBI) to measure the response of a lake plant community to eutrophication. The Lake Plant Eutrophication IBI includes two metrics: (1) the number of species in a lake and (2) the "quality" of the species, as measured by the Floristic Quality Index (FQI). The MNDNR has determined a threshold for each metric. Lakes that score below the thresholds contain degraded plant communities and are likely stressed from anthropogenic (human-caused) eutrophication.

Plant survey data from 1993 to 2022 were assessed to determine Plant IBI trends. The figures on page 6 show Lost Lake FQI scores and number of species for that period compared to the MNDNR Plant IBI thresholds.

- **Number of species:** A shallow lake such as Lost Lake fails to meet the MNDNR Plant IBI threshold when fewer than 11 species are present. In 1993, the only plants observed were cattails and purple loosestrife around the lake's perimeter; neither is included in the computation of the MNDNR Plant IBI. From 1997 through 2022, the number of species in Lost Lake ranged from one to 16, exceeding the MNDNR Plant IBI threshold in June and August 2022. The number of species consistently increased from 2017 to 2022: from one in June 2017 to 16 in August 2022. In 2022, the number of species ranged from 13 to 16.
- **FQI values (quality of species):** The MNDNR Plant IBI threshold for shallow lakes, as measured by FQI, is a minimum value of 17.8. From 1997 through 2022, FQI values in Lost Lake ranged from 3.0 to 22.5, exceeding the MNDNR Plant IBI threshold in June and August 2022. In 2022, the FQI ranged from 18.6 to 22.5.
- **2022 results summary:** In 2022, the number of species in the lake and FQI values were better than the MNDNR Plant IBI threshold and the highest values measured during the period examined. The frequency of plants in Lost Lake increased from 48 percent in August 2019 to 58 percent in August 2022.





Hooded Arrowhead

Because 2022 was a very dry year, the lake's water level decreased, resulting in exposed mud flats along the shore. Thousands of hooded arrowheads (*Sagittaria calycina*) grew on the exposed mud flats. This species had not previously been observed in Lost Lake.

Hooded arrowhead is a rare species in Minnesota listed by the MNDNR as threatened. A species is considered threatened if it is likely to become endangered within the foreseeable future throughout all or a significant portion of its range in Minnesota. Hooded arrowhead is drought-tolerant, thrives on large exposed mud flats, and prefers soft mud (silt) to firm substrates. The dry conditions in 2022 provided favorable conditions for this species, which was collected on the rake at three locations (frequency of 2 percent) and visually observed at an additional three locations in August. The rake density of hooded arrowhead ranged from 1 to 3 and averaged 1.7 on a scale of 1 to 3, with increasing numbers indicating increased density. The MNDNR was notified of the presence of hooded arrowhead in Lost Lake

Aquatic invasive species

In 2022, there were five aquatic invasive species in Lost Lake.

- Curly-leaf pondweed (*Potamogeton crispus*, CLP): CLP was first observed at two Lost Lake locations in August 2019. In June 2022, CLP was collected on the rake at 31 locations (frequency of 25 percent) and observed at an additional 14 locations. In August 2022, CLP was collected on the rake at one location (frequency of 1 percent) and visually observed at three additional locations.
- Purple loosestrife (*Lythrum salicaria*): This emergent species has been scattered along the lake's perimeter during the entire period examined.
- Reed canary grass (*Phalaris arundinacea*): This emergent species was first observed at one location in August 2019. In 2022, reed canary grass was scattered along the lake's perimeter.
- Yellow iris (*Iris pseudacorus*): This emergent species was first observed in August 2019 in the eastern inlet. In 2022, yellow iris was observed at the lake's northwest corner in June and near the eastern inlet in August.
- Narrow-leaved cattail (*Typha angustifolia*): This emergent species was first observed in August 2019 at one location. In 2022, narrow-leaved cattail was scattered along the perimeter of the lake.

Yellow iris along the shore of Lost Lake

Phytoplankton (algae)

Phytoplankton, or algae, are small aquatic plants naturally present in lakes. Phytoplankton derive energy from the sun through photosynthesis and provide food for several types of aquatic organisms, including zooplankton (microscopic animals), which are, in turn, eaten by fish. An inadequate phytoplankton population limits a lake's zooplankton population and indirectly limits fish production in a lake. Excess phytoplankton can reduce water clarity.

Phytoplankton samples were collected from Lost Lake to evaluate water quality and the quality of food available to zooplankton. The phytoplankton monitoring also included blue-green algae, a type of bacteria called cyanobacteria. This type of bacteria thrives in warm, nutrient-rich water and can proliferate under certain conditions, causing "blooms." Blue-green algae can produce algal toxins, which can harm humans or animals. Blue-green algae are also a poor-quality food for zooplankton; they can be toxic to zooplankton and may not be assimilated if ingested.

The figure below summarizes the number and major groups of phytoplankton observed in Lost Lake in 2022. Green algae, diatoms, and cryptomonads—good food sources for zooplankton—were well represented.

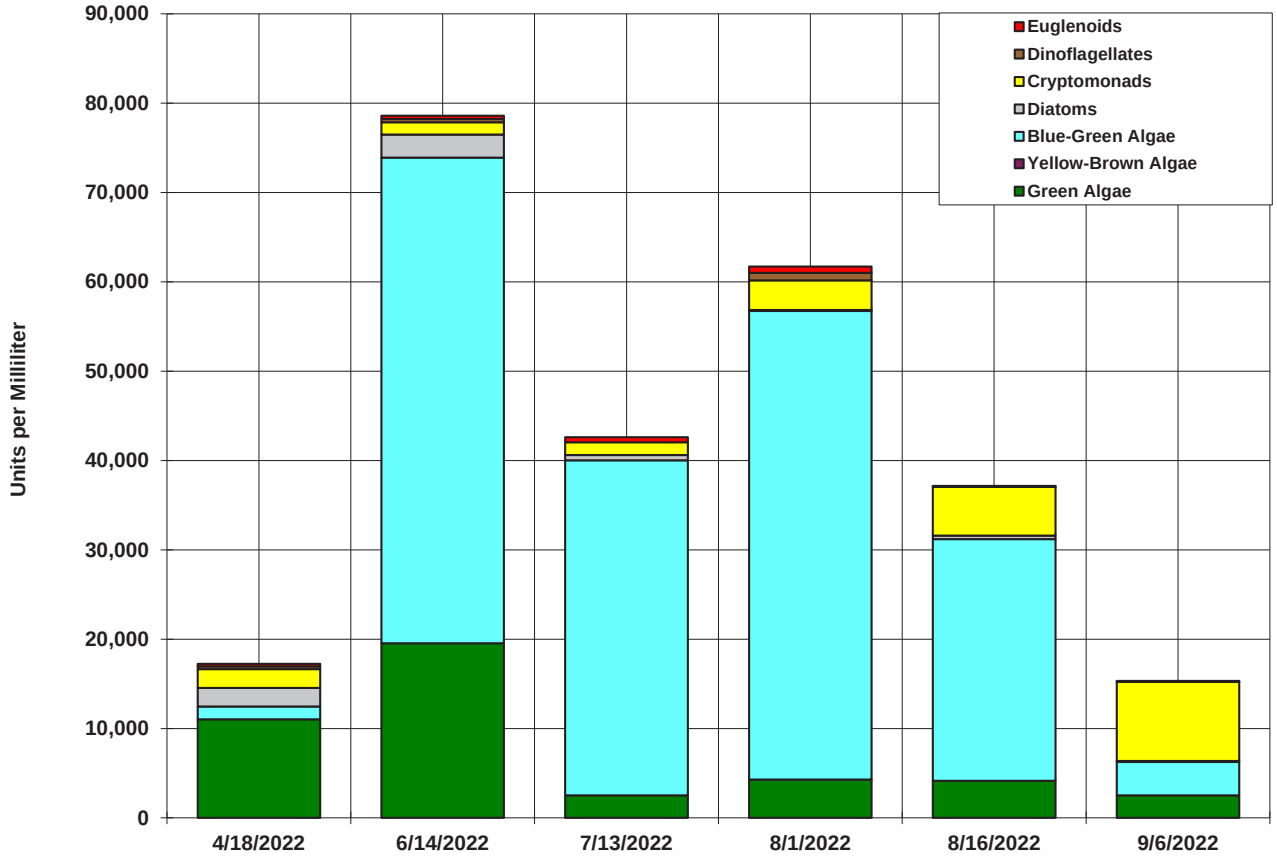
The figure at the top of page 8 summarizes the number and major groups of phytoplankton in Lost Lake for monitored years. The numbers of phytoplankton collected from the routine mid-lake monitoring location in 2022 were within the range observed during the period of record but were more than an order of magnitude lower than the 2017 numbers. An overall decrease in blue-green algae numbers, compared to 2017, was a favorable change for the lake.

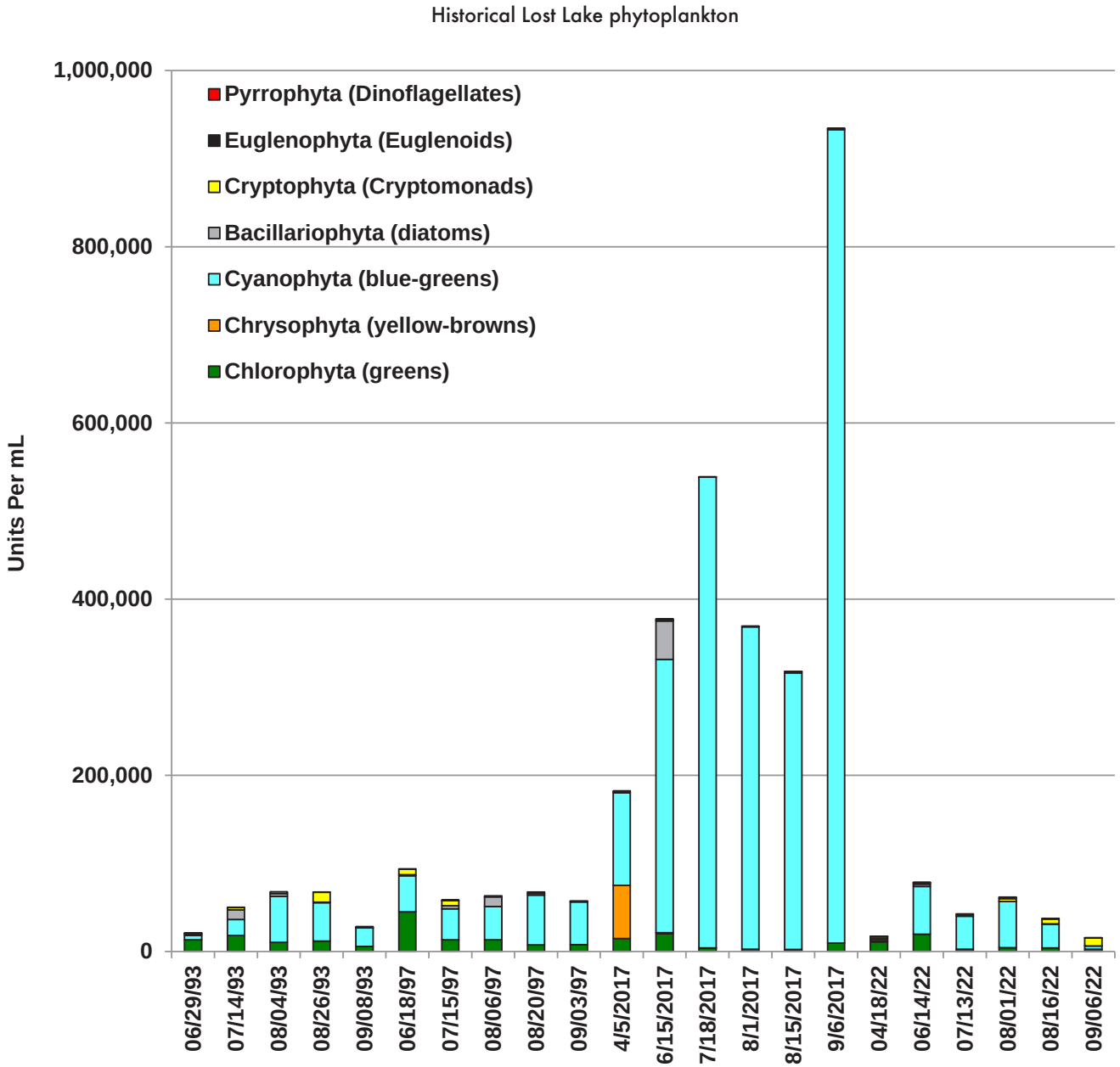
Blue-green algae

In 2017, the number of blue-green algae collected from the mid-lake monitoring location was above the threshold (100,000 units per milliliter) for a moderate probability of adverse health effects to recreational users, as outlined by the World Health Organization (WHO). Blue-green numbers at this location were below this threshold on all other monitoring dates (see figure on page 9).

In 2022 blue-green algae dominated the phytoplankton community from June through August. In September, blue-green numbers declined at the mid-lake monitoring station, but a blue-green algal bloom was observed along the north shore of the lake. The number of blue-green algae in the sample collected from the north

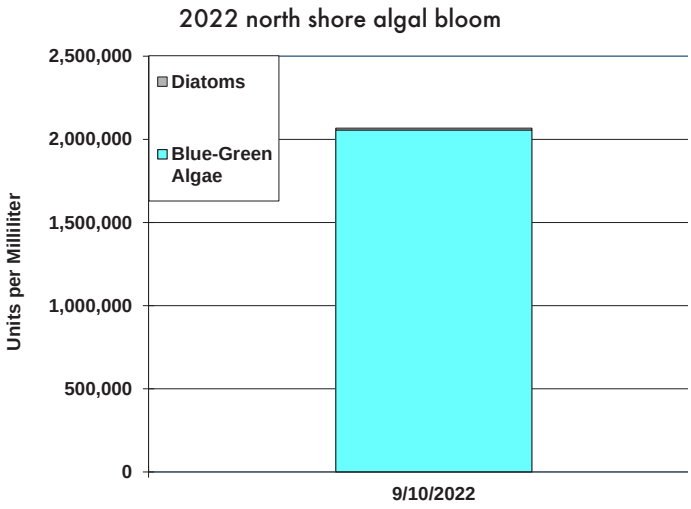
2022 Lost Lake phytoplankton summary by division



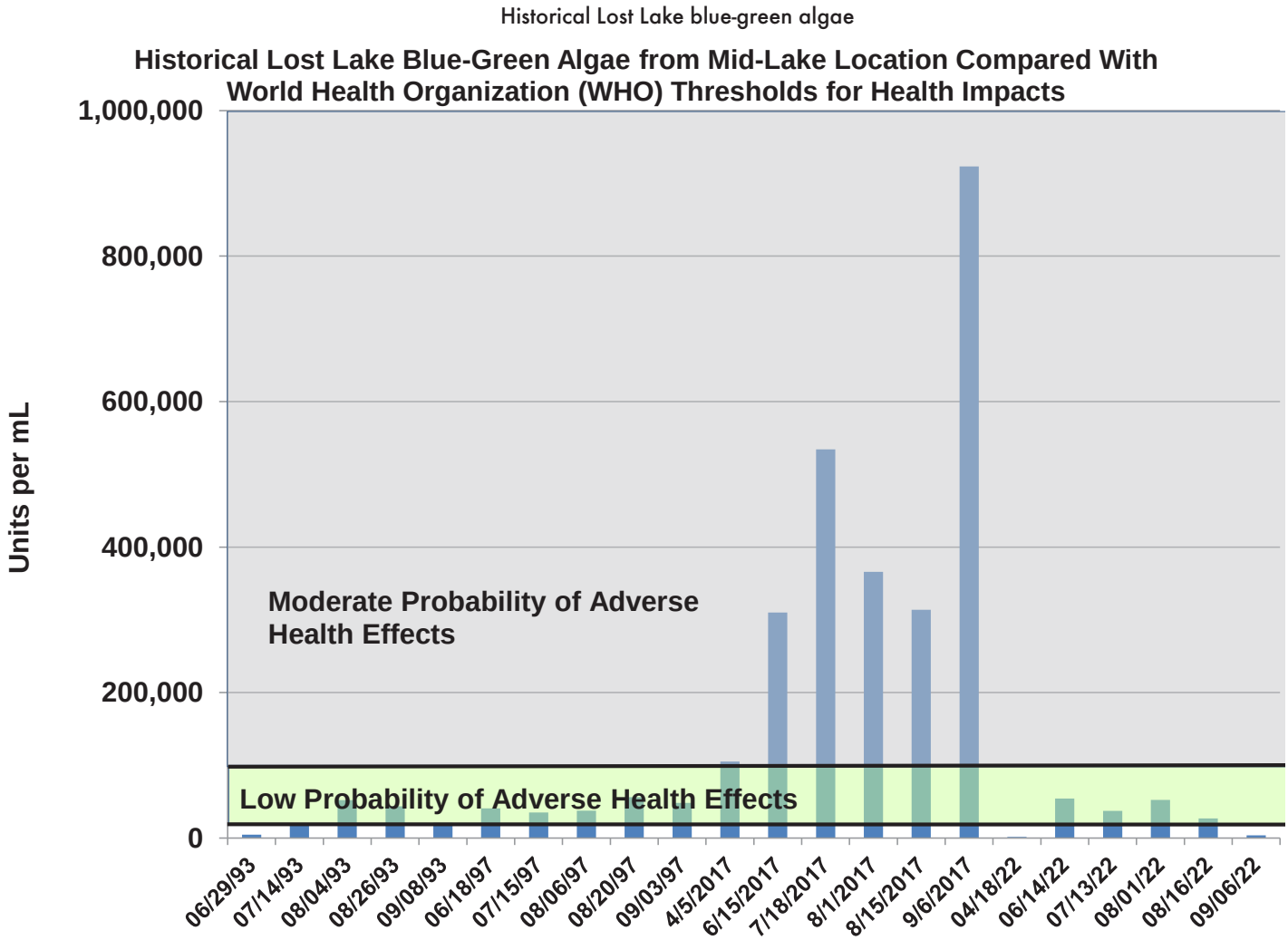


shore was greater than two million units per milliliter (see figure at right) compared with blue-green numbers of approximately 4,000 per milliliter from the mid-lake location (see figure on page 9). This was more than an order of magnitude above the WHO threshold for a moderate probability of adverse health effects to recreational users.

Blue-green algae are generally found at the lake's surface, where they are easily moved by wind. Wind movement can result in the accumulation of this algae along the shore and lower numbers in the middle of the lake. The lower numbers of blue-green algae at the mid-lake station and higher numbers along the north shore in September may be due to wind movement.



Blue-green algal bloom along the Lost Lake north shore in 2022



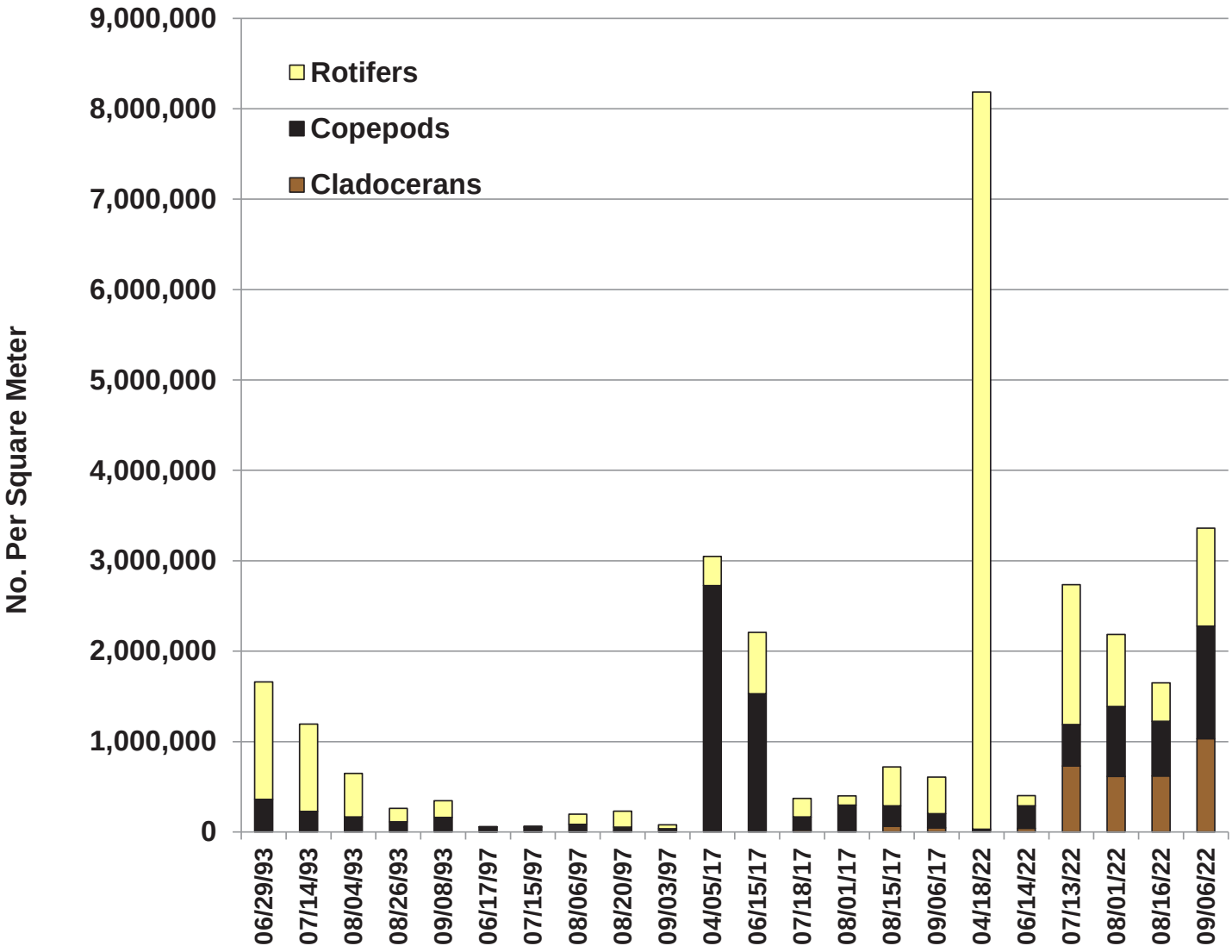
Zooplankton

Unlike phytoplankton, zooplankton do not produce their own food. As "filter feeders," they eat millions of small algae; given the right quantity and species, they can filter the volume of an entire lake in a matter of days. They are also valuable food for planktivorous fish and other organisms. Fish generally select the largest zooplankters they see and prefer cladocerans to copepods. Cladocerans swim slowly and lack the copepods' ability to escape predation by jerking or jumping out of the way.

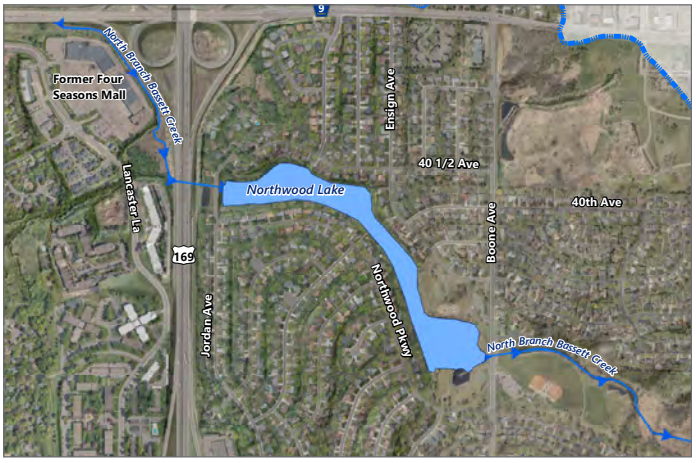
As shown in the figure below, the highest number of zooplankton was in April of 2022, when rotifers comprised 99.6 percent of the zooplankton community. The second-highest number of zooplankton was in September 2022. The composition of the zooplankton community was balanced between cladocerans, copepods, and rotifers from July through September 2022, indicating a healthy community.

In 2022, the number of cladocerans was higher than in previous years, with a maximum of approximately one million compared with approximately 64,000 in previous years. The increased numbers of cladocerans in 2022 are likely due, in part, to an improved plant community that provided refuge from fish predation.

Historical Lost Lake zooplankton



Northwood Lake 2022 water quality monitoring



About Northwood Lake

BCWMC classification	Priority-1 shallow lake
Watershed area	1,294 acres
Lake size	15 acres
Average depth	2.7 feet
Maximum depth	5 feet
Ordinary high water level	885.5 feet
Normal water level	884.4 feet
Downstream receiving water body	North Branch Bassett Creek
Location (city)	New Hope
MPCA impairments	Nutrients
Aquatic invasive species	Curly-leaf pondweed, purple loosestrife, narrow-leaved cattail, reed canary grass, yellow iris
Public access	Yes

Monitoring water quality in Northwood Lake

The Bassett Creek Watershed Management Commission (BCWMC) has monitored water quality conditions in the watershed's 10 priority lakes since 1972. The BCWMC performs this monitoring to detect changes or trends in water quality and evaluate the effectiveness of efforts to preserve or improve water quality. A summary of 2022 monitoring efforts on Northwood Lake is provided below; more comprehensive information can be found on pages 2–8.

At a glance: 2022 monitoring results

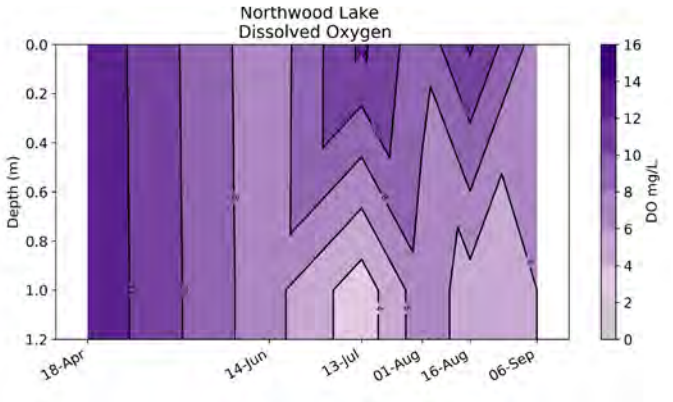
In 2022, the BCWMC monitored Northwood Lake for the following:

- Water chemistry (nutrients, chlorophyll *a*, chloride)
- Water clarity and dissolved oxygen
- Phytoplankton and zooplankton (microscopic plants and animals)
- Macrophytes (aquatic plants)

Results of 2022 monitoring show that Northwood Lake failed to meet the applicable Minnesota Pollution Control Agency (MPCA) and BCWMC water quality standards for chlorides, Secchi disc (a measure of clarity), total phosphorus, and chlorophyll *a*. Trend analyses show a significant decline in Secchi disc, a significant increase in chlorophyll *a*, but no significant change in total phosphorus over the past 10 years. More detailed results and recommendations are discussed on page 2.

At a glance: 2022 monitoring results (cont.)

- In 2022, the number of plant species in the lake in June failed to meet the Minnesota Department of Natural Resources (MNDNR) Plant Index of Biotic Integrity (IBI) threshold. In August, the number of plant species in the lake was better than the MNDNR Plant IBI threshold.
- Both the June and August Floristic Quality Index (FQI) values, a measure of plant species quality, were poorer than the MNDNR Plant IBI thresholds.
- The 2022 phytoplankton numbers were higher than all previous years except 1992.
- The 2022 zooplankton numbers were within the range of previous years, but the June 2022 value was higher than all but the May 2013 value.
- The results of an aquatic invasive species (AIS) suitability analysis indicate that Northwood Lake's water quality partially meets the suitability requirements for rusty crayfish, starry stonewort, spiny waterflea, zebra mussel, faucet snail, and Chinese mystery snail. Hence, these species would likely survive but may not thrive in Northwood Lake.
- Although lower oxygen levels were observed near the lake bottom in July, the lake was generally well oxygenated and had sufficient oxygen to support a fish community throughout the monitoring period.



Recommendations

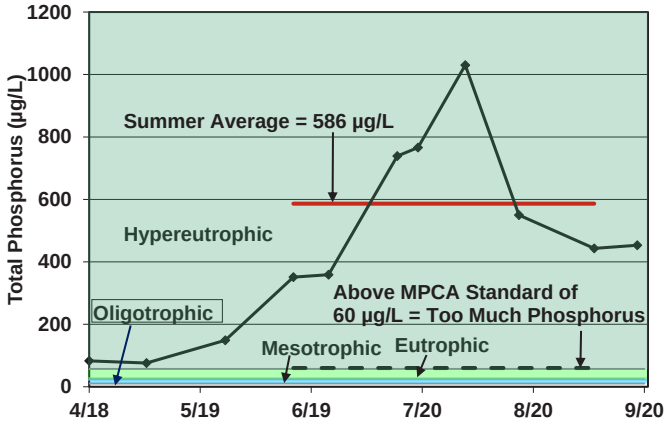
- Determine causes for the lake's significant decline in water quality over the past 10 years and feasible management measures to improve water quality
- Continue to provide education and information to lake users to reduce the chance of AIS introduction
- Continue water quality and biological monitoring at a 3-year frequency
- Work with cities, businesses, the Minnesota Department of Transportation, and Hennepin County to improve winter maintenance practices and reduce chloride load conveyed to Northwood Lake from streets and parking lots in its watershed.

Water chemistry monitoring: 2022

Total phosphorus levels

While phosphorus is necessary for plant and algae growth, too much phosphorus leads to excessive algae, decreased water clarity, and water quality impairment.

- **BCWMC/MPCA standard:** 60 micrograms per liter (µg/L) or less
- **Range:** Low of 83 µg/L in April to a high of 1,030 µg/L in early August
- **Summer average:** 586 µg/L (failed to meet BCWMC/MPCA standard)



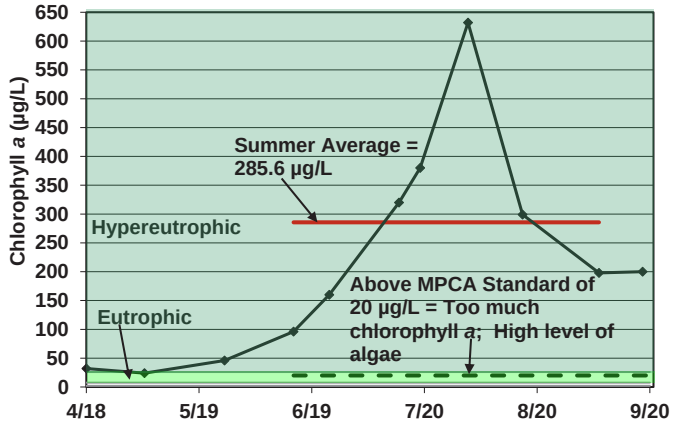
Definitions

- ***Hypereutrophic:*** Nutrient-rich lake conditions characterized by frequent and severe algal blooms and low water clarity; excessive algae can significantly reduce lake oxygen levels
- ***Eutrophic:*** Lake condition characterized by abundant accumulation of nutrients supporting dense growth of algae and other organisms; decay of algae can reduce lake oxygen levels
- ***Mesotrophic:*** Lake condition characterized by medium levels of nutrients and clear water
- ***Oligotrophic:*** Lake condition characterized by a low accumulation of dissolved nutrients, high oxygen content, sparse algae growth, and very clear water

Chlorophyll *a* levels

Chlorophyll *a* is a pigment in algae and generally reflects the amount of algae growth in a lake. Lakes that appear clear generally have chlorophyll *a* levels less than 15 micrograms per liter (µg/L).

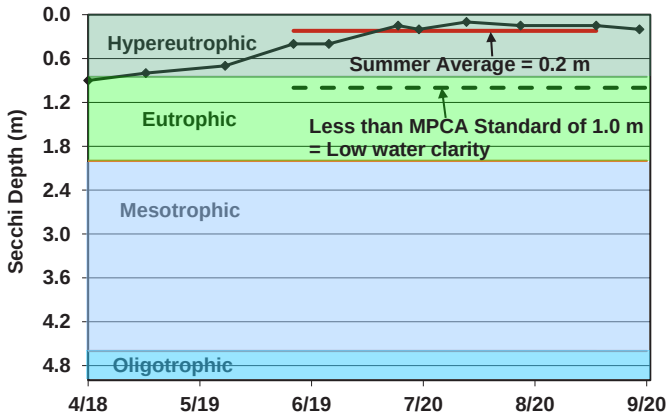
- **BCWMC/MPCA standard:** 20 µg/L or less
- **Range:** Low of 32 µg/L in April to a high of 632 µg/L in early August
- **Summer average:** 286 µg/L (failed to meet BCWMC/MPCA standard)



Water clarity

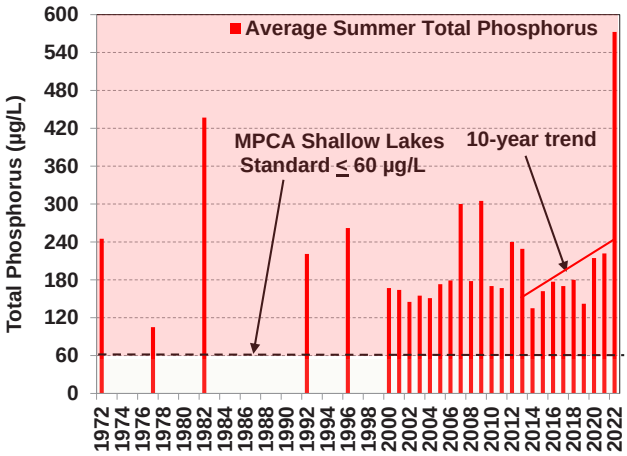
The number of algae or other photosynthetic organisms in a lake often affects water clarity. It is usually measured by lowering an 8-inch "Secchi" disc into the lake; the depth at which the disc is no longer visible is considered a measure of the water's transparency.

- **BCWMC/MPCA standard:** 1.0 meter or more
- **Range:** Low of 0.1 meters in early August to a high of 0.9 meters in April
- **Summer average:** 0.2 meters (failed to meet BCWMC/MPCA standard).

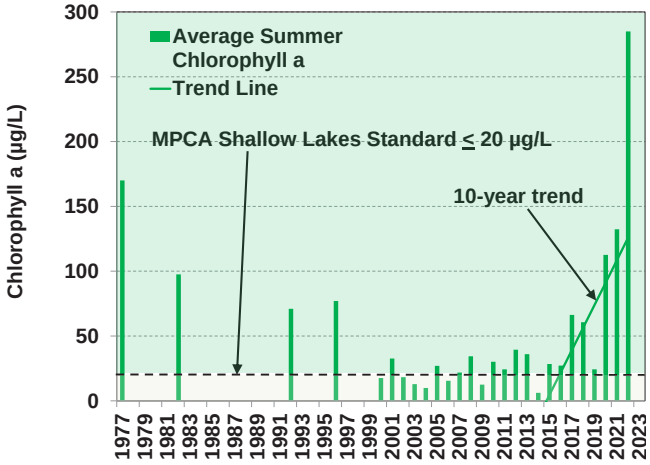


Historical water quality trends

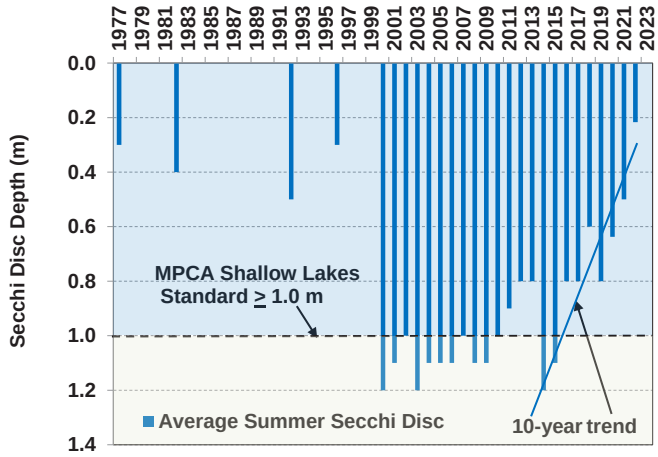
1972–2022 phosphorus levels (no significant trend)



1972–2022 chlorophyll a levels (significant increase)



1972–2022 secchi disc depths (significant decrease)

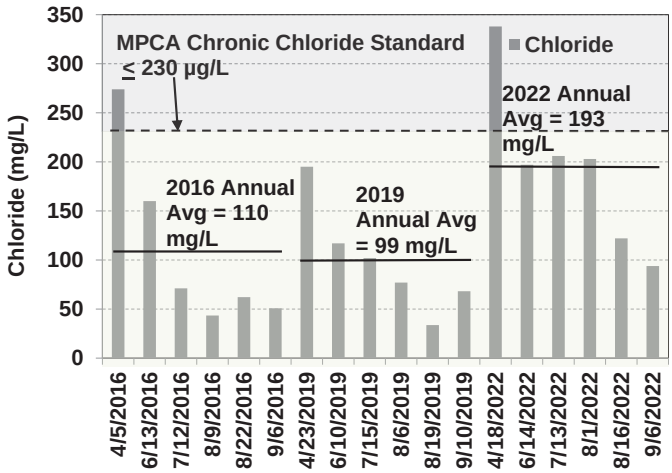


2016, 2019, 2022 chloride levels

Chloride concentrations in area lakes have increased since the early 1990s when many government agencies switched from sand or sand/salt mixtures to salt for winter road maintenance. When snow and ice melt, the salt goes with it, washing into lakes, streams, wetlands, and groundwater. It only takes 1 teaspoon of road salt to permanently pollute 5 gallons of water. Once in the water, chloride is very difficult and expensive to remove.

Because high chloride concentrations can harm fish and plant life, the MPCA has established maximum and chronic chloride standards. The maximum standard is the highest concentration of chloride that aquatic organisms can be exposed to for a brief time with zero-to-slight mortality. The chronic standard is the highest chloride concentration that aquatic life can be exposed to indefinitely without causing chronic toxicity. Chronic toxicity is defined as a stimulus that lingers or continues for a long period, often one-tenth the life span or more. A chronic effect can be mortality, reduced growth, reproduction impairment, harmful changes in behavior, and other nonlethal effects. A lake is considered impaired if two or more measurements exceed the chronic criterion (230 mg/L) within a 3-year period or if one measurement exceeds the maximum criterion (860 mg/L).

All 2016, 2019, and 2022 chloride measurements were well below the maximum standard. The April 2016 and 2022 measurements exceeded the chronic chloride standard, but all other 2016, 2019, and 2022 measurements met the standard. There was an increase in chloride between 2019 and 2022. The 2022 average annual chloride concentration (193 mg/L) was nearly double the 2019 average (99 mg/L), but both were well below the maximum and chronic chloride standards.



Macrophytes (aquatic plants)

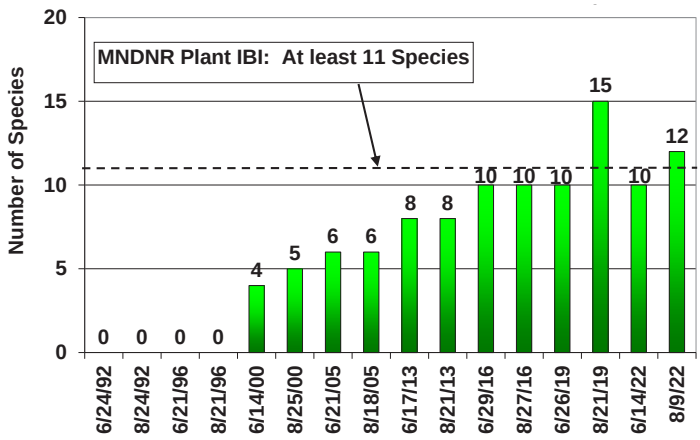
Lake Plant Eutrophication Index of Biological Integrity (IBI)

Eutrophication (excessive nutrients) may harm a lake, including reducing the quantity and diversity of plants. The MNDNR developed a Lake Plant Eutrophication Index of Biological Integrity (IBI) to measure the response of a lake plant community to eutrophication. The Lake Plant Eutrophication IBI includes two metrics: (1) the number of species in a lake and (2) the "quality" of the species, as measured by the Floristic Quality Index (FQI). The MNDNR has determined a threshold for each metric. Lakes that score below the thresholds contain degraded plant communities and are likely stressed from anthropogenic (human-caused) eutrophication.

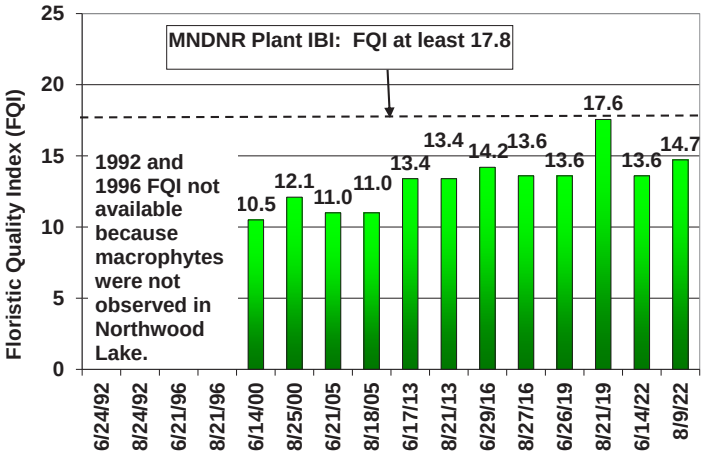
Plant survey data from 1992 to 2022 were assessed to determine Plant IBI trends. The figures on page 5 show Northwood Lake FQI scores and the number of species for that period compared to the MNDNR Plant IBI thresholds.

- **Number of species:** A shallow lake such as Northwood Lake fails to meet the MNDNR Plant IBI threshold when fewer than 11 species are found. During the period examined, the number of species in Northwood Lake ranged from 0 to 15, exceeding the MNDNR Plant IBI threshold in August 2019 and August 2022. Aquatic plants were first observed in the lake in 2000, and the number of species consistently increased from four in 2000 to 15 in 2019. In 2022, the number of species ranged from 10 to 12. The number of species in June 2022 was the same as the June 2019 value, but the August 2022 value was lower than the August 2019 value.
- **FQI values (quality of species):** The MNDNR Plant IBI threshold for shallow lakes, as measured by FQI, is a minimum value of 17.8. During the period examined, FQI values in Northwood Lake ranged from 10.5 to 17.6. All values were below the MNDNR Plant IBI threshold. FQI could not be computed in 1992 and 1996 because plants were not observed in the lake. The FQI value in June 2022 was the same as the June 2019 value, but the August 2022 value was lower than the August 2019 value.
- **Summary of 2022 results:** The number of species in the lake was better than the MNDNR Plant IBI threshold in August, but below the threshold in June. The FQI values in both June and August were below the MNDNR Plant IBI thresholds.

Northwood Lake Number of Species from 1992–2022



Quality of Northwood Lake Plant Community from 1992–2022



Aquatic invasive species (AIS)

In 2022, five aquatic invasive species were present in Northwood Lake.

- Curly-leaf pondweed (*Potamogeton crispus*): Curly-leaf pondweed has been observed in Northwood Lake since 2000. The plant increased in extent and density from 2016 (50 percent of sample locations) through 2019 (92 percent of sample locations) and was again observed at 92 percent of sample locations in June 2022. It was considered problematic in both June of 2019 and 2022, with an average rake density of 2.5 on a 1 to 3 scale. The surge and subsequent die-off of curly-leaf pondweed added phosphorus to the lake, resulting in increased algal growth and decreased clarity.
- Purple loosestrife (*Lythrum salicaria*): This emergent species has been observed along the shoreline since 2000. It has decreased in extent since 2016, when it was scattered around the lake. In 2019, it was observed at one location in June and two in August. In 2022, it was observed at one location in both June and August. Purple loosestrife observed in 2016, 2019, and 2022 had suffered damage from beetles introduced to control the population, suggesting that the beetles had the desired effect.
- Reed canary grass (*Phalaris arundinacea*): Reed canary grass has been observed along the shoreline since 2016. It was seen at one location in 2016 and two in 2019. In 2022, it was observed at two locations in June and six in August.
- Narrow-leaved cattail (*Typha angustifolia*): This emergent species was first observed in 2022 at five locations.
- Yellow iris (*Iris pseudacorus*): The first observation of yellow iris occurred in 2019 at one location on the south end of the lake. In 2022, it was observed at one location on the south end of the lake in June and one on the northeast side in August.

Curly-leaf pondweed

Purple loosestrife

Reed canary grass

Narrow-leaved cattail

Yellow Iris

Suitability of Northwood Lake for aquatic invasive species

Many aquatic invasive species (AIS) in Minnesota have not yet been observed in Northwood Lake but could be introduced. For example, both zebra mussels and starry stonewort are present in nearby Medicine Lake. A suitability analysis was performed to evaluate whether Northwood Lake water quality would support the introduction of six AIS: starry stonewort, zebra mussels, spiny waterflea, faucet snail, Chinese mystery snail, and rusty crayfish.

The analysis compared 2022 water quality in Northwood Lake with the water quality conditions required for each species, specifically evaluating total phosphorus, chlorophyll *a*, Secchi disc depth, trophic state index (TSI), water temperature, dissolved oxygen, specific conductance, calcium, magnesium, sodium, alkalinity, hardness, and calcium carbonate. The results indicate that the water quality of Northwood Lake only partially meets the suitability requirements for rusty crayfish, starry stonewort, spiny waterflea, zebra mussels, the faucet snail, and the Chinese mystery snail. Hence, these species would likely survive but may not thrive in Northwood Lake.

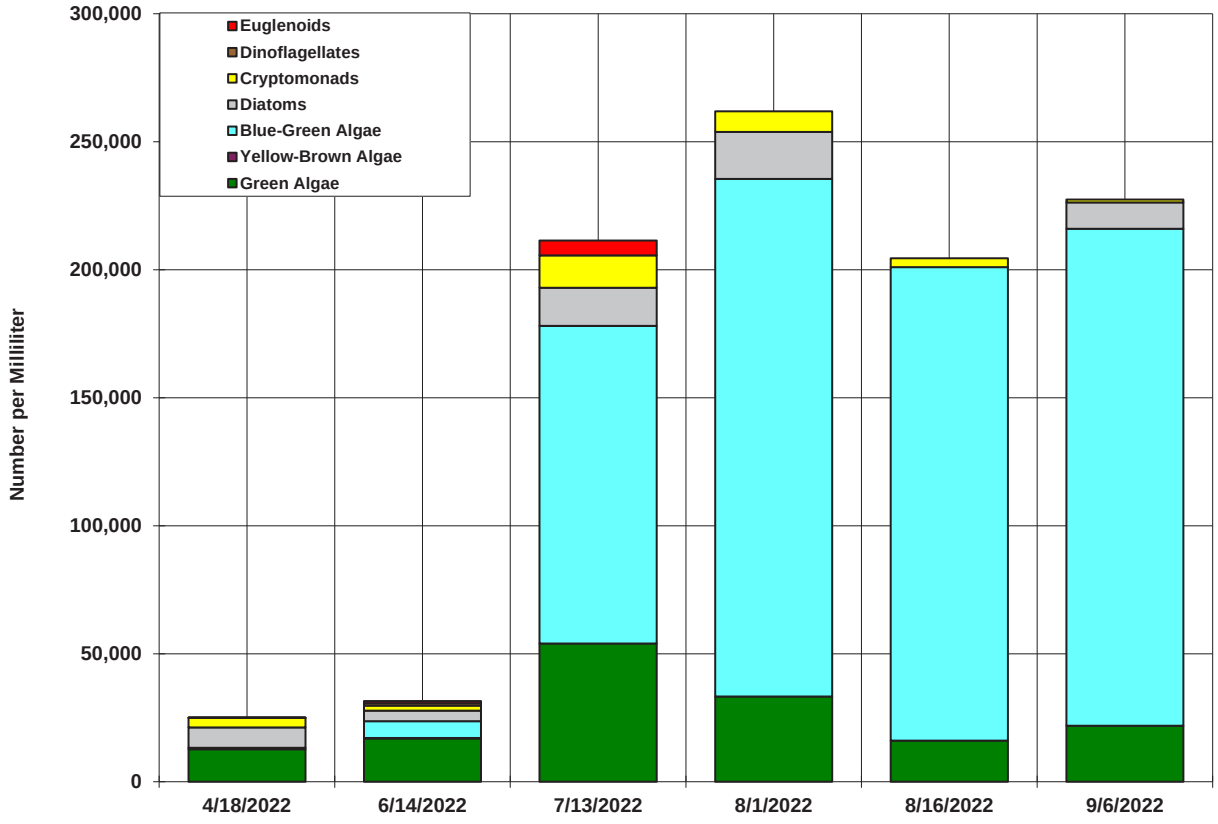
Phytoplankton (algae)

Phytoplankton, or algae, are small aquatic plants naturally present in lakes. Phytoplankton derive energy from the sun through photosynthesis and provide food for several types of aquatic organisms, including zooplankton (microscopic animals), which are, in turn, eaten by fish. An inadequate phytoplankton population limits a lake's zooplankton population and indirectly limits fish production in a lake. Excess phytoplankton can reduce water clarity.

Phytoplankton samples were collected from Northwood Lake to evaluate water quality and the quality of food available to zooplankton. The phytoplankton monitoring also included blue-green algae, a type of bacteria called cyanobacteria. This type of bacteria thrives in warm, nutrient-rich water and can grow rapidly under certain conditions, causing "blooms." Blue-green algae can produce algal toxins, which can harm humans or other animals. Blue-green algae are also a poor-quality food for zooplankton; they can be toxic and may not be assimilated if ingested.

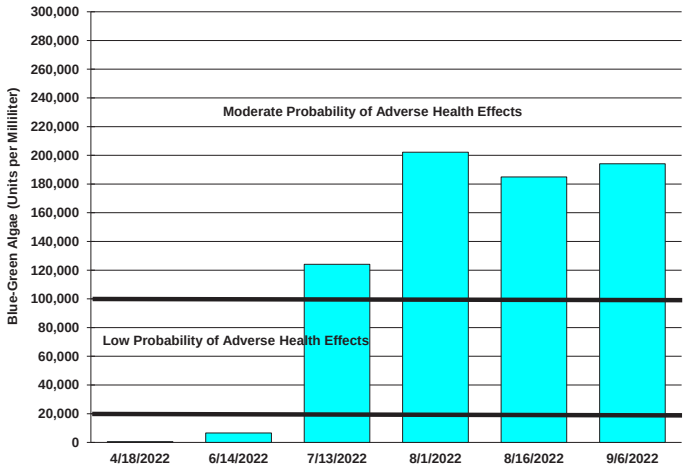
The figure below summarizes the number and major groups of phytoplankton in Northwood Lake in 2022. Green algae, diatoms, and cryptomonads provided a good quality food source for the zooplankton community. The figure on page 5 shows historical Northwood Lake phytoplankton.

2022 Northwood Lake phytoplankton summary by division

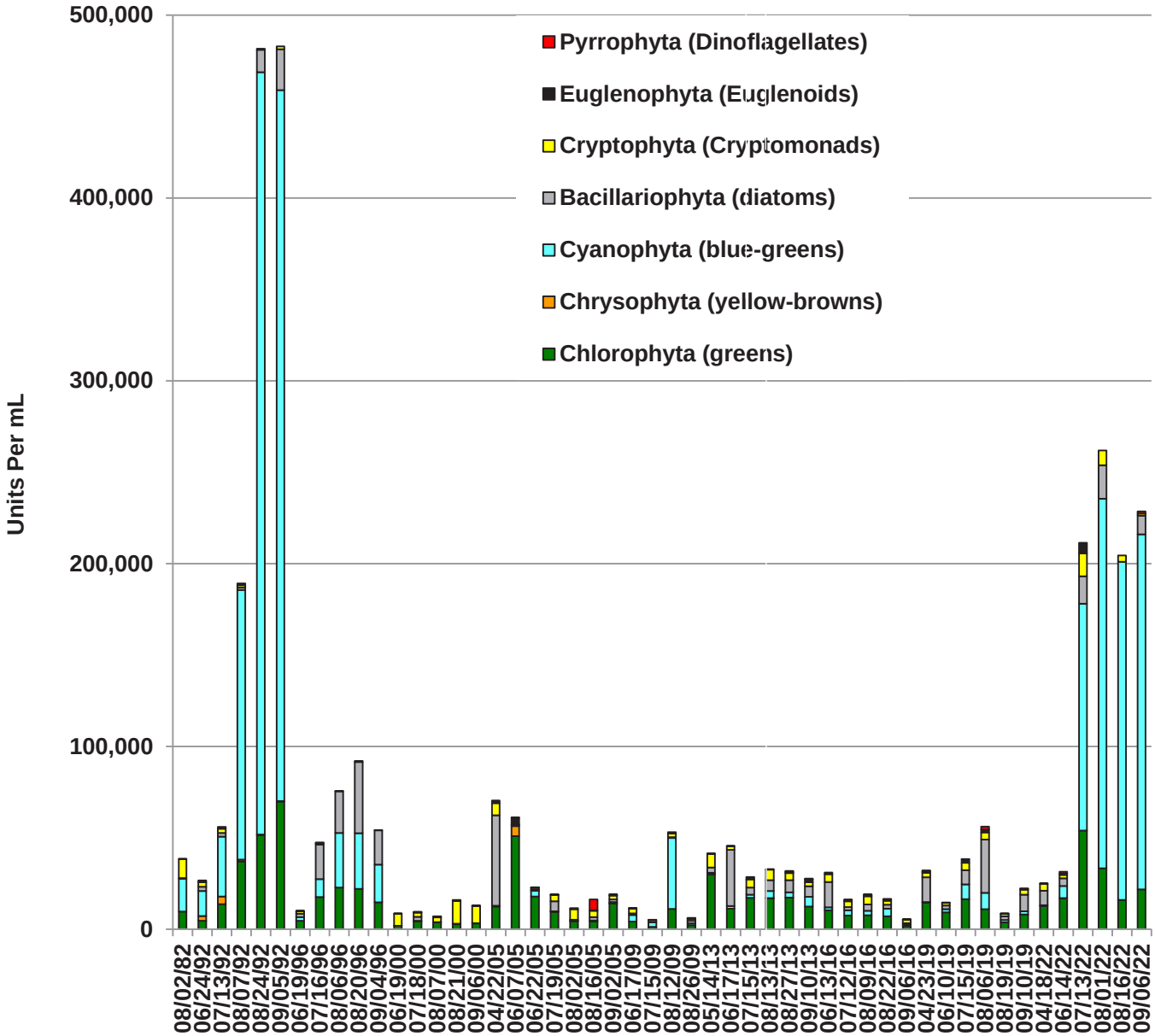


In 2022, a severe blue-green algal bloom was observed in the lake from the July through September sample events. Blue-green algae numbers during this period ranged from approximately 124,000 units per milliliter in July to 202,000 units per milliliter in August (see figure at right), well above the WHO threshold (100,000 per milliliter) for a moderate probability of adverse health effects. Blue-greens comprised a higher percentage (90 percent) of the phytoplankton in mid-August of 2022 than in previous years (0 to 87 percent). Although there can be many causes of blue-green algal blooms, the high total phosphorus concentrations, hot, dry summer conditions, and very little flow through the lake contributed to the growth and persistence of the blue-green algal population throughout the summer months.

2022 Northwood Lake blue-green algae compared with World Health Organization (WHO) thresholds for health impacts



Historical Northwood Lake phytoplankton



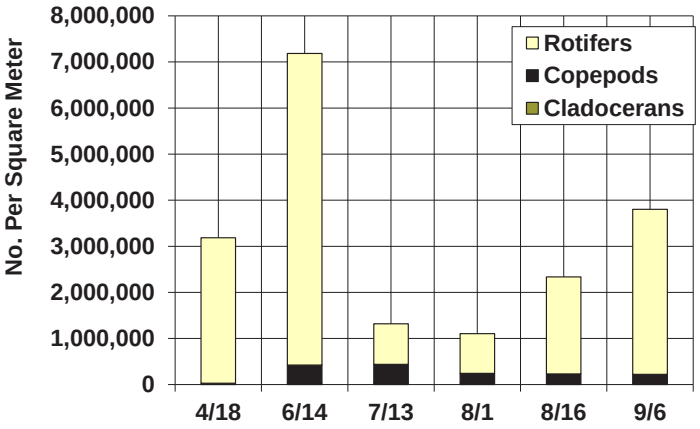
Zooplankton

Unlike phytoplankton, zooplankton do not produce their own food. As "filter feeders," they eat millions of small algae; given the right quantity and species, they can filter the volume of an entire lake in a matter of days. They are also valuable food for planktivorous fish and other organisms. Fish generally select the largest zooplankters they see and prefer cladocerans to copepods. Cladocerans swim slowly and lack the copepods' ability to escape predation by jerking or jumping out of the way.

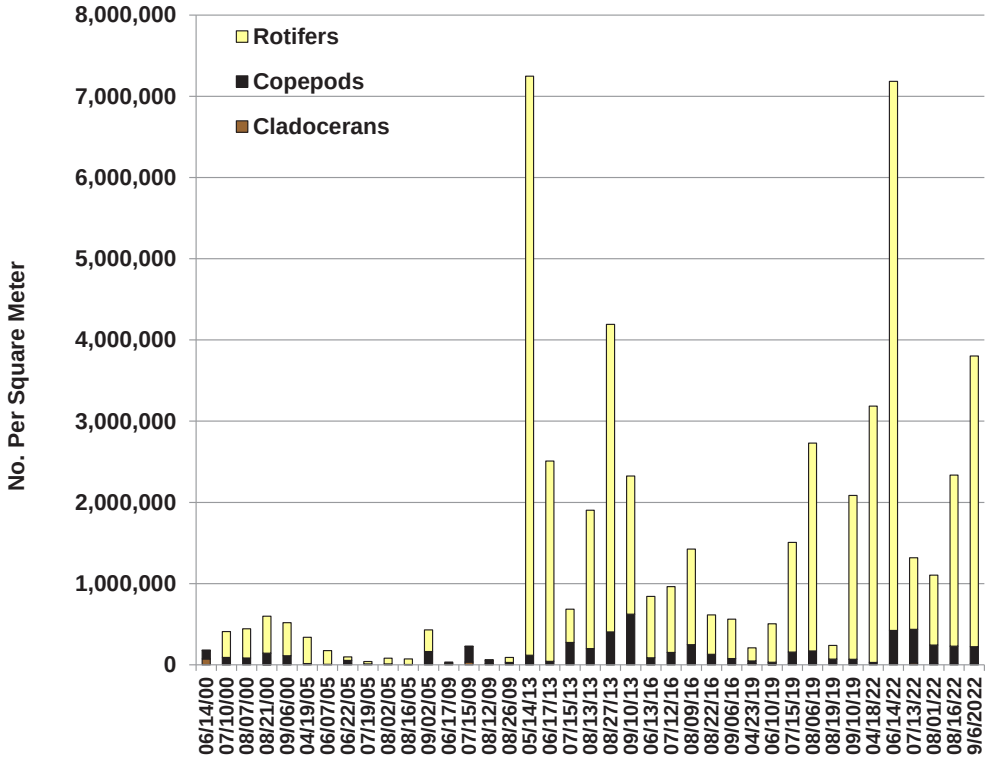
Small rotifers, the least preferred food for fish, dominated the zooplankton community throughout 2022 (figure at right). Copepods were also prevalent throughout the summer, while the number of cladocerans was so low that they are not generally visible in the figure at right. The low number of cladocerans is likely due to fish predation. Low numbers of cladocerans in shallow lakes are common because they have no deep water refuge to escape fish. Deeper waters have sufficient oxygen for zooplankton but insufficient oxygen for fish. Consequently, deeper lakes often have higher numbers of cladocerans than shallow lakes.

The 2022 numbers and community composition of zooplankton in Northwood Lake were within the range observed since 2013; however, the June 2022 value was higher than all but the May 2013 value (see figure below). There were more zooplankton from 2013 through 2022 than before 2013. The higher zooplankton numbers since 2013 are likely due to the increased extent and density of aquatic plants within the lake. Aquatic plants provide hiding places for zooplankton to avoid predation by fish. Aquatic plants were not observed in Northwood Lake before 2000, and zooplankton numbers were very low. The use of barley straw in 2000 through 2003 to inhibit algal growth and improve water clarity has increased the aquatic plant community's extent and density, and zooplankton numbers have also increased.

2022 Northwood Lake Zooplankton



Historical Northwood Lake Zooplankton



Item 5C.
BCWMC 7-20-23

Bassett Creek Watershed Management Commission

MEMO

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

Recommendation: Approve agreement with the City of Plymouth for final design, construction, and long-term maintenance of Four Seasons Area Water Quality Improvement Project

This BCWMC CIP project has a long history of different designs and agreements but no implementation for a variety of reasons. The project was originally developed as two new stormwater ponds and restoration of a tributary to North Branch of Bassett Creek (and Northwood Lake just downstream). That project was conditionally approved by the Commission in 2013 but based on neighborhood feedback regarding tree removal, the project was not constructed.

In 2017 and 2020, the Commission approved project designs and agreements with two different private developers to incorporate stormwater management features into their designs for the redevelopment of the Four Seasons Mall site that removed an additional 100 pounds of total phosphorus (above and beyond applicable requirements). Neither of those projects were built due (mostly) to changing market forces. The mall property remains vacant.

In 2021, the City of Plymouth purchased the mall site and has been developing a mechanism to build the CIP project components since then. The mall was demolished late last year and the city is pursuing the site's redevelopment.

At the August 2021 meeting, the Commission approved a TAC recommendation including:

- The Commission enter an agreement with the city of Plymouth to construct the previously approved BMPs, provide CIP-fund reimbursement for construction of structures that capture the first 100 pounds of TP, and allow future redevelopment to utilize any TP removals above 100 pounds to meet BWCMC water quality treatment requirement.
- No BCWMC funding should be used to create storage or water quality benefits that would be required of any proposed development.
- The current impervious surface area of 11.93 acres be set as the "existing condition" upon which future stormwater management requirements would be based, with a sunset clause of 20 years.

At the time, circumstances were changing for the site; the Commission did not enter an agreement with the city (as contemplated above), and the city did not pursue further planning.

At the December 2022 meeting, the Commission approved the city's 90% design plans for the CIP project, which include wetland restoration, wet ponding, and sumps, and the Commission again revisited the terms of a potential agreement with the city. The Commission also discussed recommendations from the TAC and Commission staff regarding the agreement to construct the CIP project and allow future developers to utilize stormwater treatment above the CIP project's intended 100 pounds of total phosphorus removal. At that meeting, the following action was taken:

Commissioner Welch moved to authorize the Commission Attorney to work with the city of Plymouth and Commission Administrator to draft an agreement for construction of the CIP project (NL-2) components with an allocation of 18 pounds of total phosphorus removal as a credit to the city commensurate with city funding, no allowance for wetland banking, and development of a chloride management plan for the site. Commissioner Gwin-Lenth seconded the motion. Upon a vote, the motion carried 7-0, with the cities of Robbinsdale and St. Louis Park absent from the vote.

At this meeting, Commission staff recommend that the Commission approve the attached agreement with the City of Plymouth for reimbursement of CIP funds used to design and construct the CIP project components similar to agreements with other member cities for CIP project implementation. This agreement was drafted by the Commission Attorney and language was approved by Plymouth staff. Additionally, this agreement allows the city to offer a future developer stormwater treatment capacity utilization that is in excess of the 100 pounds of total phosphorus removed by the CIP project but only to the extent such capacity is commensurate with the city's contribution toward the CIP project's cost. In other words, the agreement provides clearly that no BCWMC CIP funding can or will be utilized for the treatment capacity that might utilized by a future developer. The agreement also states that no wetland banking credits will be created by the project.

The project design will change since the previously approved 90% design plans. Revised 90% plans will be submitted to the Commission by the City later this year. This design will be similar to what the Commission approved in 2022, but includes a smaller pond footprint (through the combination of the main pond and forebay area) and resulting in an increase in wetland restoration area. The project still involves stormwater treatment above the CIP project's intended 100 pounds of total phosphorus removed but that additional amount is likely to be closer to 10 pounds of total phosphorus rather than the 18 pounds in previous plans.

This agreement does not include a requirement that a chloride management plan be developed by a future developer of the site. That does not preclude the city from requiring a chloride management plan of a future developer. However, there is still much uncertainty about how/if the site will be redeveloped, and although the Commission encourages chloride management plans, it does not require them in its development standards. For those reasons, the city is reluctant to include this provision as an absolute requirement but has made clear that it is committed to chloride reduction throughout the city and will work with any future developer on appropriate winter maintenance.

COOPERATIVE AGREEMENT

(Four Seasons Area Water Quality Project NL-2)

This Cooperative Agreement ("**Agreement**") is made as of this ___ day of _____, 2023 by and between the Bassett Creek Watershed Management Commission, a joint powers watershed management organization ("**Commission**"), and the City of Plymouth, a Minnesota municipal corporation ("**City**"). The Commission and the City may hereinafter be referred to individually as a "party" or collectively as the "parties."

RECITALS

A. The Commission adopted the Bassett Creek Watershed Management Commission Watershed Management Plan on September 17, 2015 ("**Plan**"), a watershed management plan within the meaning of Minnesota Statutes, section 103B.231.

B. The Plan includes a capital improvement program ("**CIP**") that lists a number of water quality capital improvements.

C. One of the water quality projects identified in the CIP is the Four Seasons Area Water Quality Project in the City that was funded as part of the 2013 CIP levy and collected by Hennepin County pursuant to Minnesota Statues, section 103B.251.

D. The original Four Seasons Mall Area Water Quality Project did not proceed, but multiple developers have since proposed to construct alternative stormwater projects on the former Four Seasons Mall site ("**Site**") which would have met the requirements of the original project.

E. The aforementioned developers did not proceed with their proposed redevelopment plans and the City recently acquired the Site so that it could control redevelopment and facilitate water quality improvements.

F. The City now proposes to construct an alternative water quality project (the "Project") which meets the goals and requirements of the originally identified CIP project.

G. Notwithstanding the longstanding challenges of redeveloping the Site, the City desires to construct the Project in advance of site redevelopment to provide an immediate water quality benefit within the watershed.

H. The Commission desires to provide CIP funding, on a reimbursement basis, to the City for the Project in accordance with the terms and conditions of this Agreement, and likewise, the City desires to utilize the CIP funds from the Commission to construct the Project in accordance with the terms and conditions of this Agreement.

AGREEMENT

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

1. Project Scope. The Project generally consists of wetland restoration, wet ponding and sumps, along with other improvements, that will be collectively designed to provide for water quality treatment that will remove no less than 100 pounds of phosphorus annually from the Site. Although the Project will involve on-site wetland mitigation, it may not result in the creation of a wetland bank.

2. Design and Plans. The City will design the Project, prepare plans and specifications for construction of the Project, and provide supporting information including, but not limited to, final pollutant removal information and other information to confirm the above pollutant removal estimates are achieved, as further detailed in section 7 below. 90% plans and specifications for the Project were previously submitted to the Commission and approved in accordance with the Commission's CIP project review process, and any changes to such plans and specifications shall be submitted to the Commission for approval. Minor change orders, however, may be approved by the City without requiring additional approval by the Commission. For purposes of this paragraph, "minor change orders" shall mean those changes to the approved plans that do not materially change either the effectiveness of the Project to meet its intended purposes, the aesthetics, form, or function of the Project, or the environmental impacts of the Project.

3. Contract Administration. The City will advertise for bids and award contracts for the Project in accordance with the requirements of applicable law. The City will award such contracts and supervise and administer the construction of the Project to ensure that it is completed in accordance with the approved plans and specifications. The contracts may only be let to one or more responsible contractors in accordance with Minnesota Statutes, section 16C.285 and the City will require the contractors to provide all payment and performance bonds required by law. The City will further require the contractors to name the Commission as additional insured on all liability policies required by the City and the Commission shall be given the same notification of cancellation or non-renewal as is given to the City. The City will require the contractors to defend, indemnify, protect and hold harmless the Commission and the City, their agents, officers, and employees, from all claims or actions arising from negligent acts, errors or omissions of the contractors. The City will supervise the work of the contractors. However, the Commission may observe and review the work of the Project until it is completed. The City will display a sign at the construction site stating "Paid for by the Taxpayers of the Bassett Creek Watershed."

4. Contract Payments. The City will pay all contractors and all other expenses related to the construction and implementation of the Project and keep and maintain complete records of such costs incurred.

5. Commission Reimbursement. The Commission agrees to reimburse the City for eligible Project-related costs it incurs as provided in this section. The total amount of CIP funds the Commission presently has available for Project reimbursement is $793,551.94, less the Commission's out-of-pocket costs related to the Project incurred after the effective date of this Agreement, including, but not limited to, Commission Engineer's review and inspection costs. A condition precedent of the Commission's obligations under this Agreement is that the City fund from other sources as needed all Project costs not being reimbursed by the Commission under this Agreement, including, but certainly not limited to, any costs required for property or easement acquisition

necessary for the City to construct and maintain the Project (herein, the "City Contribution"). The portion of Commission CIP funds in excess of future out-of-pocket costs of the Commission shall be available for reimbursement to the City for costs incurred by or on behalf of the City in the planning, design and construction of the Project. The City may seek up to monthly reimbursements from the Commission as it incurs and pays costs to design and construct the Project. Reimbursement to the City will be made as soon as funds are available, provided a request for payment has been received from the City that contains such detailed information as may be requested by the Commission to substantiate costs and expenses. The City shall complete and submit with its final reimbursement request to the Commission a final report on the Project using the Commission's final reporting form and providing such other information as may be requested by the Commission.

6. Limits on Reimbursement. Reimbursement to the City will not exceed the amount specified in section 5 above, again less any amounts retained by the Commission for Commission expenses. Reimbursement will not be increased by grants or other revenues received by the Commission for the Project. Reimbursement will not exceed the total eligible costs and expenses incurred by the City for the Project, less any amounts the City receives for the Project as grants from other sources. All costs of the Project incurred by the City in excess of such reimbursement, i.e. the City Contribution, shall be borne by the City or secured by the City from other sources.

7. Excess Treatment Capacity; Future Site Development. The Project's total treatment capacity, as contemplated in the CIP, was to provide 100 pounds of total phosphorous removal from the Site per year. The City's Project design estimates the removal of 110 pounds of total phosphorous from the Site per year, a number that is subject to modification depending on final Project implementation. Following Project completion, the City will provide the Commission Engineer with record drawings of the constructed Project, which will be reviewed by the Commission Engineer and compared with final Project plans to determine the Project's total achieved treatment capacity in pounds of annual phosphorous removal from the Site (the "Final Substantiated Annual Phosphorous Removal").

   Given the longstanding difficulties with redeveloping the Site and moving the Project toward construction, the Commission understands and agrees that the City may allow a future developer of the Site to utilize any excess stormwater treatment capacity achieved by the Project, i.e. the pounds of annual phosphorous removal in excess of 100, similar to a regional treatment approach. However, the Commission needs assurances that any such treatment capacity made available by the City to a future Site developer is not funded by Commission CIP funds. To that end, the total treatment capacity allocated to any such Site developer, in pounds of annual phosphorous removal and when divided by 100, may not exceed the number achieved by dividing the City Contribution by the total substantiated cost of the Project. Additionally, the City agrees to provide the Commission with any information or records related to the Project that are deemed necessary by the Commission to accurately determine and confirm the Final Substantiated Annual Phosphorous Removal, the total Project cost, the City Contribution, and adherence to this section 7.

8. Audit. All City books, records, documents, and accounting procedures related to the Project are subject to examination by the Commission and either the State Auditor or the Legislative Auditor for at least six years after completion of the Project.

9. Environmental Review. The City will perform all necessary investigations of site contamination and secure all necessary local, state, or federal permits required for the construction of the Project and will not proceed with the Project until any required environmental review and remediation of site contamination is completed or a plan for remediation is approved by appropriate regulatory agencies.

10. Ongoing Maintenance. Upon completion of the Project, the City shall be solely responsible for its sustainability and ongoing maintenance. The City agrees to perform, at its cost, such maintenance as may be required to sustain the proper functioning of the improvements constructed as part of the Project for their useful life. Although the City is the owner of the real property where the Project is being constructed, it reserves the right to transfer such property to any prospective Site developer, provided, however, that prior to any such conveyance, the City shall ensure that all necessary public easements are in place to ensure the Project is inspected and properly maintained by the City in perpetuity to ensure its long-term viability. Should any future developer propose to modify any element of the Project in a manner that quantifiably reduces the amount of pollutant removal captured by the Project, the City shall expressly and unequivocally require said developer to construct alternative improvements on the Site as part of its project so that, at the very least, an equal amount of such pollutant removal reduction is captured through alternative means, in addition to and beyond any and all other applicable water quality requirements that the developer may be subject to.

11. Data Practices. The City shall retain and make available data related to the letting of contracts and construction of the Project in accordance with the Minnesota Government Data Practices Act.

12. Term. This Agreement shall be in effect as of the date first written above and shall terminate once the Project is completed and the Commission has completed its reimbursement payments to the City as provided herein, provided, however, that the requirements contained in section 11 shall survive any such termination.

13. Entire Agreement. The above recitals and the exhibits attached hereto are incorporated in and made part of this Agreement. This Agreement contains the entire understanding between the parties regarding this matter and no amendments or other modifications of its terms are valid unless reduced to writing and signed by both parties.

[signature page to follow]

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

BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION

By:_____
Its Chair

And by:_____
Its Secretary

Date:_____

CITY OF PLYMOUTH

By: _____
Its Mayor

And by: _____
Its City Manager

Date:_____

Item 5D.
BCWMC 7-20-23
Full document at:
www.bwsr.state.mn.us/apply

BOARD OF WATER AND SOIL RESOURCES

FY 2024

Clean Water Fund Competitive Grants Request for Proposal (RFP)

CLEAN WATER LAND & LEGACY AMENDMENT

MINNESOTA POLLUTION CONTROL AGENCY

DEPARTMENT OF AGRICULTURE

TABLE OF CONTENTS

WHAT IS NEW FOR FY24

- This RFP is applicable only to Projects & Practices Grants (including Drinking Water subgrant)
- Eligible applicants for Drinking Water subgrant now includes municipalities and public water systems
- Match changed to 10% from 25% in order to 1) be more consistent with other Clean Water Fund grant programs, 2) to make it more accessible for LGUs to apply for funding, and 3) acknowledge that LGUs need to pursue specific landowners in targeted areas where a project may have limited private value but greater public value.

PURPOSE

The Board of Water and Soil Resources (BWSR) Clean Water Fund Competitive Grants Program supports activities that restore, protect, and enhance water quality. This RFP includes:

Two grants:

- Projects and Practices
- Drinking Water

Two loans:

- Minnesota Pollution Control Agency Clean Water Partnership Loan
- Minnesota Department of Agriculture AgBMP Loan

The Clean Water Fund was established in Minnesota Statute 114D.50 to implement part of Article XI, Section 15, of the Minnesota Constitution, with the purpose of protecting, enhancing, and restoring water quality in lakes, rivers, and streams in addition to protecting ground water and drinking water sources from degradation. These funds must supplement traditional sources of funding and may not be used as a substitute to fund activities or programs.

TIMELINE

No late submissions or incomplete applications will be considered for funding. The application must be submitted by 4:30 PM. Late responses will not be considered. The grant applicant is responsible for proving timely submittal.

Grant Cycle	**Grant Cycle Dates**
Application period open	June 29, 2023
Application period close	August 24, 2023
BWSR Board authorizes grant awards	December 14, 2023
BWSR grant agreements sent to recipients	February 2024
Work plan submittal deadline	March 20, 2024
Grant execution deadline	April 17, 2024

GRANT ELIGIBILITY AND REQUIRMENTS

APPLICANT ELIGIBILITY

See the FY 2024 Clean Water Fund Competitive Grant Policy.

FUNDING AVAILABLE AND MATCH

Table 1 lists the Clean Water Fund (CWF) programs available to BWSR and other executive branch agencies. Final funding decisions will be dependent on the actual funds available.

All BWSR CWF competitive grants require a minimum non-state match. All BWSR grant programs have a match requirement that is up to 10% of the amount of Clean Water Funds requested or received. The match must be cash or in-kind cash value of goods, materials, and services directly attributed to project accomplishments.

Table 1: FY 2024 Competitive Clean Water Grant and Loan Funding Available[1]

Agency Fund	Funding Amount	Required Match
BWSR Projects and Practices Grant	Up to $6,960,800	10%
BWSR Drinking Water subgrant	Up to $1,740,200	10%
MDA AgBMP Loans	Up to $4,799,000	Not Required
MPCA Clean Water Partnership Loans	Up to $3,500,000	Not Required
Total	**Up to $17,000,000**	

[1] Amounts shown are estimates. Actual amounts will be determined prior to the end of the application period.

PREVAILING WAGE

It is the responsibility of the grant recipient or contractor to pay prevailing wages on construction projects to which state prevailing wage laws apply (Minn. Stat. 177.42 – 177.44). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with state funds included in this RFP shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality. Additional information on prevailing wage requirements is available on the Department of Labor and Industry (DOLI) website https://www.dli.mn.gov/business/employment-practices/prevailing-wage-information. Questions about the application of prevailing wage rates should be directed to DOLI at 651-284-5091.

APPLYING FOR A GRANT

HOW TO SUBMIT A QUESTION

Questions regarding grant applications should be directed to your area Board Conservationist or Clean Water Specialist; a map of work areas and contact information is available at BWSR Maps and Apps Gallery. Questions may also be submitted

by email to cwfquestions@state.mn.us. Responses will be posted on the BWSR website as a "Frequently Asked Questions" (FAQ) document and updated weekly throughout the RFP. The final update will be posted on August 10, 2023.

Questions about the Restoration Evaluation Program can be directed to: Wade Johnson, wade.a.johnson@state.mn.us or 651-259-5057.

Questions about the MDA AgBMP Loan Program and requesting funds through this application can be answered by calling Richard Gruenes (651) 201-6609 or emailing AgBMP.Loans@state.mn.us.

Questions regarding the MDA Groundwater Protection Rule and Township Testing can be answered by calling Larry Gunderson at 651-328-9034 or emailing larry.gunderson@state.mn.us.

Questions about the MPCA Clean Water Partnership Loan Program can be answered by calling Cindy Osborn at 651-757-2099 or emailing cynthia.osborn@state.mn.us.

For more information on who to contact at the Minnesota Department of Health in regards to questions about Drinking Water Supply Management Areas or Well Head Protection areas, visit: https://www.health.state.mn.us/communities/environment/water/docs/swpstaffmap.pdf.

HOW TO APPLY USING ELINK

1. Set up your eLINK user account
   Proposals need to be submitted via eLINK. Eligible applicants without a current eLINK user account must register for an account at https://elink.bwsr.state.mn.us no later than seven days prior to the proposal deadline. For eLINK related questions, first visit the eLINK section of the Frequently Asked Questions (FAQ) page. If your question is not addressed here, please contact elinksupport@state.mn.us.

2. Complete your funding request (proposal)
   See the "Completing a Funding Request in eLINK" under the "eLINK Training Videos" tab on the eLINK webpage to view a 11-minute online module describing how to complete a Funding Request within eLINK.

- As part of the proposal, eLINK will require applicants to map the location of the proposed project area.
- Answers to each question is limited to 2,000 characters. Due to differences in how programs are encoded, be aware that the character limit in eLINK is not the same as Microsoft Word or other text editors.
- Proposals may include only one image to be submitted within their eLINK application. Only .jpg, .tiff, or .png file types are allowed.

Applicants must provide answers to the following questions as part of their proposal submitted in eLINK. The questions are related to the ranking criteria categories, which determine how proposals are scored by reviewers. The ranking criteria can be found in the "Application Review" section of this RFP.

APPLICATION GUIDELINES

- Proposals submitted under the BWSR Clean Water Fund Grant categories must request state funds that equal or exceed $30,000. Proposals submitted that do not fall within this dollar range will not be accepted.
- Proposals may receive partial funding based on eligibility or availability of funds. Prior to final selection, the Board may engage applicants to resolve questions or to discuss modifications to the project or funding request. Actual awards may be less than this minimum if proposals receive partial funding. Applications may receive partial funding for the following reasons: 1) an absence of or limited identification of specific project locations, 2) budgeted items that were

not discussed in the application or have no connection to the central purpose of the application were included by an applicant; 3) to address budget categories out of balance with the project scope; 4) application contains ineligible components; and 5) insufficient funds remaining in a grant category to fully fund a project. Prior to final selection, the Board may engage applicants to resolve questions or to discuss modifications to the project or funding request.

- Proposals that do not comply with all proposal requirements will not be considered for funding, as provided below:
    - Components of the proposal are incomplete or missing;
    - The match amount does not meet grant requirements; or
    - The minimum grant dollar amount is not met, or the maximum amount is exceeded.
- Proposals should clearly articulate what water resource is being targeted in the application. Proposals should demonstrate significant, measurable project outputs and outcomes targeted to critical pollution source areas that will help achieve water quality objectives for the water resource of concern; be consistent with a watershed management plan that has been state approved and locally adopted or an approved total maximum daily load study (TMDL), Watershed Restoration and Protection Strategy (WRAPS), Groundwater Restoration and Protection Strategy (GRAPS), surface water intake plan, or well head protection plan.
- Proposals should ensure they are citing the current, state approved and locally adopted plan for the project area. For example, once a Comprehensive Watershed Management Plan is adopted for an area, the County Water Plan or SWCD Comprehensive Plan can no longer be referenced since it is no longer the applicable plan in the project area, even if it continues to be used elsewhere in the county where a CWMP has not yet been developed and adopted. Improper plan references will negatively affect the prioritization score.
- As appropriate, outputs should include scientifically credible estimates of pollutant reductions expected as a result of the project, as well as other measures such as acres of wetlands/forest, miles of riparian buffer or stream bank restored, acres treated by stormwater BMPs, or acres of specific agricultural conservation practices implemented including acres treated by the installation of the practice. ***Applications with unrealistic pollution reduction estimates will not be considered.***
- Proposals for projects meeting a waste load allocation and located on publicly owned land and exceeding $750,000 should first consult with the Minnesota Public Facilities Authority before applying for BWSR Clean Water Funds.
- Proposals must have plans for long-term maintenance and inspection monitoring for the duration of the life of a project as part of their project files. Work plans developed for funded applications will rely on this information for operation, maintenance and inspection requirements after the project is completed.
- Applicants should evaluate the impacts that climate change (such as fluctuating precipitation patterns and drought) may have on the ability of the proposed project to meet objectives and whether the proposed project increases landscape resiliency.
- For projects that are proposing to infiltrate stormwater, the following guidance should be taken into consideration: https://stormwater.pca.state.mn.us/images/3/3a/Evaluating_Proposed_Stormwater_Infiltration_Projects_in_Vulnerable_Wellhead_Protection_Areas.pdf
- Proposals from applicants that were previously awarded Clean Water Funds will be considered during the review process for applications submitted in response to this RFP. However, applicants that have expended less than 50% of previous award(s) at the time of this application will need to demonstrate organizational capacity to finalize current projects and to complete new projects concurrently.
- Proposals involving in-lake treatment and feedlot projects must include required attachments in eLINK at the time of application.

APPLICATION REVIEW

BWSR staff initially review all applications for eligibility. Eligible applications are further screened and forwarded to an interagency work team (BWSR, MPCA, MDA, MDH and DNR) that will review and rank the applications, in order, to make a funding recommendation to the BWSR Board. See Ranking Criteria for each grant in the sections below.

CONFLICT OF INTEREST

State Grant Policy 08-01, (see https://mn.gov/admin/government/grants/policies-statutes-forms/) Conflict of Interest for State Grant-Making, also applies to BWSR grantees. Grantees' conflicts of interest are generally considered organizational conflicts of interest. Organizational conflicts of interest occur when:

- A grantee is unable or potentially unable to render impartial assistance or advice due to competing duties or loyalties,
- A grantee's objectivity in carrying out the grant is or might be otherwise impaired due to competing duties or loyalties, or
- A grantee or potential grantee has an unfair competitive advantage through being furnished unauthorized proprietary information or source selection information that is not available to all competitors.

PRIVACY NOTICE

Under Minnesota Statute 13.599, responses to an RFP are nonpublic until the application deadline is reached. At that time, the name and address of the grantee, and the amount requested becomes public. All other data is nonpublic until the negotiation of the grant agreement with the selected grantee is completed. After the application evaluation process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreement with the selected grantee(s) is completed.

GRANT RECIPIENT INFORMATION

GRANT AGREEMENT AND PROJECT PERIOD

Notification of grant award will be in the form of an automated notification from the BWSR eLINK system or an email from BWSR Grants staff to the grantee. Notifications are sent to the Day-to-Day Contact(s) identified by the organization within the eLINK system. This notification includes instructions for further processing of the grant agreement and may also contain grant-specific information such as requirements for completing work plans, disbursement terms, or additional required documentation for processing the grant. Read these instructions carefully as requirements can vary by grant and fiscal year.

BWSR will use grant agreements, and an associated work plan, as contracts for assurance of deliverables and compliance with appropriate statutes, rules, and established policies. BWSR reserves the right to require a work plan revision or grant agreement amendment for changes in scope. Willful or negligent disregard of relevant statutes, rules and policies may lead to imposition of financial penalties on the grant recipient. Upon receiving the notification of grant award, which indicates approval of an application, and prior to beginning work on the grant project(s) and receiving grant funds, the applicant is required to do the following:

1. Complete an IRS W-9 form or register as a vendor in SWIFT, the state's accounting system, and submit other required documentation within 30 days of award notification.

2. Sign a grant contract agreement indicating their intention to complete the project(s) contained in the application. The agreement also authorizes BWSR to monitor progress of the grant. The grant contract agreement must be signed within 30 days of being sent to the grantee.

The project period starts when the grant agreement is executed, meaning all required signatures have been obtained. Work that occurs before this date is not eligible for reimbursement with grant funds and cannot be used as match.

Grant contract agreement templates can be reviewed on the Office of Grants Management Forms and FAQs website.

All grants must be completed by December 31, 2026. If a project receives federal funds, the period of the grant agreement may be extended to equal the length of time that the federal funds are available, subject to limitation. Applicants using federal funds are encouraged to contact BWSR soon after the award of funds to ensure the grant agreement can be developed appropriately.

PAYMENT SCHEDULE

Grant payments will be distributed in three installments to the grantee. The first payment of 50% of the grant amount will be paid after work plan approval and execution of the grant agreement provided the grant applicant is in compliance with all BWSR website and eLINK reporting requirements for previously awarded BWSR grants. The second payment of 40% of the grant amount will be paid once the grantee has provided BWSR with notification and BWSR has reviewed and approved the eLINK reporting, financial report, and possibly completes a grant reconciliation of the initial payment. The last 10% will be paid after all final reporting requirements are met, the grantee has provided BWSR with a final financial report, and BWSR has reconciled these expenditures.

REPORTING AND ADMINISTRATION REQUIREMENTS

- All grantees must follow the FY2024 Clean Water Fund Competitive Grant Policy adopted by the BWSR, and the Grants Administration Manual (https://bwsr.state.mn.us/grants/manual/)
- All grant recipients are required to report on the outcomes, activities, and accomplishments of Clean Water Fund grants. Outputs will serve as surrogates for outcomes and will be reported as estimated pollutant reductions and progress towards goals based on the best available information.
- All BWSR funded grants are managed through eLINK. All applications will be submitted electronically through eLINK. Successful applicants will be required to complete a work plan in eLINK. All required reporting will be completed through eLINK. For more information go to https://bwsr.state.mn.us/elink.
- When practicable, grant recipients shall prominently display on their website the legacy logo. Grant recipients must display on their website either a link to their project from the Legislative Coordinating Commission Legacy Site (http://legacy.leg.mn) or a clean water project summary that includes a description of the grant activities, including expenditure of grant funds and measurable outcomes.
- When practicable, grant recipients must display a sign with the Legacy Logo at the project site or other public location identifying the project was built with assistance from Clean Water, Land and Legacy Amendment. When practicable, grant recipients must display the Legacy Logo on printed and other media funded with money from the Clean Water Fund. The logo and specifications can be found at http://www.legacy.leg.mn/legacy-logo.
- Structural projects and practices must be of long-lasting public benefit. LGUs must provide assurances that the landowner or land occupier will keep the project in place for the effective life of the project.
- Effective life is defined in the https://bwsr.state.mn.us/grant-program-policies. Information defining effective life not provided in the application must be defined in the work plan. The effective life for in-lake or in-channel treatments such as alum treatments must be assessed and determined as part of the required feasibility study prior to applying for funding.

RESTORATION EVALUATION PROGRAM

All restoration projects with restoration benefits funded via the Clean Water Fund may be subject to an evaluation in accordance with Minn. Stat. 114D.50 Subd. 6. Primary goals of the restoration evaluation program are to evaluate the projects relative to the law, current science, and the stated goals and standards in the restoration plan and to improve future habitat restorations by creating a feedback loop from lessons learned in the field.

Key recommendations that applicants should follow are:

1. **Improved Project Planning** - Thorough project planning will enable project managers to make informed decisions and improve capacity to achieve desired outcomes
2. **Improved Vegetation for Stream Projects** - Well established vegetation is critical for the long-term success of stream projects. Establishing native vegetation takes planning and diligent maintenance.
3. **Improved Project Teams** - Bringing more sets of expertise to the table will ideally: minimize instances of non-native plant use, identify plan components with high risk of limited success, help plan contingencies for potential challenges, and broaden project goals.
4. **Improved Documentation** - Documentation is critical for understanding, tracking, and achieving successful restorations.

For more information regarding the Restoration Evaluation Program visit the follow website:
https://www.dnr.state.mn.us/legacy/restoration-evaluation.html

NATIVE VEGETATION

All projects that involve vegetation restoration or establishment are subject to BWSR's Native Vegetation Establishment and Enhancement Guidelines found at: https://bwsr.state.mn.us/node/8806. Key requirements within the Guidelines include the use of native vegetation, providing pollinator habitat, and incorporating high diversity levels.

PERMITTING

The applicant is responsible for obtaining and complying with all permits necessary to execute the project. If applicable, successful applicants will be required to provide sufficient documentation prior to work plan approval that the project expects to receive or has received all necessary federal, state and local permits and meets all water quality rules, including those that apply to the utilization of an existing water body as a water quality treatment device. ***Applicants are strongly encouraged to contact the appropriate regulatory agencies early in the grant application development process to ensure potential projects can meet all applicable regulatory requirements.***

For information regarding MPCA storm water permitting requirements, please go to:

Construction stormwater permit overview
http://www.pca.state.mn.us/index.php/view-document.html?gid=7386

Common Plan of Development
http://www.pca.state.mn.us/index.php/view-document.html?gid=7396

Untreated Stormwater Runoff to Lakes, Streams, and Wetlands
http://www.pca.state.mn.us/index.php/view-document.html?gid=11864

BWSR CWF COMPETITIVE GRANTS

PROJECT AND PRACTICES GRANT

This grant makes an investment in on-the-ground projects and practices that will protect or restore water quality in lakes, rivers or streams, or will protect groundwater or drinking water. Examples include stormwater practices, agricultural conservation practices, feedlot related practices, lakeshore and stream bank stabilization, stream restoration, and SSTS upgrades.

SPECIFIC REQUIREMENTS – PROJECTS AND PRACTICES

- Through the Nonpoint Priority Funding Plan, the following three high-level state priorities have been established for Clean Water Fund nonpoint implementation:
    1. Restore those waters that are closest to meeting state water quality standards
    2. Protect those high-quality unimpaired waters at greatest risk of becoming impaired
    3. Restore and protect water resources for public use and public health, including drinking water.
- To meet the project assurances (see FY24 Policy) for streambank stabilization or stream restoration projects, applicants must commit to provide financial assurance from local sources for repairs and maintenance. Assurance (recommended at least 20 percent of total project cost) needs to be documented prior to work plan approval to ensure projects provide the proposed long-term clean water benefits.
- Proposals must include a measurable goal. For projects proposed to help meet a Total Maximum Daily Load, measurable goals need to be quantified as the needed annual pollution load reduction.
- SSTS project landowners must meet low-income thresholds. Applicants are strongly encouraged to use existing income guidelines from U.S. Rural Development as the basis for their definition of low income.
- Feedlot Applications:
    a. Practices must follow the MN NRCS practice docket, which is found on the NRCS website: https://efotg.sc.egov.usda.gov/#/details
    b. Supplemental questions **must** be submitted in eLINK via attachment as part of any application that contain feedlot practices including practices to address stockpiles. Applications that do not have this attachment will be deemed ineligible.
    c. Funding will only be provided for those facilities listed on the supplemental questions sheet, which shall be incorporated into the grant work plan.
- In-lake management activities must have completed a feasibility study that is attached to the eLINK grant application. The study must include:
    a. Lake and watershed information based on data that has been collected within the last 10-years (at minimum, include lake morphology and depth, summary of water quality information, and the assessment of aquatic invasive species);
    b. Description of internal load vs. external load nutrient reductions needed to meet the state's water quality standard;
    c. History of projects completed in the lake's watershed (if none have been completed, that should be stated), as well as other in-lake activities, if applicable;
    d. Cost benefit analysis of all options considered, and reasons given for why you are choosing the proposed activities;
    e. Projected effective life of the proposed activities;

f. Expected water quality outcome of the proposed activity; and

g. Plan for monitoring water quality to assure the proposed activity's total phosphorus goal will be achieved during it's effective life (monitoring plans should include monitoring through the effective life), and

h. For activities related to rough fish (example carp), the feasibility study must also include:

   i. Methods used to estimate adult and juvenile carp populations;

   ii. Description of the known interconnectedness of waterbodies (lakes, ponds, streams, wetlands, etc.);

   iii. Identified nursery areas;

   iv. Methods used to track carp movement;

   v. Proposed actions to limit recruitment and movement; and

   vi. Proposed actions to reduce adult carp populations

- Streambank and stream channel restoration project applicants will be more successful if they present sufficient data and information that demonstrates a detailed understanding of the channel and watershed conditions for the project, the proposed approach to channel design, and substantial early coordination efforts to ensure a successful project:

   a. Describe assessments of watershed, channel, and floodplain conditions that helped identify the root cause of the pollution issue being addressed by the proposed project (Question 3).

   b. Describe geomorphic assessments, stream surveys, and other analysis that have been completed to assess channel and floodplain conditions (Question 8).

   c. Describe the proposed approach to channel design and the specific factors considered in the design including the restoration potential of the site given the channel, floodplain, and watershed conditions (Question 8).

   d. Describe the status of early coordination efforts with landowners, partners, and permitting agencies and level of concurrence on the assessment, design, and permitting for the proposed project (Question 9)

Projects and Practices Ranking Criteria	
Ranking Criteria	**Maximum Points Possible**
Project Abstract: The project abstract succinctly describes what results the applicant is trying to achieve and how they intend to achieve those results.	5
Prioritization (Relationship to Plans): The proposal is based on priority protection or restoration actions listed in or derived from the current state approved and locally adopted plan for the project area (see plans listed in 'Applicant Eligibility' of this RFP) and is linked to statewide Clean Water Fund priorities and public benefits.	20
Targeting: The proposed project addresses identified critical pollution sources or risks impacting the water resource(s).	25
Measurable Outcomes and Project Impact: The proposed project has a quantifiable reduction in pollution for restoration projects or measurable outputs for protection projects and directly addresses the water quality concern identified in the application.	20
Cost Effectiveness and Feasibility: The application identifies a cost effective and feasible solution to address the non-point pollution concern(s).	15
Project Readiness: The application has a set of specific activities that can be implemented soon after grant award.	15
Total Points Available	**100**

FY 2024 PROJECTS AND PRACTICES QUESTIONS

FY 2024 CWF Projects & Practices Application Questions

(Answers to each question are limited to 2000 characters.)

Note that the following questions need to be answered in eLINK and the character limit in eLINK is NOT the same as Microsoft Word.

Project Summary
Project Abstract (5 points): Succinctly describe what you are trying to achieve and how you intend to achieve those results, including the type and quantity of projects and/or practices included in the application budget and anticipated outcomes.
Does your organization have any active CWF competitive grants? If so, specify FY and percentage spent. Also, explain your organization's capacity (including available FTEs or contracted resources) to effectively implement additional Clean Water Fund grant dollars.
Water Resource: Identify the water resource the application is targeting for water quality protection or restoration.
Proposed Measurable Outcomes: Succinctly describe the proposed measurable outcomes of this grant application.
Prioritization (Relationship to Plan) – 20
Question 1. (18 points): (A) Describe why the water resource was identified in the plan as a priority resource, identify the specific water management plan reference by plan organization (if different from the applicant), plan title, section, and page number. (B) In addition to the plan citation, provide a brief narrative description that explains whether this application fully or partially accomplishes the referenced activity. (C) Provide weblinks to all referenced plans.
Question 2. (2 points): (A) Describe how the resource of concern aligns with at least one of the statewide priorities referenced in the *Nonpoint Priority Funding Plan* (also referenced in the "Projects and Practices" section of the RFP). (B) Describe the public benefits resulting from this proposal from both a local and state perspective.
Targeting - 25
Question 3. (15 points): Describe the methods used to identify, inventory, and target the root cause (most critical pollution source(s) or threat(s)). Describe any related additional targeting efforts that will be completed prior to installing the projects or practices identified in this proposal.
Question 4. (10 points): How does this proposal fit with complementary work that you and your partners are implementing to achieve the goal(s) for the priority water resource(s) of concern? Describe the comprehensive management approach to this water resource(s) with examples such as: other financial assistance or incentive programs, easements, regulatory enforcement, or community engagement activities that are directly or indirectly related to this proposal.

Measurable Outcomes and Project Impact - 20
Question 5. (5 points): (A) What is the primary pollutant(s) this application specifically addresses? (B) Has a pollutant reduction goal been set (via TMDL or other study) in relation to the pollutant(s) or the water resource that is the subject of this application? If so, please state that goal (as both an annual pollution reduction AND overall percentage reduction, not as an in-stream or in-lake concentration number). (C) If no pollutant reduction goal has been set, describe the water quality trends or risks associated with the water resource or other management goals that have been established. (D) For protection projects, indicate measurable outputs such as acres of protected land, number of potential contaminant sources removed or managed, etc.
Question 6. (10 points): (A) What portion of the water quality goal will be achieved through this application? Where applicable, identify the annual reduction in pollutant(s) that will be achieved or avoided for the water resource if this project is completed. (B) Describe the effects this application will have on the root cause of the issue it will address (most critical pollution source(s) or threat(s)).
Question 7. (5 points): If the project will have secondary benefits, specifically describe, (quantify if possible), those benefits. Examples: hydrologic benefits, climate resiliency, enhancement of aquatic and terrestrial wildlife species, groundwater protection, enhancement of pollinator populations, or protection of rare and/or native species.
Cost Effectiveness and Feasibility - 15
Question 8. (15 points): (A) Describe why the proposed project(s) in this application are considered to be the most cost effective and feasible means to attain water quality improvement or protection benefits to achieve or maintain water quality goals. Has any analysis been conducted to help substantiate this determination? Discuss why alternative practices were not selected. Factors to consider include, but are not limited to: BMP effectiveness, timing, site feasibility, practicality, and public acceptance. (B) If your application is proposing to use incentives above and beyond payments for practice costs, please describe rates, duration of payments and the rationale for the incentives' cost effectiveness. **Note**: For in-lake projects such as alum treatments or carp management, please refer to the feasibility study or series of studies that accompanies the grant application to assess alternatives and relative cost effectiveness. Please attach feasibility study to your application in eLINK.
Project Readiness -15
Question 9. (10 points): a) What steps have been taken or are expected to ensure that project implementation can begin soon after the grant award? b) Describe general environmental review and permitting needs required by the project (list if needed). c) Also, describe any discussions with landowners, status of agreements/contracts, contingency plans, and other elements essential to project implementation. d) What activities, if any proposed, will accompany your project(s) that will communicate the need, benefits, and long-term impacts to your local community? This should go above and beyond the standard newsletters, signs and press releases.
Question 10. (5 points): Describe how the budget categories support the activities in your application. Please provide adequate Activity Category detail in your budget table to support your application and show project readiness (see eLINK Activity Categories).
Stream Restoration Projects Only
The Legacy Fund Restoration Evaluation Report recommends early coordination and comprehensive planning for stream projects. Describe the expertise of your team (i.e., geomorphology, hydrology, plant and animal ecology, construction site management, and engineering) and early coordination efforts you have been part of to ensure project success.
Describe how your organization will provide financial assurance that operations and maintenance funds are available if needed.
The Constitutional Amendment requires that Amendment funding must not substitute traditional state funding. Briefly describe how this project will provide water quality benefits to the State of Minnesota without substituting existing funding.

Item 5E.
BCWMC 7-2023

Bassett Creek Watershed Management Commission

MEMO

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

RE: Consider Approving Administrator's Election to MN Association of Watershed Administrator's (MAWA) Executive Committee

At the June 15th meeting, the Commission approved my attendance at the June 20th MAWA quarterly meeting in Albert Lea. At the MAWA meeting, revisions to MAWA's bylaws were approved (see attached). The revisions include the addition of a watershed management organization (WMO) representative on MAWA's Executive Committee. This revision reflects a recent change in Minnesota Watersheds' (formerly MAWD) bylaws to allow watershed management organizations (not only watershed districts) to be members of the organization.

A member of MAWA then made a motion to elect me to the executive committee as the WMO representative. The motion was seconded and passed pending approval by the BCWMC Board.

I appreciate being elected to the MAWA Executive Committee and would like the Commission to consider approving that appointment. I believe having a WMO voice on the committee is important and I think working closely with watershed administrators around the state would benefit MAWA, MN Watersheds, and BCWMC. WMOs were left out of the statewide watershed conversation for decades. This is a wonderful shift in operations and inclusion. My work on the MN Watersheds Handbook Committee has ended (the handbook is coming out later this year!) and I look forward to continuing to work closely with my peers on a variety of topics.

In terms of cost to the Commission, this work would dovetail nicely into the time and effort I already spend coordinating with other watersheds. The monthly committee meetings would take approximately 12 hours a year and would fit into the current Administrator budget. Travel to and attendance at MAWA meetings located outside the Metro (2 – 3 per year) could be approved on a case-by-case basis. I would also refrain from additional MAWA or MN Watersheds committee work without prior approval.

Additional Information:

The primary function of the executive committee is the overall management of MAWA including planning meetings, coordinating committee work, and coordinating with the MN Watersheds Executive Director. Ideally the executive committee members also serve on both MAWA and MN Watersheds committees but that is not a requirement. See Section 1 of the attached bylaws for additional tasks and purposes.

The current MAWA president noted that the executive committee is instrumental in maintaining the effectiveness of MAWA and has a significant role in guiding and advising MN Watersheds by working with MW's executive director. He notes that "if you want to effect change, be on the executive committee."

The executive committee meets approximately once a month (for about an hour) through an online platform and occasionally participates in communication or coordination between meetings. Ideally, committee members attend the quarterly meetings of the full MAWA group. I typically attend at least two of these meetings a year already. Spring meetings are usually in the Metro area associated with the Legislative Event. Summer meetings rotate around the state depending on where MN Watershed's Summer Tour is held. (This year it was in Albert Lea; in 2024 it will be in the east Metro; in 2025 it will be in the Red River Valley.) The fall meeting is typically held in Fergus Falls, and the winter meeting is in conjunction with the annual MN Watershed's meeting in Alexandria.

As per the bylaws, at-large officers are elected for a minimum term of two (2) years, and the term may be extended upon approval by the MAWA membership. However, the term of office will not exceed an additional two-year consecutive term. Annual elections will be conducted at the MN Watershed's annual meeting and elected directors shall assume their role at the conclusion of the annual meeting.

By-Laws of the
Minnesota Association of Watershed Administrators
Ratified: November 29, 2017

This Instrument constitutes the By-Laws of the Minnesota Association of Watershed Administrators.

ARTICLE ONE (I)
NAME AND AFFILIATION

Section 1. Name: The name of this association will be the Minnesota Association of Watershed Administrators (hereinafter referred to as "MAWA") and it will be affiliated with the Minnesota Association of Watershed Districts (MAWD).

ARTICLE TWO (II)
MISSION and VISION

Section 1. Mission: The mission of MAWA is to provide an opportunity for watershed administrators to collaborate on issues that will enhance the abilities of watershed-based local governments to manage, restore, and protect Minnesota's water resources.

Section 2. Vision: The vision of MAWA is to become a well-networked group of leaders and trusted advisors who can successfully leverage their united voice to ensure needed resources are made available to them to successfully complete the missions of their respective organizations.

ARTICLE THREE (III)
PURPOSE AND OBJECTIVES

Section 1. Purpose: The primary purpose of MAWA is to strengthen the local watershed districts and water management organizations ("organizations") of the state of Minnesota by:

1. Providing a means of communication between administrators to exchange information and ideas which will encourage unification and coordination of their organizations' programs.
2. Helping to establish and support a continuing education program for all administrators.
3. Advising MAWD on current needs, emerging issues, and solutions.
4. Informing administrators of current events, legislative, and regulatory activities and job opportunities.
5. Providing input into the activities of MAWD and the Board of Water and Soil Resources (BWSR) to increase the contribution and effectiveness of the organizations and their programs.
6. Providing collaborative expertise to the BWSR, Minnesota Department of Natural Resources, and other state and local government agencies.

ARTICLE FOUR (IV)
MEMBERSHIP

Section 1. Membership Eligibility: All Administrators of Minnesota Watershed Districts, Water Management Organizations, and other watershed-based entities will be eligible for membership and will be members of this Association, subject to approval by MAWA's Executive Committee. Membership will be held from the year beginning January 1 and ending December 31.

1. No person will be denied membership because of race, sex, creed, color, religion, national origin, disability, or sexual orientation.

2. Application for membership will be made via the MAWD website or through other correspondence with the Executive Committee or designee and will be reviewed and approved by the Executive Committee or designee as needed.

ARTICLE FIVE (V)
VOTING

1. Only active members will have the right to vote and there will be only one vote per member.
2. Members may vote by being present at a meeting.
3. This section does not apply to the Executive Committee Meetings.

ARTICLE SIX (VI)
EXECUTIVE COMMITTEE AND ELECTED OFFICERS

Section 1. Executive Committee: When feasible, the MAWA will be managed by an Executive Committee consisting of up to seven (7) directors comprised of members representing MAWD's geographical regions one (I), two (II), and three (III). Annual elections will be conducted at the MAWD annual meeting and elected directors shall assume their role at the conclusion of the annual meeting. The Executive Committee will be comprised of the President, Vice President, the immediate-past President, Secretary, and ~~three~~ four (~~3~~4) At-Large Officers representing regions one (1), two (2), and three (3) and a Watershed Management Organization.

Section 2. Election of Officers: Elections will be for the offices of Secretary and At-Large Officers.

1. The ascension of the President, Vice-President, and Secretary levels will be as follows:
    a. The immediate-past President will continue to serve as a member of the Executive Committee for a period of two (2) years.
    b. The Vice-President will assume the role of President.
    c. The Secretary will assume the role of Vice-President.
2. The elected officers of MAWA must have active membership.
3. The term of office for the elected officers will be for two (2) years from the date of the election or until a new election is held. The At-Large Officers will be elected for a minimum term of two (2) years, and the term may be extended upon approval by the Association membership, however the term of office will not exceed an additional two-year consecutive term.
4. Nominations for officers will be made from the floor, by active members, at the annual MAWA Committee meeting.
5. If a vacancy occurs in the Office of President during the term of office, the Vice-President will assume the role of President immediately.
6. If a vacancy occurs in the Office of Vice President, immediate past President, Secretary, or At-Large Officer during the term of office, nominees for said offices may be made and election may occur; however, the term of office for Vice-President or immediate past President will not exceed what has been outlined under 6.1.3.
7. A vacancy for purposes of this Article is when:
    a. An elected officer notifies the Executive Committee that he/she is unable to complete the term of office.
    b. An elected officer dies.
    c. An elected officer, by majority vote from the Executive Committee, is determined to be incapable of completing the term of office because of medical reasons, gross negligence or inefficiencies, suspension, termination or separation from his/her place of employment, conviction of a serious misdemeanor or any felony, or for other just cause.

Section 2. Duties of Elected Officers/Appointees:

1. President
    a. The President will preside at all meetings of the Association. With the approval of the Executive Committee, the President may call a special meeting and will notify the membership of the date, time, place, and purpose of the meeting.
    b. The President will be the chairperson of the Executive Committee, and may appoint members to committees as needed.
    c. The President will recommend the creation of a position as needed, upon approval of a quorum of the Committee.
2. Vice-President
    a. In cases of death, resignation, removal, suspension, inability to serve, or absence of the President, the Vice President will serve as President.
    b. The Vice-President will perform all duties as directed by the President.
3. Immediate-past President
    a. The Immediate-past-President will perform all duties as directed by the President.
4. Secretary
    a. The Secretary will keep a full, true, and complete record of the proceedings at all meetings of the Association.
    b. The Secretary will be responsible for schedules and distributing agendas, minutes, and other materials appropriate for each meeting, as well as updating and retaining membership mailing and email lists.
    c. The Secretary will perform all duties as directed by the President.
5. At-Large Officers
    a. The At-Large Officers will perform all duties as directed by the President.

ARTICLE SEVEN (VII)
FINANCES

Section 1. Fiscal Year: The Fiscal year begins January 1 and ends on December 31.

Section 2. Annual Budget: The Executive Committee will work with the MAWD Committee of Directors to prepare an annual plan and budget for MAWA meetings, trainings, and other programming that will be submitted to the MAWD Committee for review and adoption prior to MAWD's annual meeting.

ARTICLE EIGHT (VIII)
ORDER OF BUSINESS

Section 1. Order of Business: The MAWA and the Executive Committee meetings will be governed by these By-Laws and Robert's Rules of Order.

ARTICLE NINE (IX)
MEETINGS

Section 1. Meetings: An MAWA Annual meeting will be held, in conjunction with the Minnesota Association of Watershed Districts Annual Meeting. Other general meetings are scheduled throughout the calendar year.
Section 2. Quorum: A quorum for transacting business of MAWA will consist of a simple majority of the voting member agencies present at the meeting.

Section 3. Executive Committee Meeting: Executive Committee meetings will be held at the discretion of the officers. A majority of the Executive Committee will constitute a quorum for the transaction of business.

Section 4. Special Meetings: Special meetings of MAWA or of the Executive Committee may be called at the option of the President, provided that all affected members are notified of the meeting and of the topic to be considered. The subject matter of any Special Meeting and any action that may be taken at a special meeting will be limited to that previously announced in the meeting notice.

ARTICLE TEN (X)
COMMITTEES

Section 1. Committee Establishment: Standing and Ad hoc committees may be established and appointed by the Executive Committee or by the membership at a MAWA general meeting as deemed necessary.

1. Standing committees are committees established to be used on a continual basis and will be appointed for a two-year term and members of those committees may be reappointed to serve another two-year term.
2. Special Ad hoc committees are temporary committees established to address a specific issue and will serve only until the assigned project is completed.
3. Standing and Ad hoc committees will report to the Executive Committee and provide written or verbal updates at MAWA general meetings.
4. Committees will be made up of representatives from each MAWD geographical region.

ARTICLE ELEVEN (XI)
AMENDMENTS

Section 1. Procedure: Amendments to these By-Laws may be made at a MAWA general meeting by a simple majority of active members in attendance at a general meeting.

1. Proposed amendments or additions to the By-Laws will be sent to all association members thirty (30) days prior to a MAWA general meeting.
2. Unless otherwise provided by resolution of MAWA, such amendments and/or changes will become effective immediately following approval.

ARTICLE TWELVE (XII)
DISSOLUTION

Section 1. Dissolution: Upon dissolution of MAWA, the Secretary will transfer any possessions of the MAWA to the Secretary of MAWD.

ARTICLE THIRTEEN (XIII)
ADOPTION OF BYLAWS

Section 1. By-laws Adoption: The foregoing By-Laws of the MAWA were officially adopted at a meeting of the association held November 29, 2017.

Item 5F.
BCWMC 7-20-23

MEMORANDUM

DATE: July 1, 2023
TO: Minnesota Watersheds Members
FROM: Linda Vavra and Jamie Beyer, Resolutions Committee Co-Chairs
RE: 2023 REQUEST FOR MINNESOTA WATERSHEDS RESOLUTIONS

It is that time of year for Minnesota Watersheds members to submit their policy recommendations through our resolutions process. This is YOUR organization and policy statements start with YOU! Here are the next steps and timeline:

July / August	Members write, discuss, and approve resolutions at your WD/WMO meetings. The more detail you can provide, the easier it will be for the committee to make a recommendation.
September 1	Administrators submit resolutions and background information documents to Jan Voit, Executive Director at jvoit@mnwatersheds.com by **September 1**. If more time is needed, please contact her so the Resolutions Committee is aware that another resolution may be submitted. The latest possible date to submit a resolution is **60 days before** the annual meeting (October 1). We ask that resolutions be submitted according to the described timeframe to ensure distribution to members for discussion by your boards in November. **NOTE: If all the requested information is not included, the Resolution will NOT be accepted.**
September / October	The Resolutions Committee will review the resolutions, gather more information, or ask for further clarification when deemed necessary; work with the submitting watersheds to combine similar resolutions; reject resolutions already active; discuss and make recommendations to the membership on the passage of resolutions.
October 31	Resolutions (with committee feedback) will be emailed to each organization by **October 31**. **NOTE: If possible, please hold a regional meeting to discuss the Resolutions BEFORE the annual conference.**
November	Members should discuss the resolutions at their November meetings and decide who will be voting on their behalf at the annual meeting (2 voting members and 1 alternate are to be designated per watershed organization)
December 3	Delegates discuss and vote on resolutions at the annual resolutions hearing. Please be prepared to present and defend your resolution.
December / January	The Legislative Committee will review existing and new resolutions and make a recommendation to the Minnesota Watersheds Board of Directors for the 2024 legislative platform.
January 2024	Minnesota Watersheds Board of Directors will finalize the 2024 legislative platform.
February 12, 2024	First day of the 2nd half of 93rd legislative biennium.

NOTE: Resolutions passed by the membership will remain Minnesota Watersheds policy for five years after which they will sunset. If a member wishes to keep the resolution active, it must be resubmitted and passed again by the membership. Enclosed with this memorandum are the active resolutions and those that will sunset on 12/31/23. If you have questions, Please feel free to contact co-chairs at lvavra@fedtel.net or 320-760-1774, bdswd@runestone.net or 701-866-2725, or our Executive Director at jvoit@mnwatersheds.com or 507-822-0921.

THANK YOU FOR YOUR EFFORTS IN OUR POLICY DEVELOPMENT!

Background Information

2023 Minnesota Watersheds Resolution

Proposing Watershed: _____

Contact Name: _____

Phone Number: _____

Email Address: _____

Resolution Title: _____

Background that led to the submission of this resolution:
Describe the problem you wish to solve and provide enough background information to understand the factors that led to the issue. Attach statutory or regulatory documents that may be helpful.

Ideas for how this issue could be solved:
Describe potential solutions for the problem. Provide references to statutes or rules if applicable.

Efforts to solve the problem:
Document the efforts you have taken to try to solve the issue. For example: have you spoken to state agency staff, legislators, county commissioners, etc.? If so, what was their response?

Anticipated support or opposition:
Who would be willing to partner with our watershed or state association on the issue? Who may be opposed to our efforts? (Ex. other local units of government, special interest groups, political parties, etc.)?

This issue: (check all that apply)

_____ Applies only to our district
_____ Applies only to 1 or 2 regions
_____ Applies to the entire state
_____ Requires legislative action
_____ Requires state agency advocacy
_____ Impacts Minnesota Watersheds bylaws or MOPP
(*MOPP = Manual of Policies and Procedures)*

Active Minnesota Watersheds Resolutions

December 2, 2022

FINANCE

2021-01A: Support SWCD Capacity Fund Sources
Minnesota Watersheds supports SWCD capacity funds to come from county and state general funds.

2021-01B: Support Clean Water Funds for Implementation, Not Capacity
Minnesota Watersheds supports Clean Water Funds being used for implementation and not for capacity.

2021-02: Support Capacity Funding for Watershed Districts
Minnesota Watersheds supports capacity base funding resources directed to non-metro watershed district who request this assistance, to implement the activities as outlined in approved watershed district watershed management plans or comprehensive watershed management plans.

2019-08: Heron Lake Watershed District General Operating Levy Adjustment
Minnesota Watersheds supports an increase in Heron Lake Watershed District's general operating levy cap from $250,000 to an amount not to exceed $500,000.

2019-09: Shell Rock River Watershed District General Operating Levy Adjustment
Minnesota Watersheds supports an increase in Shell Rock River Watershed District's general operating levy cap from $250,000 to an amount not to exceed $500,000.

2019-10: Pelican River Watershed District General Operating Levy Adjustment
Minnesota Watersheds supports an increase in Pelican River Watershed District's general operating levy cap from $250,000 to an amount not to exceed $500,000.

2019-11: Buffalo Red River Watershed District General Operating Levy Adjustment
Minnesota Watersheds supports an increase in Buffalo Red River Watershed District's general operating levy cap from $250,000 to an amount not to exceed $500,000.

2017-05 Middle Fork Crow River Watershed District General Operating Levy Adjustment
Minnesota Watersheds supports the efforts of Middle Fork Crow River Watershed District to draft and advance special legislation affecting a change in its general fund levy cap.

URBAN STORMWATER

2022-01 Support Creation of a Stormwater Reuse Task Force
Minnesota Watersheds supports administratively or legislatively including at least one Minnesota Watersheds member on the Minnesota Department of Health's workgroup to move forward, prioritize, and implement the recommendations of the interagency report on reuse of stormwater and rainwater in Minnesota.

2022-02 Support Limited Liability for Certified Commercial Salt Applicators
Minnesota Watersheds supports enactment of state law that provides limited liability protection to commercial salt applicators and property owners using salt applicators who are certified through the established state salt-applicator certification program and follow best management practices.

WATER QUANTITY, DRAINAGE, AND FLOOD CONTROL

2022-03: Seek Increased Support and Participation for the Minnesota Drainage Work Group (DWG)

- Minnesota Watersheds communications increase awareness of the DWG (meeting dates and links, topics, minutes, reports) amongst members.
- Minnesota Watersheds training opportunities strongly encourage participation in the DWG by watershed staff and board managers (for watersheds that serve as ditch authorities or work on drainage projects) – for e.g., add agenda space for DWG member updates, host a DWG meeting as part of a regular event.
- In preparation for Minnesota Watersheds member legislative visits, staff add a standing reminder for watershed drainage authorities to inform legislators on the existence, purpose, and outcomes of the DWG, and reinforce the legitimacy of the DWG as a multi-faceted problem-solving body.
- During Minnesota Watersheds staff Board of Water and Soil Resources (BWSR) visits, regularly seek updates on how facilitation of the DWG is leading to improvements for member drainage authorities and convey this information to members.

2022-05: Obtain Stable Funding for Flood Damage Reduction and Natural Resources Enhancement Projects

Minnesota Watersheds supports collaborating with the Red River Watershed Management Board and state agencies to seek funding from the Minnesota Legislature to provide stable sources of funding through existing or potentially new programs that provide flood damage reduction and/or natural resources enhancements. A suggested sustainable level of funding is $30 million per year for the next 10 years.

2021-05: Support Crop Insurance to Include Crop Losses Within Impoundment Areas

Minnesota Watersheds supports expansion of Federal Multi-Peril Crop Insurance to include crop losses within impoundment areas.

2020-04 Support Temporary Water Storage on DNR Wetlands during Major Flood Events

Minnesota Watersheds supports the temporary storage of water on existing DNR-controlled wetlands in the times of major flood events.

2019-02: Add a Classification for Public Drainage Systems that are Artificial Watercourses

Minnesota Watersheds supports removal of the default Class 2 categorization for public drainage systems that are artificial watercourses and supports a default Class 7 categorization for public drainage systems that are artificial watercourses.

2019-03 Support for Managing Water Flows in the Minnesota River Basin Through Increased Water Storage and Other Strategies and Practices

Minnesota Watersheds supports efforts to manage the flow of water in the Minnesota River Basin and the Minnesota River Congress in its efforts to increase water storage on the landscape; and Minnesota Watersheds supports the Minnesota River Congress in its efforts to secure state and federal programs targeted specifically to increase surface water storage in the Minnesota River Watershed.

2019-04: Clarify County Financing Obligations and/or Authorize Watershed District General Obligation Bonding for Public Drainage Projects

Minnesota Watersheds supports legislation to achieve one or both of the following:

a) To clarify that an affected county must finance a watershed district drainage project on project establishment and request of the watershed district; and
b) To authorize watershed districts to finance drainage project establishment and construction by issuance of bonds payable from assessments and backed by the full faith and credit of the watershed district; and further provide for adequate tax levy authority to assure the watershed district's credit capacity.

WATER QUALITY, LAKES, WETLANDS, RIVERS, AND STREAMS

2022-06: Limit Wake Boat Activities

Minnesota Watersheds supports working with the Minnesota Department of Natural Resources (DNR) to utilize the research findings from the St. Anthony Falls Laboratory and seek legislation to achieve one or more of the following:

- Limit lakes and areas of lakes in which wake boats may operate;
- Require new and existing wake boats to be able to completely drain and decontaminate their ballast tanks; and
- Providing funding for additional research on the effects of wake boats on aquatic systems.

2020-03 Soil Health Goal for Metropolitan Watershed Management Plans

Minnesota Watersheds supports amending Minnesota Rule 8410.0080 to include a goal for soil health in watershed management plans and ten-year plan amendments.

2019-07 Chinese Mystery Snail Designation Change and Research Needs

Minnesota Watersheds supports Chinese Mystery Snail prevention and control research and to change the Chinese Mystery Snail designated status in Minnesota as a regulated species to a prohibited species.

2017-02 Temporary Lake Quarantine Authorization to Control the Spread of Aquatic Invasive Species (AIS)

Minnesota Watersheds supports legislation granting to watershed districts, independently or under DNR oversight, the authority, after public hearing and technical findings, to impose a public access quarantine, for a defined period of time in conjunction with determining and instituting an AIS management response to an infestation.

WATERSHED MANAGEMENT AND OPERATIONS

2022-04: Clarification of Watershed District Project Establishment with Government Aid or as Part of a Plan

Minnesota Watersheds supports working with BWSR to clarify Minnesota Statutes § 103D.605, Subd. 5.

2021-03: Support Increased Flexibility in Open Meeting Law

- Minnesota Watersheds supports changes to the Open Meeting Law to provide greater flexibility in the use of interactive technology by allowing members to participate remotely in a nonpublic location that is not noticed, up to three times in a calendar year per manager.
- Minnesota Watersheds supports allowing public participation from a remote location by interactive technology, or alternatively from the regular meeting location where interactive technology will be made available for each meeting, unless otherwise noticed under Minnesota Statutes Section 13D.021.
- Minnesota Watersheds supports changes to the Open Meeting Law requiring watershed districts to prepare and publish procedures for conducting public meetings using interactive technology.

2021-06: Support 60-day Review Required for State Agencies on Policy Changes

Minnesota Watersheds supports requiring state agencies to provide a meaningful, not less than 60-day review and comment period from affected local units of government on new or amended water management policies, programs, or initiatives with a response to those comments required prior to adoption.

2021-07: Support Metro Watershed-based Implementation Funding (WBIF) for Approves 103B Plans Only

Minnesota Watersheds supports BWSR distribution of metro WBIF among the 23 watershed management organizations with state-approved comprehensive, multi-year 103B watershed management plans. Those plans implement multijurisdictional priorities at a watershed scale and facilitate funding projects of any eligible local government unit (including soil and water conservation districts, counties, cities, and townships).

AGENCY RELATIONS

2019-01 Streamline the DNR permitting process

Minnesota Watersheds supports legislation, rules, and/or agency policies to streamline the DNR permitting process by increasing responsiveness, decreasing the amount of time it takes to approve permits, providing a detailed fee schedule prior to application, and conducting water level management practices that result in the DNR reacting more quickly to serious, changing climate conditions.

REGULATIONS

2020-01 Appealing Public Water Designations

Minnesota Watersheds supports legislation that would provide landowners with a more formal process to appeal decisions made by the DNR regarding the designation of public waters including the right to fair representation in a process such as a contested case proceeding which would allow landowners an option to give oral arguments or provide expert witnesses for their case.

2019-05 Watershed District Membership on Wetland Technical Evaluation Panels

Minnesota Watersheds supports legislation to allow technical representatives of watershed districts to be official members of wetland technical evaluation panels.

2019-06: Oppose Legislation that Forces Spending on Political Boundaries

Minnesota Watersheds opposes legislation that establishes spending requirements or restricts watershed district spending by political regions or boundaries.

NATURAL RESOURCES

No resolutions currently in this category.

Resolutions to Sunset

Effective December 31, 2023

It should be noted that in July of 2022, the sunsetting deadline was extended for resolutions expiring in 2017 by two years due to the pandemic and its influence on lobbying efforts. **All 2017 resolutions will have a sunset date of 2024.**

2018-02 Increase the $250k General Fund Tax Levy Limit

Minnesota Watersheds supports legislation to increase or remove the $250,000 general fund ad valorem tax levy limit set in MN statute 103D.905 Subd. 3. If the limit is raised to a new dollar amount, Minnesota Watersheds supports an inflationary adjustment be added to statute.

2018-03 Require Timely Appointments to the BWSR Board

Minnesota Watersheds supports legislation that requires the Governor to make BWSR board appointments within 90 days of a vacancy or board member term expiration.

2018-04 Require Watershed District Permits for the DNR

Minnesota Watersheds supports an amendment to the MN Statute § 103D.315, Subd. 5, to include the MN Department of Natural Resources as a state agency required to get permits from watershed districts when applicable**.**

2018-06 Ensure Timely Updates to Wildlife Management Area (WMA) Plans

Minnesota Watersheds supports that WMA operation and maintenance plans and/or management plans are either drafted or brought current in a timely fashion, with input from local governmental entities, to ensure their consideration in future One Watershed, One Plan efforts.

2018-08 Reinforce Existing Rights to Maintain/Repair 103E Drainage Systems

Minnesota Watersheds supports legislation modeled after House File 2687 and Senate File 2419 of the ninetieth legislature (2017-2018) reinforcing that the DNR cannot restrict existing rights to maintain and repair 103E public drainage systems.

2018-09 Clean Water Council Appointments

Minnesota Watersheds may ask the representative of the Clean Water Council to resign when they lose their direct association to a watershed district; and that Minnesota Watersheds will recommend to the Governor's office that managers and/or administrators in good standing with Minnesota Watersheds be appointed to the Clean Water Council.

Item 6A.
BCWMC 7-20-23

Bassett Creek Watershed Management Commission

MEMO

Date: July 13, 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. In early May construction was focused in the Morgan / Laurel intersection. The right-of-way storm sewer work is now complete; this includes the rerouting of some of the existing storm infrastructure and installation of the stormwater diversion structures. Construction of the ponds is complete and stormwater from the neighborhood to the west is not being routed through new storm sewers to the ponds. Some finishing work is underway such as cutting off and cleaning up pipe ends, final grading, seeding, etc. Project website: http://www.bassettcreekwmo.org/projects/all- projects/bryn-mawr-meadows-water-quality-improvement-project

2020 Jevne Park Stormwater Improvement Project (ML-21) Medicine Lake: At their meeting in July 2018, the Commission approved a proposal from the Commission Engineer to prepare a feasibility study for this project. The study got underway last fall and the city's project team met on multiple occasions with the Administrator and Commission Engineer. The Administrator and Engineer also presented the draft feasibility study to the Medicine Lake City Council on February 4, 2019 and a public open house was held on February 28th. The feasibility study was approved at the April Commission meeting with intent to move forward with option 1. The city's project team is continuing to assess the project and understand its implications on city finances, infrastructure, and future management. The city received proposals from 3 engineering firms for project design and construction. At their meeting on August 5th, the Medicine Lake City Council voted to continue moving forward with the project and negotiating the terms of the agreement with BCWMC. Staff was directed to continue negotiations on the agreement and plan to order the project pending a public hearing at this meeting. Staff continues to correspond with the city's project team and city consultants regarding language in the agreement. The BCWMC held a public hearing on this project on September 19, 2019 and received comments from residents both in favor and opposed to the project. The project was officially ordered on September 19, 2019. On October 4, 2019, the Medicine Lake City Council took action not to move forward with the project. At their meeting in October 2019, the Commission moved to table discussion on the project. The project remains on the 2020 CIP list. In a letter dated January 3, 2022, the city of Medicine Lake requested that the Commission direct its engineer to analyze alternatives to the Jevne Park Project that could result in the same or similar pollutant removals and/or stormwater storage capacity. At the March meeting, the Commission directed the Commission Engineer to prepare a scope and budget for the alternatives analysis which were

presented and discussed at the April 2022 meeting. No action was taken at that meeting to move forward with alternatives analysis. In May and June 2023, Commission staff discussed the possibility of incorporating stormwater management features into a redevelopment of Jevne Park currently being considered by the City of Medicine Lake. After review of the preliminary park design plans, the Commission Engineer and I recommended implementation of the original CIP Project to the City. 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. Water monitoring in the pond is underway summer 2023, although the lack of precipitation is making for a challenging year to gather data! Project webpage: http://www.bassettcreekwmo.org/index.php?cID=277.

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) See Item 5C: 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. At this meeting, the Commission will consider approval of the agreement with the city (Item 5C). Project webpage: http://www.bassettcreekwmo.org/index.php?cID=282.

2021 Parkers Lake Drainage Improvement Project (PL-7) (No change since July 2022): 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 2022): 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 2022): 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) (Update to be provided with 5B): 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 although dredged quantities reported do not match post-construction surveys performed by the Commission. At the May meeting, the Commission approved submittal of a notice of claim to the contractor. Since then, the contractor completed site restoration. An update will be provided at this meeting. 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. Activities this spring included completing grading (topsoil adjustments); paving (concrete, bituminous); light pole and fixture install; benches install; site clean up and prep for restoration contractor. In late May, Peterson Companies completed their construction tasks and the project transitioned to Traverse de Sioux for site restoration and planting. A small area of unexpected disturbance from construction was added to the overall area to be restored with native plants through a minor change order. Site restoration, planting, and seeding was completed in late June.

www.bassettcreekwmo.org/projects/all- projects/medley-park-stormwater-treatment-facility

2022 SEA School-Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10): 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. The city contracted with Rachel Contracting and construction got underway earlier this spring. By late June excavation was completed and the playground area was prepped and ready for concrete work to begin on July 5. Bids were open for the SEA School/Wildwood Park restoration project on June 20. Three bids were received and two came in right around our estimate. The city is recommending the low bidder (Landbridge Ecological). Additionally, the DeCola Pond D outlet project was out for bid with bid opening July 12. Project webpage: www.bassettcreekwmo.org/projects/all- projects/sea-school-wildwood-park-flood-reduction-project.

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

A feasibility study for this project got underway in fall 2022. A public open house was held March 1st with 30 residents attending. The draft feasibility report was presented at the April meeting. A final feasibility report was presented at the June meeting where the Commission approved the implementation of Alternative 3: to restore all high, medium, and low priority sites. The Commission will hold a public hearing on this project at their September meeting, will set the final levy and will consider an agreement with the City of Golden Valley to implement the project. Staff recommends applying for a Clean Water Fund grant for this project. Project website: https://www.bassettcreekwmo.org/projects/all-projects/bassett-creek-restoration-project-regent-ave-golden-valley-r

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

A feasibility study for this project got underway in fall 2022. A public open house was held February 13th with 3 residents attending. The draft feasibility report was presented at the May meeting and additional information was presented at the June meeting where the Commission approved implementing Alternative 1.5. The Commission will hold a public hearing on this project at their September meeting, will set the final levy and will consider an agreement with the City of Plymouth to implement the project. Project website: https://www.bassettcreekwmo.org/projects/all-projects/ponderosa-woods-stream-restoration-project.

Sochacki Park Water Quality Improvement Project (BC-14)

This project is proposed to be added to the CIP through a minor plan amendment as approved at the March Commission meeting with CIP funding set at $600,000. The project involves a suite of projects totaling an estimated $2.3M aimed improving the water quality in three ponds and Bassett Creek based on a subwatershed analysis by Three Rivers Park District (TRPD). A memorandum of understanding about the implementation process, schedules, and procedural requirements for the project was executed in April among BCWMC, TRPD, and the cities of Golden Valley and Robbinsdale. A feasibility study is underway for the project and is being funded by TRPD. The feasibility study kick off meeting was held June 5th. Information on the project and an update on the feasibility study was presented at the June meeting. A technical stakeholder meeting was held July 10th. A public open house is scheduled for July 26th. The draft feasibility study will be presented at the August Commission meeting and a final study at the September meeting. Also at the September meeting, the Commission will hold a public hearing on this project, will set the final levy, and will consider an agreement with the partners to implement the project. Project webpage: https://www.bassettcreekwmo.org/projects/all-projects/sochacki-park-water-quality-improvement-project.

Administrator Activities June 8 – July 12, 2023

Subject	Work Progress
CIP	• Main Stem Lagoon Dredging Project: Coordinated with Commission Attorneys and Commission Chair on Notice of Claim, engineer's opinion on notice of claim, and contractor's timeline for responding to claim • Main Stem Restoration Project Regent Ave to Golden Valley Road Project: Posted final feasibility study report online and updated webpage • Ponderosa Woods Stream Restoration Project: Posted final feasibility study online and updated webpage • Sochacki Park Water Quality Improvement Project: Participated in Technical Stakeholder meeting and public engagement planning meetings; commented on survey questions; updated webpage • Four Seasons Area Water Quality Treatment Project: Reviewed draft agreement between BCWMC and the city; met with Commission Attorney and Engineer to discuss city comments • Developed options for 2024 levy for discussion at June Commission meeting • Prepared max levy request document and submitted to Hennepin County
Bassett Creek Tunnel	• Reviewed draft agreement on tunnel inspections, maintenance, development reviews, and emergency response and sent to Minneapolis staff • Met with Commission Attorney and Engineer to review city comments
Education, Outreach & West Metro Water Alliance (WMWA)	• Attended June WMWA meeting • Discussed Low Salt, No Salt MN campaign with Freshwater to discuss how to incorporate MN Water Stewards into program delivery • Communicated with MPCA on how to incorporate Low Salt, No Salt MN campaign into GreenCorps members training program • Attended HaHa Wakpadan event to discuss outcomes of oral history project and next steps • Met with new Hennepin County Education Coordinator • Met with consultant and received proposal for updating and printing watershed map • Worked to arrange for Education Committee meeting • Took photos of and prepared notes describing all fishing piers and canoe access sites across the watershed; prepared and submitted report to Hennepin County as part of project to design and install AIS educational signage aimed at anglers and carry-in boaters • Picked up CAMP samples from volunteers and delivered to NMCWD office for pick up by Met Council
Administration	• Developed agenda; reviewed invoices and submitted expenses spreadsheet to Redpath; developed Administrator's report; reviewed bank statements, investment statements and financial report; drafted June meeting minutes; reviewed memos, documents and presentations for Commission meeting; printed and disseminated meeting information to commissioners, staff, and TAC; updated online calendar; drafted meeting follow up email; ordered catering for July Commission meeting • Developed agenda and materials for Administrative Services Committee meeting • Assisted with gathering information and answered questions for 2022 financial audit; met with auditor • Submitted proposed 2024 Operating Budget to member cities for comment • Reviewed and commented on revised Minnetonka Water Resource Management Plan • Set Budget Committee meeting and secured meeting space • Discussed 2024 budget options with Commissioner Carlson • Responded to questions and coordinated with appropriate cities and partners on leak from City of Crystal pool, dead trees near DeCola ponds, and vegetation at Winnetka Pond • Prepared and submitted invoice to MDA for pesticide monitoring at the WOMP station
MAWD	• Attended MN Association of Watershed Administrators Meeting • Assisted with preparing agenda for July Metro Watersheds meeting and notes from April meeting; sent July meeting materials to members • Corresponded with Met Council and Bolton & Menk re: upcoming Metro Watersheds agenda items • Completed surveys on Summer Tour and MW education and training opportunities
2025 Watershed Management Plan	• Met with Commission Engineers for bi-weekly check in meetings and updated task list

	• Prepared agenda and materials for July 11 Plan Steering Committee meeting; attended meeting • Set August 1st meeting and secured meeting space • Drafted notes from the meeting with MPCA on biotic impairments