



Bassett Creek Watershed Management Commission

Regular Meeting & Public Hearing

Thursday, September 21, 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 – August 17, 2023 Commission Meeting
- B. Acceptance of September 2023 Financial Report
- C. Approval of Payment of Invoices
 - i. Keystone Waters, LLC – August 2023 Administration
 - ii. Keystone Waters, LLC – August 2023 Administrative Expenses
 - iii. Barr Engineering – August 2023 Engineering Services
 - iv. Kennedy & Graven – July 2023 Legal Services
 - v. Redpath – August 2023 Accounting Services
 - vi. Triple D Espresso – Meeting Catering
 - vii. Stantec – WOMP Monitoring Tasks
 - viii. ECM Publishing, Inc. - Public Hearing Notice
 - ix. MMKR – 2022 Financial Audit
- D. Approval of Payment for Pre and Post Road Survey in Lagoon Dredge Project Area
- E. Approval of Updated Commission Roles and Responsibility Document

5. PUBLIC HEARING

- A. Receive Comments on Proposed 2024 CIP Projects (15 min)
 - i. [Bassett Cr Main Stem Restoration Project - Regent Ave to Golden Valley Rd](#) (2024-CRM)
 - ii. [Ponderosa Woods Stream Restoration Project](#) (ML-22)
 - iii. [Sochacki Park Water Quality Improvement Project](#) (BC-14)
 - iv. Cost Share Purchase of High Efficiency Street Sweeper (BC-12)

6. BUSINESS

- A. Review Feasibility Study for Sochacki Park Water Quality Project (45 min)
- B. Consider Approval of Resolution 23-06 Ordering 2024 Improvements (15 minutes)
 - i. Ordering 2024 Improvements
 - ii. Making Findings Pursuant to Minnesota Statutes Section 103B.251
 - iii. Certifying Costs to Hennepin County

- iv. Approving Agreement with City of Plymouth for Construction of Ponderosa Woods Stream Restoration Project (ML-22)
- C. Consider Approval of Updated 90% Plans for Four Seasons Area Water Quality Improvement Project
- D. Consider Proposal to Update and Reprint Watershed Map (15 min)
- E. Receive Update from Plan Steering Committee (5 min)

7. COMMUNICATIONS (10 minutes)

- A. Administrator's Report
 - i. Update on Watershed Tour
 - ii. Report on AIS Rapid Response in Sweeney Lake
- B. Engineer
- C. Legal Counsel
 - i. Update on Lagoon Dredging Project Negotiations
- D. Chair
- E. Commissioners
 - i. Report on Salt Symposium
- F. TAC Members
 - i. Report on September 6 Meeting
 - ii. Appoint Liaison for October 4 Meeting
- G. Committees

8. INFORMATION ONLY (Information online only)

- A. BCWMC Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet
- D. [Haha Wakpadan Oral History Podcast](#)
- E. Haha Wakpadan Upcoming Events
- F. WCA Notices Plymouth
- G. Medicine Lake Water Levels 1972-2023 Graphic
- H. [2022 Met Council Lake Quality Report](#)

9. ADJOURNMENT

Upcoming Meetings & Events

- BCWMC Watershed Tour: Monday October 2nd, 3:30 p.m., caravan from Utepils Brewery
- BCWMC TAC Meeting: Wednesday October 4th, 10:30 a.m., Wirth Lake Room, Brookview
- Metro Watersheds Quarterly Meeting: Tuesday October 17th, 7:00 p.m., Capitol Region Watershed District, St. Paul
- BCWMC Regular Meeting: Thursday October 19th, 8:30 a.m., Golden Valley City Hall



Bassett Creek Watershed Management Commission

AGENDA MEMO

Date: September 13, 2023

To: BCWMC Commissioners

From: Laura Jester, Administrator

RE: **Background Information for 9/21/23 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 – August 17, 2023 Commission Meeting- **ACTION ITEM with attachment**
 - B. Acceptance of September Financial Report - **ACTION ITEM with attachment**
 - C. Approval of Payment of Invoices - **ACTION ITEM with attachments (online) – I reviewed the following invoices and recommend payment.**
 - i. Keystone Waters, LLC – August 2023 Administration
 - ii. Keystone Waters, LLC – August 2023 Administrative Expenses
 - iii. Barr Engineering – August 2023 Engineering Services
 - iv. Kennedy & Graven – July 2023 Legal Services
 - v. Redpath – August 2023 Accounting Services
 - vi. Triple D Espresso – Meeting Catering
 - vii. Stantec – WOMP Monitoring Tasks
 - viii. ECM Publishing, Inc. - Public Hearing Notice
 - ix. MMKR – 2022 Financial Audit
 - D. Approval of Payment for Pre and Post Road Survey in Lagoon Dredge Project Area – **ACTION ITEM with attachment** – *Part of the permit issued by the Minneapolis Park and Rec Board (MPRB) for construction of the lagoon dredging project was a required evaluation of the park roads where truck hauling was planned before the project and again after the project to quantify impacts and needed repairs to the park road. Prior to the evaluation, Commission Engineers reviewed and agreed to an estimate for this work from the company under contract by the MPRB (AET). Staff recommends approval of the reimbursement to MPRB to be paid from Lagoon Dredging Project CIP funds.*
 - E. Approval of Updated Commission Roles and Responsibility Document – **ACTION ITEM with attachment** – *At the February meeting the Commission briefly reviewed the Commission’s roles and responsibility document, noted some updates that were needed, and sent the matter to the Administrative Services Committee. At their meetings in April and July the committee discussed (among other topics) the document and recommended changes to align with current practice and to add clarity where needed. The committee’s recommended updates are shown in the attached. Staff recommends approval of the changes.*

5. PUBLIC HEARING

- A. Receive Comments on Proposed 2024 CIP Projects (15 min) - **PUBLIC INPUT ITEM with attachment** - *The public hearing will be opened and the public will be asked for comments on the 2024 CIP projects. All comments will be entered into the public record and will be considered before the Commission approves the resolution in 6A below. Project webpages are linked below and in the attached public hearing notice. They can also be found at www.bassettcreekwmo.org/projects.*
- i. Bassett Cr Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM)
 - ii. Ponderosa Woods Stream Restoration Project (ML-22)
 - iii. Sochacki Park Water Quality Improvement Project (BC-14)
 - iv. Cost Share Purchase of High Efficiency Street Sweeper (BC-12)

6. BUSINESS

- A. Review Feasibility Study for Sochacki Park Water Quality Project (45 min) – **ACTION ITEM with attachment (complete document and appendices online)** – *At the August meeting the Commission reviewed and discussed the draft feasibility study for this project. The revised feasibility study is attached here and was revised to reflect comments and address questions from the Commission. Additionally, the configurations and footprints of some proposed BMPs (best management practices) were revised to reduce impacts to wetlands, restored prairies, and open space in South Halifax Park. Staff recommends approval of the feasibility study. 50% and 90% designs of the Commission-funded components must be approved by the Commission prior to construction.*
- B. Consider Approval of Resolution 23-06 Ordering 2024 Improvements (15 minutes) - **ACTION ITEM WITH ATTACHMENT** - *Pending the outcome of the public hearing in 5A, the attached resolution should be considered for approval to order the projects, designate entities responsible for construction, make findings pursuant to MN Statutes 103B.25, certify the costs of the 2024 projects to Hennepin County, and approve an agreement with the City of Plymouth for implementation of the Ponderosa Woods Stream Restoration Project. Agreements with designated entities for the other projects are in process and will be presented at a future meeting. Staff recommends approval of the resolution which approves the following:*
- i. Ordering 2024 Improvements
 - ii. Making Findings Pursuant to Minnesota Statutes Section 103B.251
 - iii. Certifying Costs to Hennepin County - *The attached memo lists the estimated project costs for the 2022 projects and recommends the Commission direct staff to certify for payment by Hennepin County in 2024 a total (final) tax levy of \$2,238,000.*
 - iv. Approving Agreement with City of Plymouth for Construction of Ponderosa Woods Stream Restoration Project (ML-22) - *The attached agreement between the City of Plymouth and the BCWMC includes expectations and requirements of the city and the Commission for implementation of the Project. The agreement was drafted by the Commission Attorney and reviewed by Plymouth staff.*
- C. Consider Approval of Updated 90% Plans for Four Seasons Area Water Quality Improvement Project – **ACTION ITEM with attachment** – *At the July meeting, the Commission approved an agreement with the City of Plymouth to design and construct this project. 90% design plans were updated since the previous iteration of the project and reviewed by the Commission Engineer. Staff recommends approval of the plans with conditions noted in the memo and direction to the City to proceed to construction.*

- D. Consider Proposal to Update and Reprint Watershed Map (15 min) – **ACTION ITEM with attachment** - *The Bassett Creek Watershed map (printed, folded green map) has been a popular staple of the Commission’s outreach and education program since it was first developed and printed in 2015. We have very few copies of the map remaining and it’s time to update some of the educational content on the “back of the map.” I recommend approval of the attached agreement with a mapping contractor which was drafted by the Commission Attorney for design and printing of an updated map. The BCWMC Education Committee will be instrumental in creation of the updated content.*
- E. Receive Update from Plan Steering Committee (5 min) – **INFORMATION ITEM no attachment** - *Plan Steering Committee Chair Kennedy will provide an update on the committee’s work and discussion at its meeting on September 7th.*

7. COMMUNICATIONS (10 minutes)

- A. Administrator’s Report
 - i. Update on Watershed Tour
 - ii. Report on AIS Rapid Response in Sweeney Lake
- B. Engineer
- C. Legal Counsel
 - i. Update on Lagoon Dredging Project Negotiations
- D. Chair
- E. Commissioners
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Bassett Creek Watershed Management Commission

DRAFT Minutes of Regular Meeting
Thursday, August 17, 2023
8:30 a.m.
Golden Valley City Hall, 7800 Golden Valley Road

1. CALL TO ORDER and ROLL CALL

On Thursday, August 17, 2023 at 8:36 a.m. Chair Cesnik called the Bassett Creek Watershed Management Commission (Commission) to order.

Commissioners, city staff, and others present

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	<i>Absent</i>	Mark Ray
Golden Valley	<i>Absent</i>	<i>Vacant</i>	Eric Eckman
Medicine Lake	Clint Carlson	Shaun Kennedy	<i>Absent</i>
Minneapolis	Michael Welch	Jodi Polzin	Liz Stout
Minnetonka	<i>Absent</i>	<i>Absent</i>	Leslie Yetka
New Hope	Jere Gwin-Lenth	Jen Leonardson	
Plymouth	Catherine Cesnik	<i>Absent</i>	Ben Scharenbroich
Robbinsdale	Wayne Sicora	Bob Stamos	Mike Sorensen, Richard McCoy
St. Louis Park	RJ Twiford	<i>Vacant</i>	Erick Francis
Administrator	Laura Jester, Keystone Waters, LLC		
Engineers	Karen Chandler, Greg Wilson, Greg Williams - Barr Engineering		
Recording Secretary	<i>Vacant Position</i>		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Presenters/ Guests/Public	Steve Christopher (MN Board of Water and Soil Resources), Jami Markle and Brian Vlach (Three Rivers Park District), Linda Loomis (BCWMC Plan Steering Committee),		

2. PUBLIC FORUM ON NON-AGENDA ITEMS

None

3. APPROVAL OF AGENDA

Administrator Jester requested the removal of Item 4H from the agenda. She noted that Minnetonka’s Water Resources Management Plan must first be approved by Met Council before watershed approval.

MOTION: Commissioner Gwin-Lenth moved to approve the agenda as amended. Commissioner Carlson seconded the motion. Upon a vote the motion carried 7-0 with the cities of Golden Valley and Minnetonka absent from the vote.

4. CONSENT AGENDA

Commissioner Welch asked to remove item 4D Approval to Appoint TAC Member Eric Eckman to Plan Steering Committee from the consent agenda.

MOTION: Commissioner Carlson moved to approve the consent agenda as amended. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion carried 7-0 with the cities of Golden Valley and Minnetonka absent from the vote.

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

- Approval of the July 20, 2023 Meeting Minutes
- Acceptance of August 2023 Financial Report
- Approval of Payment of Invoices
- Acceptance of 2022 Financial Audit
- Approval to Change Commission Address to U.S. Post Office Box
- Adoption of Minor Amendment to 2015 Bassett Creek Watershed Management Plan

Item 4D. Approval to Appoint TAC Member Eric Eckman to Plan Steering Committee

Commissioner Welch noted the work of the Plan Steering Committee is well underway and already includes two Technical Advisory Committee (TAC) members on the committee. He voiced concern that the plan's development would be less driven by commissioners and more by city staff. Administrator Jester reviewed the list of committee members which currently includes six commissioners and alternate commissioners, two TAC members, and one community member. Committee Chair Kennedy noted that TAC members are valuable on the committee as they often have details or information that others might not have. It was noted that the committee is making recommendations to the full Commission who has ultimate decision authority on Plan content. Commissioner Welch noted that committee members should not advocate for specific cities but should be planning a holistic watershed approach to resource management. It was also acknowledged that staff or residents of a particular city have specific knowledge about the city that is valuable to the whole watershed.

MOTION: Commissioner Gwin-Lenth moved to approve the appointment of TAC member Eric Eckman to the BCWMC Plan Steering Committee. Commissioner Carlson seconded the motion. Upon a vote the motion carried 7-0 with the cities of Golden Valley and Minnetonka absent from the vote.

5. BUSINESS

A. Review Draft Feasibility Study for Sochacki Park Water Quality Project

Commission Engineer Chandler noted this project's feasibility study was developed through a contract with Three Rivers Park District and used considerable input and review by commissioners and Commission staff. She introduced Engineer Wilson and indicated the purpose of the presentation today was to share concept ideas, answer questions and get feedback from commissioners. She noted the final feasibility study will be presented at the September meeting.

Engineer Wilson noted that Jami Markle and Brian Vlach with Three Rivers Park District (TRPD) are present to help answer questions or provide input, as needed. He reminded commissioners that Sochacki Park is operated by TRPD under a joint powers agreement with the cities of Robbinsdale and Golden Valley. He gave an overview of the project including project location and noted that one of the recommended BMPs (best management practices) is in South Halifax Park, a Robbinsdale city park adjacent to Sochacki Park and on the north side of Grimes Pond. He reviewed how Grimes Pond flows into North Rice Pond, which flows into South Rice Pond and then into Bassett Creek just upstream of Theodore Wirth Park.

Engineer Wilson reviewed the poor water quality of the three ponds (which are classified as wetlands) along with the BCWMC's 2004 water quality goals for the ponds. He reported on the low dissolved oxygen levels and foul smell. He reported that the project's goal is to reduce total phosphorus in the ponds, reduce the floating plant and curly-leaf pondweed abundance, and establish a native rooted plant community. He indicated that the ponds capture mostly untreated stormwater and that water moves through the ponds quickly (short residence time).

Engineer Wilson reviewed the proposed BMPs including building or expanding four stormwater ponds, removing sediment deltas, correcting erosion, increasing street sweeping, drawing down pond levels to reduce invasive plants and consolidate sediment, and performing an alum treatment of the ponds. He also reviewed field assessments and noted the pond's sediment was found to be contaminated. Engineer Wilson reviewed the results of a Phase I Environmental Site Assessment (ESA) and noted the presence of considerable amounts of construction debris dumped in the 1960s and 1970s. He recommended the completion of a Phase 2 ESA during project design. Engineer Wilson reported on known contamination in South Halifax Park (through an earlier Phase 2 ESA on the site) and the environmental covenant put in place by the MN Pollution Control Agency.

Engineer Wilson relayed the recommended sequence of BMP implementation, the estimated pollutant removals from the BMPs and estimated costs, which assume disposal of contaminated sediment and soil. He noted the BCWMC allocated \$600,000 of CIP funds toward this project and noted that grants and partner funding is being sought for the remainder.

There was discussion about partner funding availability (not currently known), project timeline (construction in 2024 and 2025), and contingency plans if unexpected contamination is discovered (may need to scale back project if out of budget limits). Commissioner Welch noted that these ponds are not currently included on the Commission's priority waterbodies list and asked if there was an actual benefit to the creek. Engineer Wilson reported that if all BMPs were implemented, it would reduce total phosphorus reaching the creek from these ponds by 47%. He reviewed the annual cost per pound of pollutant removal at \$2,500/lb of phosphorus.

TAC member McCoy from Robbinsdale noted that it's unfortunate these ponds were removed from the BCWMC priority waterbodies list and that this area represents the only opportunity for Robbinsdale to improve stormwater quality entering the Bassett Creek watershed. TAC member Eckman from Golden Valley voiced his support for this project and noted the highly collaborative nature of the project that has many benefits including park users, some of whom are from traditionally underserved communities. He noted the project addresses multiple Commission goals including reducing runoff from a known pollutant hotspot, improving habitat, addressing intercommunity drainage, and enhancing education. He also noted the Commission's financial contribution represents approximately 25% of the total project cost.

B. Consider Approval of 2024 Operating Budget

Budget Committee Chair Sicora reviewed the committee's recommendations including 1) setting aside investment income from 2023 and 2024 in a short-term "special projects" fund (expected to be \$300,000 - \$400,000 over 2023 and 2024) while the committee continues to explore options for utilizing the funds; 2) adopting the 2024 budget with an operating budget of \$914,720, total city assessments of \$622,500, and an average increase in city assessments over 2023 levels of 0.8%; and 3) continuing to work with City of Plymouth to transfer accounting tasks to city.

Administrator Jester noted that no member city had commented on the proposed budget sent to them for review in July, even though that version of the budget included an average 10% increase in city assessments over 2023 levels. Committee Chair Sicora noted that a policy regarding investment income and use of the "special projects" funds would be presented at a future meeting and that no investment/special project funding would be utilized without full Commission approval.

MOTION: Commissioner Carlson moved to approve the Budget Committee recommendations. Commissioner Anderson seconded the motion. Upon a vote the motion carried 7-0 with the cities of Golden Valley and Minnetonka absent from the vote.

C. Consider Submitting Resolution to Minnesota Watersheds

Administrator Jester asked if commissioners had ideas or thoughts about submitting resolutions to the Minnesota Watersheds organization for consideration. No ideas were brought forward.

6. COMMUNICATIONS

- A. Administrator’s Report
 - i. Update on Watershed Tour – Administrator Jester reported that she has spoken with various TAC members about tour stops and is considering a tour near the end of September or early October. She reported the coach bus typically rented for watershed tours had risen in price from \$500 in 2019 to \$1,600 for 2023. There was discussion about commissioner preferences. Including an opportunity for a social gathering was a popular idea. TAC member Ray indicated he is certified to drive a school bus. There were no objections to using a school bus for the tour rather than a coach bus. Using a few larger, personal vehicles for a caravan of tour stops was also discussed as an option.
- B. Engineer – Commission Engineer Chandler reported that the MPCA Construction Stormwater Permit is finalized and most BCWMC comments don’t appear to have been included. She also reported that Commission Engineers had created a graph showing Medicine Lake water levels since the 1970s. Administrator Jester will post online, send to key stakeholders for their information, and include in the September meeting packet.
- C. Legal Counsel – No report
- D. Chair – No report
- E. Commissioners
 - i. Report on Salt Symposium – Alternate Commissioner Hauer attended the symposium but wasn’t in attendance at this meeting to give a report
 - ii. Report on GV Sustainability Fair and National Night Out Events – Alternate Commissioner Kennedy reported that the “roots display” on loan from WMWA was a very effective tool used at Medicine Lake’s National Night Out event. Chair Cesnik reported on attending a Haha Wakpadan event and learning about the possibility of creating a water acknowledgement statement in addition to or instead of a land acknowledgement statement.
- F. TAC Members – No report
- G. Committees – Administrator Jester reported the Education Committee was set to meet soon.

7. INFORMATION ONLY

- A. BCWMC Administrative Calendar
- B. CIP Project Updates www.bassettcreekwmo.org/projects
- C. Grant Tracking Summary and Spreadsheet
- D. WCA Notice – Golden Valley
- E. [Stormwater Research Council Annual Report](#)
- F. [MN Aquatic Invasive Species Research Council Showcase](#)

[Chair Cesnik called for a 5-minute break.]

[Alternate Commissioner Stamos leaves the meeting.]

8. 2025 WATERSHED PLAN ISSUE IDENTIFICATION & PRIORITIZATION WORKSHOP

Plan Steering Committee (PSC) Chair Kennedy stated the purpose of the workshop was to: 1) ensure there are no issues missing from the list or issues on the list that should be removed, and 2) ensure the PSC’s recommended priority levels are appropriate. He noted the outcome will be a final list of priority issues that will be used to focus the rest of the Plan’s development and the work of the Commission over the life of the Plan. He noted that since the Commission can’t do everything everywhere, it could consider using the 80/20 rule: concentrate 80% of effort and resources on the highest impact and 20% on the low hanging fruit or other areas where outcome is more unknown.

Committee Chair Kennedy walked through each category of issues and asked for input on issues and their priority. Below are outcomes of the discussion.

Waterbody and Watershed Quality:

No issues missing; no issues to be removed; priority levels appropriate.

Discussed how “poor ecosystem health” was an issue in the current Plan but is too broad to be its own issue; it’s

incorporated into many other issues and should be considered through various tools and approaches. There was also a note that some aquatic invasive species (AIS) impact water quality while others do not. It was noted the Commission already has AIS policies, strategies, and a rapid response plan that should be incorporated or referenced in this Plan.

Climate Resilience:

No issues missing; no issues to be removed; priority levels appropriate.

Commissioner Welch noted that the issue of “Impact of climate change on hydrology, water levels, and flood risk” should be the highest priority in this Plan. Committee Chair Kennedy noted it’s important to consider resource allocation – we need to make sure we can actually have an impact on highest priorities. There was discussion about the Bassett Creek Valley and why it was considered a separate issue from other areas that have flooding and stormwater management issues. It was noted that it’s good to have specific focus in the Plan and that for funding opportunities it is good to have it specified in the Plan. Engineer Chandler noted the Bassett Creek Valley Stormwater Study is completed and partnerships are needed to implement it. It was also noted the Bassett Creek Valley is also home to historically underserved communities. Commissioners and TAC members were encouraged to mention additional specific areas in need of resilience. It was noted the Commission’s XPSWMM model could be used to re-examine flood prone areas.

Education and Outreach:

No issues missing; no issues to be removed; priority levels appropriate.

The issue of “Insufficient outreach to and relationships with diverse communities” should include a native community perspective and should be reworded to be a positive statement rather than negative. The Commission should consider developing a water acknowledgement statement.

Organizational Effectiveness:

No issues missing; no issues to be removed; priority levels appropriate.

It was acknowledged that the Commission needs to assess its capacity to accomplish the work endeavored by this Plan. There was discussion about the issue of “carbon footprint of the Commission.” There was thought that it might belong in the climate resiliency category. It was noted that a carbon footprint might be considered during CIP project selection, which would make it a more of a process consideration. There was a question on whether considering carbon footprint is required in 8410. It is not, however, the EAW process now includes an assessment of greenhouse gas emissions.

Tools:

Acknowledged that this is not an exhaustive list of all tools available to the Commission. It was noted that T7 – education programs to help cities meet requirements – should be revised to include educating residents, and that T8 – training for new commissioners—should be reworded to include training for new and existing commissioners. There was some discussion about the critical need for Commissioner training and proper on-boarding. City staff could help with some on-boarding. Use of the Commission’s XP SWMM model should be added as a high priority tool and the Commission’s P8 model should be added to T1 – pollutant loading hotspots.

No changes suggested for priority levels of listed tools.

Administrator Jester noted that the Plan Steering Committee would next be developing complete issue statements and measurable goals to address each issue. Anyone is welcome to provide feedback to the Administrator anytime. It was recognized that commissioner involvement is critical and planning should be done comprehensively and with a good understanding by all commissioners.

Steve Christopher with MN Board of Water and Soil Resources (BWSR) indicated that the Commission is on the right track, that identifying pollutant hot spots is critical, and that BWSR is considering developing training and on-boarding for new commissioners/managers.

[A 5-minute break was taken.]

9. CLOSED SESSION PURSUANT TO MINN. STAT. 13D.05, SUBD. 3(b) TO ENGAGE IN ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS REGARDING ONGOING CLAIM DISPUTE WITH FITGERALD EXCAVATING & TRUCKING, INC. (MAIN STEM LAGOON DREDGING PROJECT CONTRACTOR)

MOTION: Chair Cesnik made a motion to enter a closed session. Commissioner Welch seconded the motion. Upon a vote the motion carried 7-0 with the cities of Golden Valley and Minnetonka absent from the vote.

The closed session was attended by:

City	Commissioner	Alternate Commissioner
Crystal	Dave Anderson	
Golden Valley	<i>Absent</i>	
Medicine Lake	Clint Carlson	Shaun Kennedy
Minneapolis	Michael Welch	Jodi Polzin
Minnetonka	<i>Absent</i>	
New Hope	Jere Gwin-Lenth	Jen Leonardson
Plymouth	Catherine Cesnik	
Robbinsdale	Wayne Sicora	
St. Louis Park	RJ Twiford	
Administrator: Laura Jester		
Engineers: Karen Chandler, Jim Herbert, Patrick Brockamp		
Legal Counsel: Dave Anderson, Michelle Weinberg		

MOTION: Chair Cesnik moved to end the closed session and return to the regular meeting. Commissioner Welch seconded the motion. Upon a vote the motion carried 7-0 with the cities of Golden Valley and Minnetonka absent from the vote.

10. CONSIDER APPROVAL OF TOLLING AGREEMENT WITH MAIN STEM LAGOON DREDGING PROJECT CONTRACTOR

No action was taken.

11. ADJOURNMENT - The meeting adjourned at 12:25 p.m.

Bassett Creek Watershed Management Commission						
Statement of Financial Position						
			Capital Improvement Projects	General Fund	TOTAL	
ASSETS						
Current Assets						
Checking/Savings						
		101 · Wells Fargo Checking	-741,589.48	823,656.67	82,067.19	
		102 · 4MP Fund Investment	3,501,986.62	168,699.63	3,670,686.25	
		103 · 4M Fund Investment	3,533,650.36	22,641.20	3,556,291.56	
		Total Checking/Savings	6,294,047.50	1,014,997.50	7,309,045.00	
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 · Prepays	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	6,358,250.45	1,020,076.66	7,378,327.11	
TOTAL ASSETS				6,358,250.45	1,020,076.66	7,378,327.11
LIABILITIES & EQUITY						
Liabilities						
Current Liabilities						
Accounts Payable						
		211 · Accounts Payable	47,789.32	103,518.19	151,307.51	
		Total Accounts Payable	47,789.32	103,518.19	151,307.51	
Other Current Liabilities						
		212 · Unearned Revenue	438,823.00	0.00	438,823.00	
		251 · Unavailable Rev - property tax	11,396.55	0.00	11,396.55	
		Total Other Current Liabilities	450,219.55	0.00	450,219.55	
		Total Current Liabilities	498,008.87	103,518.19	601,527.06	
		Total Liabilities	498,008.87	103,518.19	601,527.06	
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	64,659.99	463,966.89	528,626.88	
		Total Equity	5,826,241.32	950,558.73	6,776,800.05	
TOTAL LIABILITIES & EQUITY				6,324,250.19	1,054,076.92	7,378,327.11
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 Fund					
		Annual Budget	Aug 18 - Sep 21, 23	Year to Date	Budget Balance
Ordinary Income/Expense					
Income					
	411 · Assessments to Cities	617,430.00	0.00	617,430.00	0.00
	412 · Project Review Fees	80,000.00	6,000.00	63,000.00	17,000.00
	413 · WOMP Reimbursement	5,000.00	0.00	4,500.00	500.00
	414 · State of MN Grants		375.00	12,257.72	-12,257.72
	415 · Investment earnings		32,251.36	181,340.29	-181,340.29
	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	38,626.36	878,528.01	-103,098.01
Expense					
1000 · Engineering					
	1010 · Technical Services	145,000.00	12,284.68	96,680.18	48,319.82
	1020 · Development/Project Reviews	80,000.00	5,944.50	51,239.60	28,760.40
	1030 · Non-fee and Preliminary Reviews	30,000.00	2,101.00	11,002.00	18,998.00
	1040 · Commission and TAC Meetings	15,000.00	520.00	10,007.40	4,992.60
	1050 · Surveys and Studies	15,000.00	0.00	0.00	15,000.00
	1060 · Water Quality / Monitoring	105,000.00	17,048.50	49,524.18	55,475.82
	1070 · Water Quantity	9,000.00	1,640.50	5,363.21	3,636.79
	1080 · Annual Flood Control Inspection	15,000.00	795.50	6,490.00	8,510.00
	1090 · Municipal Plan Review	2,000.00	240.00	1,860.00	140.00
	1100 · Watershed Monitoring Program	27,000.00	1,919.68	18,013.35	8,986.65
	1110 · Annual XP-SWMM Model Updates	3,000.00	0.00	209.00	2,791.00
	1120 · TMDL Implementation Reporting	0.00	0.00	0.00	0.00
	1130 · APM/AIS Work	40,000.00	2,561.00	2,561.00	37,439.00
	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	45,055.36	252,949.92	233,050.08
2000 · Plan Development					
	2010 · Next Gen Plan Development	53,250.00	9,254.00	49,134.36	4,115.64
	2000 · Plan Development - Other		0.00	0.00	0.00
	Total 2000 · Plan Development	53,250.00	9,254.00	49,134.36	4,115.64
3000 · Administration					
	3010 · Administrator	78,750.00	5,550.00	43,143.75	35,606.25
	3020 · MAWD Dues	7,500.00	0.00	0.00	7,500.00
	3030 · Legal	17,000.00	2,310.33	14,614.36	2,385.64
	3040 · Financial Management	14,540.00	1,075.00	8,365.00	6,175.00
	3050 · Audit, Insurance & Bond	18,700.00	7,800.00	20,705.00	-2,005.00
	3060 · Meeting Catering	2,400.00	161.23	1,289.84	1,110.16
	3070 · Administrative Services	7,240.00	485.72	2,063.20	5,176.80
	3000 · Administration - Other		0.00	0.00	0.00
	Total 3000 · Administration	146,130.00	17,382.28	90,181.15	55,948.85
4000 · Education					
	4010 · Publications / Annual Report	1,000.00	0.00	1,338.00	-338.00
	4020 · Website	1,600.00	0.00	687.16	912.84
	4030 · Watershed Education Partnership	18,350.00	0.00	9,500.00	8,850.00
	4040 · Education and Public Outreach	28,000.00	0.00	9,640.29	18,359.71
	4050 · Public Communications	1,100.00	716.80	1,130.24	-30.24
	4000 · Education - Other		0.00	0.00	0.00
	Total 4000 · Education	50,050.00	716.80	22,295.69	27,754.31
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	72,408.44	414,561.12	380,868.88
	Net Ordinary Income	-20,000.00	-33,782.08	463,966.89	-483,966.89
	Net Income	-20,000.00	-33,782.08	463,966.89	-483,966.89

Bassett Creek Watershed Management Commission						
Statement of Revenues, Expenditures and Changes in Fund Balances - Construction in Progress						
		Project Budget	Aug 18 - Sep 21, 23	Year to Date	Inception to Date Expense	Remaining Budget
Ordinary Income/Expense						
Income						
	418 · Property Taxes		0.00	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		
	CL3 · Crane Lake Improvement Project		0.00	0.00		
	CRM · Main Stem Cedar Lk Rd-Dupont		0.00	0.00		
	ML12 · Medley Park Stormwater Treatment		0.00	0.00		
	ML21 · Jevne Park Stormwater Mgmt		0.00	0.00		
	NL2 · Four Seasons Mall Area		0.00	0.00		
	SL1,3 · Schaper Pond Enhancement		0.00	0.00		
	SL8 · Sweeny Lake Water Quality		0.00	32,242.96		
	TW2 · Twin Lake Alum Treatment		0.00	0.00		
	Total Income		0.00	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	0.00	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	1,083.76	23,312.58	307,248.91	1,527,751.09
	BC-7 · CIP-Main Stem Lagoon Dredging	2,759,000.00	30,550.50	978,060.46	1,565,518.88	1,193,481.12
	BCP-2 · CIP- Basset Cr Pk & Winnetka	1,123,351.00	0.00	0.00	1,075,698.32	47,652.68
	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	0.00	9,696.43	43,789.81	10.19
	NL-2 · CIP-Four Seasons Mall	990,000.00	2,148.00	3,100.00	199,548.06	790,451.94
	PL-7 · CIP-Parkers Lake Stream Restore	485,000.00	11,695.50	30,677.28	106,441.62	378,558.38
	SL-1,3 · CIP-Schaper Pond	612,000.00	2,311.56	8,666.66	478,395.01	133,604.99
	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	13,742,831.00	47,789.32	1,099,127.05	7,055,257.90	6,687,573.10
	Net Ordinary Income	-13,742,831.00	-47,789.32	64,659.99	-7,055,257.90	
	Net Income	-13,742,831.00	-47,789.32	64,659.99		



Item 4D.
BCWMC 9-21-23

Minneapolis
Park & Recreation Board

Administrative Offices

2117 West River Road North
Minneapolis, MN 55411-2227

Northside Operations Center

4022 1/2 North Washington Avenue
Minneapolis, MN 55412-1742

Southside Operations Center

3800 Bryant Avenue South
Minneapolis, MN 55409-1000

Phone

612-230-6400

Fax

612-230-6500

www.minneapolisparcs.org

September 5, 2023

Laura Jester

Bassett Creek Watershed Management Commission

16145 Hillcrest Lane

Eden Prairie, MN 55346

Enclosure: AET Invoices

Dear Laura-

Per the Main Stem Lagoon Dredging Project, CIP Project BC-7, the Minneapolis Park and Recreation Board contracted with American Engineering and Testing (AET) to perform a pre and post pavement analysis of MPRB Parkway segments that would be impacted by the construction. The pre and post pavement analysis reports were to be used to help determine loss of life of pavement due to the construction vehicles.

During the course of AET's work they invoiced the MPRB on 2 occasions. The total cost of their work was \$19,321.00. Since this work by AET was necessary due to the Lagoon Dredging project, it was discussed that the MPRB would contract with AET for their work, paying them directly. Once the work was done the MPRB would submit proof of the invoicing to Bassett Creek Watershed Management Commission such that BCWMC could reimburse the MPRB the full amount of their work. Both invoices from AET to the MPRB are included as attachments to this letter.

If you should have any questions Laura regarding the invoicing or need anything else, please let me know. This letter only pertains to the reports prepared by AET and does not include any reimbursement request for compensation to restore the parkway segments to pre-construction condition due to construction activities.

Thanks Laura,

Sincerely,

Jon Duesman

President

Meg Forney

Vice President

Alicia D. Crudup

Commissioners

Cathy Abene, P.E.

Becky Alper

Billy Menz

Steffanie Musich

Tom Olsen

Elizabeth Shaffer

Becka Thompson

Superintendent

Al Bangoura

Secretary to the Board

Jennifer B. Ringold



OK to Pay
Jon Duesman
1/17/2023

INVOICE

Invoice # INV-112451
Invoice Date: 1/11/2023
Due Date: 2/10/2023

Working Together to Build a More Certain World

Bill To:

Minneapolis Park & Recreation Board
2117 West River Road
Minneapolis, MN 55411
US

Customer Contact: Jon Duesman
Customer Project No.: NA
Customer P.O.: NA

Project Manager	Project Number/Name	AET Contract ID	Account Number
Chunhua Han	P-0015374 - Main Stem Lagoon Dredging Project	PCI-0014623	CUS-022803

Comments: Pavement evaluation; see attached itemization.

INVOICE SUMMARY	TOTAL
	SUBTOTAL \$14,129.00
	TAX \$0.00
	TOTAL DUE (USD) \$14,129.00

Questions about this invoice? Contact Us: 651.789.4651 accounting@amengtest.com

Overnight Payment Address
U.S. Bank Lockbox Services
Attn: 860678
1200 Energy Park Drive
St. Paul, MN 55108

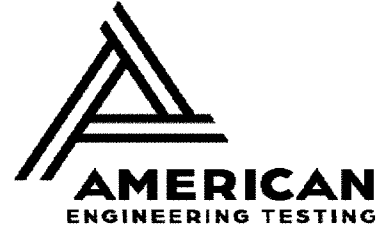
Remittance Address
American Engineering Testing, Inc.
PO Box 860678
Minneapolis, MN 55486

American Engineering Testing, Inc.
Telephone: 800.972.6364 | www.teamaet.com | Tax ID: 41-0977521

ITEMIZATION

AET Project Number
P-0015374

Service Dates
8/2/2022 to 1/10/2023



Quantity	Unit	Description	Unit Price	Amount
1	lump sum	Invoice for Post-construction Road Survey on 1/3-mile of paved roads, and analyze 1/3-mile of PCI, IRI, GPR, FWD data and write the pre-construction report for Main Stem Lagoon Dredging Project	\$12,549.00	\$12,549.00
1	lump sum	Revise AET Report P-0015374A based on the updated delivery flow plan	\$1,580.00	\$1,580.00
			Subtotal	\$14,129.00
			Tax	
TOTAL				\$14,129.00



OK to Pay
Jon Duesman
7/26/2023

INVOICE

Invoice # INV-141220
Invoice Date: 7/24/2023
Due Date: 8/23/2023

Working Together to Build a More Certain World

Bill To:

Minneapolis Park & Recreation Board
2117 West River Road
Minneapolis, MN 55411
US

Customer Contact: Jon Duesman
Customer Project No.: NA
Customer P.O.: NA

Project Manager	Project Number/Name	AET Contract ID	Account Number
Michael Anderson	P-0015374 - Main Stem Lagoon Dredging Project	PCI-0014623	CUS-022803

Comments: Main Stem Lagoon Post-construction Haul Road Study - See Attached Itemization

INVOICE SUMMARY	TOTAL
	SUBTOTAL \$5,192.00
	TAX \$0.00
	TOTAL DUE (USD) \$5,192.00

Questions about this invoice? Contact Us: 651.789.4651 accounting@amengtest.com

Overnight Payment Address
U.S. Bank Lockbox Services
Attn: 860678
1200 Energy Park Drive
St. Paul, MN 55108

Remittance Address
American Engineering Testing, Inc.
PO Box 860678
Minneapolis, MN 55486

American Engineering Testing, Inc.
Telephone: 800.972.6364 | www.teamaet.com | Tax ID: 41-0977521

ITEMIZATION

AET Project Number
P-0015374

Service Dates
6/2/2023 to 7/13/2023



Quantity	Unit	Description	Unit Price	Amount
1	lump sum	Invoice for Post-construction Road Survey Collect and analyze IRI and DVL data on 1/3-mile of roads in the project and write the post-construction report for the Main Stem Lagoon Dredging Project	\$5,192.00	\$5,192.00
			Subtotal	\$5,192.00
			Tax	
TOTAL				\$5,192.00



Bassett Creek Watershed Management Commission

Roles and Responsibilities Consultants, Commissioners, Technical Advisory Committee, and other Commission Committees

June 2013; [updated August 2023](#)

ADMINISTRATOR

1. Implements the strategic direction as set by the Commission.
2. Responds to direction from the Commission.
3. Acts as the primary point of contact and maintains direct communication with Commissioners, TAC members, member cities, consultants, state and local agencies, the public, the media, and other partners (e.g. Met Council, West Metro Water Alliance, Hennepin County, [park districts](#), [Metro Blooms](#), [Minnesota Watersheds](#), etc.).
4. [Coordinates logistics, prepares agendas and materials, writes minutes, and a](#)Attends meetings of the Commission, Technical Advisory Committee, and other Commission Committees.
5. Represents the Commission at various meetings and through correspondence with partners, [Minnesota Watersheds](#), and outside interests or groups.
6. Provides primary coordination during the development of the Watershed Management Plan, policy manuals, Education and Outreach Plan, and other organizational documents.
7. [Updates and follows the policy manual in coordination with](#) ~~Works with~~ the Commission, and the Commission engineer, legal counsel, deputy treasurer, and recording secretary, ~~as necessary, to update and follow the policy manual.~~
8. Coordinates the work of Commission ~~engineer~~, legal counsel, deputy treasurer, and recording secretary as necessary.
9. ~~Prepares meeting agendas and meeting materials for regular and special Commission meetings and meetings of Commission committees.~~ [Added to #4.]
10. [Communicates the work of the Commission to commissioners, partners, and the public \(with assistance, as needed, from Commission engineer and others\) including maintaining an updated website, giving interviews and presentations, submitting press releases, tabling at events, etc.](#) ~~Works with Commission engineer, legal counsel, deputy treasurer and recording secretary to coordinate and communicate the work of the Commission.~~
11. Coordinates and oversees work of ~~the Commission Engineer, other~~ consultants, contracts and agreements; [assists with performance reviews, and](#) reviews all invoices to the Commission.
12. [With input from commissioners, the](#) ~~Works with~~ TAC and Commission Engineer ~~to~~ develops annual CIP [for Commission consideration](#) and ~~to~~ keep CIP "fact sheets" updated.
13. Tracks status of Commission budget, including CIP project budgets and the closed project account, [assists with annual financial audit](#), and coordinates this work with the Deputy Treasurer [or contracted accountants](#).

14. Coordinates administrative tasks related to shepherding capital projects through various processes or through actual project implementation including Plan amendments, Hennepin County approval process, BWSR approval process, permitting, contracting, outreach with community members, etc.
15. Tracks status and reports progress on implementation of CIP projects including reviewing expenses or reimbursement requests; taking or collecting photos before, during, and after construction; assisting with preparation of final report; and keeping project webpage updated.
16. Identifies opportunities and helps to secure grant funding and develop partnerships to accomplish Commission goals, in coordination with Commission Engineer.
17. Tracks progress and implementation of Commission ~~projects~~ programs and activities including objectives, schedules and budgets in coordination with Commission Engineer.
18. Leads the development of annual budget (in coordination with Budget Committee), annual report, and annual work plan; communicates with Hennepin County regarding maximum and actual annual levy amounts.
19. Prepares annual report and annual plan; maintains website; appropriately notices all public meetings; maintains official records of commissioner appointments; maintains official records, follows records retention schedule and data practices act.
20. ~~Assists the Commission with performance reviews of contractors.~~ [Added to #11]

ENGINEER

1. Responds to direction from the Commission and Administrator.
2. Reviews development plans and reports to Commission and member cities on compliance of the plans with regards to Commission review standards, requirements, policies and procedures.
3. Performs erosion control inspections of Commission-approved projects, as needed.
4. Performs inspections of the Commission's flood control project and prepares report with recommendations.
5. Performs inspections of the Commission's CIP projects, as needed or directed and prepares report with recommendations.
6. Develops and writes the Watershed Management Plan in cooperation with the Administrator at the direction of the Commission and with input from the TAC, watershed residents, state agencies, and partners; and assists the Administrator with coordinating certain aspects of Watershed Management Plan development.
7. Represents the Commission on a technical level at various meetings and through correspondence with partners and others as directed by the Commission or Administrator.
8. Provides technical recommendations to the Commission on projects, plans, and monitoring programs.
9. Coordinates and performs (as directed) science-based decisions on water monitoring activities, feasibility studies, project designs and other projects or programs as directed by the Commission.

10. Coordinates with the TAC, helps set TAC meeting agendas, provides meeting materials as needed, and assists Administrator with preparation of TAC memo to Commission, ~~with assistance from the TAC and Administrator.~~
11. Provides meeting agenda items and meeting materials to the Administrator.
12. Identifies opportunities and helps to secure grant funding and develop partnerships to accomplish Commission goals.
13. Reviews member cities' local water management plans for conformity with Commission plan, as directed by the Commission.
14. Assists Commission with reporting on TMDL implementation progress (including water quality modeling).
15. Maintains and updates the Commission's watershed-wide hydrologic and hydraulic (XP SWMM) model and water quality (P8) model for use in floodplain management and to assess impacts of water quality best management practices.
16. Apprises the Commission of technical innovations in stormwater management and proposed policy/rule/statute changes that could affect the Commission.
17. Stores development/project review files and technical data.

DEPUTY TREASURER

1. Takes direction from the Commission Treasurer and Commission
2. Advises the Commission on financial practices, investments, and depositories
3. Maintains access to Commission accounts including checking and investment accounts
4. Assists with the transfer of funds between accounts in order to maintain appropriate balances in checking account and investment funds
5. Assists with maintaining appropriate collateral on all accounts
6. Assists with developing and implementing the Commission's fiscal policies
7. Assists with and review the annual financial audit
8. Maintains signatory authority for checking account; signs monthly checks as needed

LEGAL COUNSEL

1. Responds to direction from the Commission and Administrator.
2. Reviews or prepares contracts and agreements; makes recommendations to the Commission.
3. Advises the Commission on pertinent legal matters.
4. Represents the Commission in lawsuits or other matters, as necessary.
5. Develops resolutions for Commission action, as requested.
6. Provides meeting agenda items and/or meeting materials to the Administrator.

~~RECORDING SECRETARY~~ [*Removing this section doesn't preclude contracting with a recording secretary in the future. These tasks were moved to Administrator, as appropriate*]

- ~~1. Responds to direction from the Commission and Administrator.~~
- ~~2. Coordinates meeting logistics such as room reservation and setup, catering, materials.~~
- ~~3. Assembles, posts and distributes meeting agendas and materials.~~
- ~~4. Provides notice for public hearings.~~
- ~~5. Records Commission meetings and prepares Commission meeting minutes.~~
- ~~6. Assists Administrator with tracking Commission calendar, making recommendations for agenda items and activities, and preparing the Annual Report.~~
- ~~7. Assists with communication and correspondence to Commission, TAC members, and others as directed by the Administrator.~~
- ~~8.1. Maintains the official records of the Commission and the Commission website, in coordination with the Administrator.~~

TECHNICAL ADVISORY COMMITTEE

1. Responds to requests for input from the Commission and Administrator.
2. Acts as a forum for the exchange of ideas between the member cities, presentation of city activities, and one source of ideas for projects, programs, etc. This may help avoid duplication among cities on watershed-wide activities.
3. Acts as a vehicle for communication from member cities to the Commission; ~~one source of information from the cities.~~
4. Provides technical advice and local knowledge to Commission; offers recommended alternatives and solutions.
5. ~~Discusses~~ Generates a list of possible CIP projects and project budgets each year for Commission consideration.
6. Recommends projects to be funded through the Commission's channel maintenance fund for Commission consideration.
7. Reviews recommendations from flood control project and CIP project inspections.
8. Performs other duties as assigned by the Commission.

COMMISSIONER

1. Provides overall direction for the Commission; monitors and controls its function.
2. Establishes policies of the Commission.
3. Directs the development and implementation of the Watershed Management Plan.
4. Adheres to the bylaws and Joint Powers Agreement of the Commission including provisions regarding the appointment of Commissioners.
5. Directs the work of the Administrator, engineer, and legal counsel.

6. Recruits, supervises, retains, evaluates and compensates all consultants to carry out the work of the Commission.
7. Attends Commission meetings or arranges for alternate commissioner to attend if unable to attend, and communicates this to the Chair and Administrator.
8. Participates in Committees, as assigned.
9. Takes action each year to set the annual operating budget, set the annual levy amount, review and approve the annual activity report; review and accept the annual financial audit.
10. Conducts regular performance reviews of contractors.
11. Reviews and approves invoices.
- ~~11.~~12. Makes decisions ~~en~~using sound science based information pertaining to flooding and water quality for entire watershed.

ALTERNATE COMMISSIONER

1. Attends meetings (most importantly if the primary Commissioner is not able to attend) and engages in all discussions of the Commission.
- ~~1.~~2. Performs duties of the primary Commissioner (as noted above) when the primary Commissioner is not in attendance at a meeting including making motions, seconding motions, and voting on motions. Motioning and voting is performed by the Alternate Commissioner only when the primary Commissioner is not present.
- ~~2.~~3. Participates in committees, as assigned.
4. Adheres to the bylaws and Joint Powers Agreement of the Commission including provisions regarding the appointment of Commissioners.
5. Makes decisions ~~en~~using sound science based information pertaining to flooding and water quality for entire watershed.

ADMINISTRATIVE SERVICES COMMITTEE – meets quarterly or as needed

1. Makes recommendations on overall administration, processes, and administrative details of the Commission.
2. Provides feedback to the Administrator on performance; provides direction for improvement or changes to tasks or priorities.

BUDGET COMMITTEE – meets during budget development; approximately April - June

1. Develops annual draft operating budget in coordination with the Administrator for consideration by the Commission.
2. Assists with developing the “budget detail” to fully describe budget line items.

EDUCATION COMMITTEE – meets as needed

1. Develops and refines the Education and Outreach Plan of the Commission.
2. Assists with carrying out the tasks outlined in the Education and Outreach Plan, in coordination with the Administrator.
3. Represents the Commission at various events and recruits volunteers to assist at events.
4. Makes recommendations to the Budget Committee for annual expenditures in education and outreach tasks.
5. Attends meetings of the West Metro Watershed Alliance and other education-related organizations as needed or directed; and assists the Administrator with coordinating events, publications, and programs that involve and benefit the Commission.

~~NEXT GENERATION~~ PLAN STEERING COMMITTEE – meets monthly

1. Guides the development of the ~~Next Generation~~2025 Watershed Management Plan (Plan) [acknowledging climate change science impacts.](#)
2. Guides the work of the Administrator and Engineer on tasks related to the development of the Plan.
3. Tracks the budget and schedule of the Plan development; recommends adjustments as necessary.
4. Assists with implementing the public input process of the Plan development.
- ~~5.~~ Discusses and reviews sections of the draft Plan; recommends changes and/or submission to the Commission for review.

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

NOTICE OF PUBLIC HEARING

Proposed Improvements Contained in the

Bassett Creek Watershed Management Commission's 2015 Watershed Management Plan

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

Thursday, September 21, 2023 at 8:30 a.m.

Golden Valley City Hall; 7800 Golden Valley Road

Interested persons are invited to attend. The purpose of the hearing is to hear testimony and comments from the public and cities regarding four capital improvements proposed to begin in 2024. Project information available at www.bassettcreekwmo.org.

- 1. Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Road, Golden Valley:** Stabilize streambanks, reduce erosion, and improve water quality and stream habitat along a 7,000-ft section of Bassett Creek between Regent Ave. and Golden Valley Rd. The project is expected to annually reduce pollution in Bassett Creek and downstream in the Mississippi River by an estimated 82 lbs. of total phosphorus and 136,000 lbs. of total suspended solids. The total estimated project cost is \$2,241,000, of which \$1,741,000 will come from BCWMC's Capital Improvement Program through 2024 - 2026 ad valorem property taxes collected by Hennepin County on property in the Bassett Creek Watershed. www.bassettcreekwmo.org/projects/all-projects/bassett-creek-restoration-project-regent-ave-golden-valley-
[r](#)
- 2. Ponderosa Woods Stream Restoration Project, Plymouth:** Restore an eroding tributary to Medicine Lake. This project will stabilize streambanks, reduce sediment and nutrient pollution reaching Medicine Lake, improve habitats, and remove buckthorn along a 1,000-ft stream section. The project will reduce total phosphorus and total suspended solids by and estimated 7.4 lbs. per year and 14,770 lbs per year, respectively. The total estimated project cost is \$352,000 which will come from BCWMC's Capital Improvement Program through 2024 ad valorem property taxes collected by Hennepin County on property within the Bassett Creek Watershed. www.bassettcreekwmo.org/projects/all-projects/ponderosa-woods-stream-restoration-project
- 3. Sochacki Park Water Quality Improvement Project, Robbinsdale and Golden Valley:** This project will implement a suite of best management practices (BMPs) in Three River Park District's Sochacki Park. The project will reduce total phosphorus by approximately 67 lbs/year, improving water quality in Grimes Pond, North Rice Pond, South Rice Pond, and Bassett Creek, enhancing buffers and wildlife habitat, and improving recreation. The total project cost to implement all BMPs is \$2,300,000. BCWMC will share the project cost with \$600,000 from BCWMC's Capital Improvement Program through 2024 and 2025 ad valorem property taxes collected by Hennepin County on property within the Bassett Creek Watershed. Other funding sources include grants, Three Rivers Park District, and the cities of Golden Valley and Robbinsdale. www.bassettcreekwmo.org/projects/all-projects/sochacki-park-water-quality-improvement-project
- 4. Cost Share Purchase of High Efficiency Street Sweeper:** The BCWMC will cost share the purchase of an enhanced regenerative sweeper for the City of Golden Valley to improve effectiveness and reduce pollutant loading to streams and lakes. The total BCWMC funds to the city is \$150,000 which will come from the BCWMC's Capital Improvement Program funds through 2024 and 2025 ad valorem property taxes collected by Hennepin County on property within the Bassett Creek Watershed.

Item 6A.
BCWMC 9-21-23
Full report online
Appendices posted
separately



Sochacki Park Water Quality Improvement Project Feasibility Study

Prepared for
Three Rivers Park District

September 2023

Sochacki Park Water Quality Improvement Project Feasibility Study

September 2023

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Appendix F – Feasibility Level Cost Estimates

Abbreviations

BCWMC	Bassett Creek Watershed Management Commission
BMP	Best Management Practice
Chl-a	Chlorophyll-a
LiDAR	Light Detection and Ranging
MSL	Mean Sea Level
MDNR	Minnesota Department of Natural Resources
MNRAM	Minnesota Routine Assessment Method for Evaluating Wetland Functions
NRCS	Natural Resources Conservation Service
OHW	Ordinary High Water
P8	Program for Predicting Polluting Particle Passage Thru Pits, Puddles, and Ponds
PWI	Public Waters Inventory
SD	Secchi Disc
SSURGO	Soil Survey Geographic Database
TRPD	Three Rivers Park District
TP	Total Phosphorus
USFWS	United States Fish and Wildlife Service

1 Executive Summary

The Bassett Creek Watershed Management Commission's (BCWMC) current Capital Improvement Program (CIP) (Table 5-3 in the 2015-2025 Bassett Creek Watershed Management Plan, as revised) includes the Sochacki Park Water Quality Improvement project (CIP BC-14) (Project).

As is required for BCWMC CIP Projects, a feasibility study must be completed prior to BCWMC holding a hearing and ordering the project. This study examines the feasibility of developing water quality treatment best management practices (BMPs) in Sochacki Park and South Halifax Park. Project goals include improved water quality in Bassett Creek; improved water quality, ecological function, and wildlife habitat in the Sochacki Park wetlands (Grimes Pond, North Rice Pond and South Rice Pond); and enhanced recreation and education opportunities.

If ordered, the CIP calls for implementing the project in 2024 and 2025. The BCWMC CIP funding (ad valorem tax levied by Hennepin County on behalf of the BCWMC), is not the sole source of funding for this project. The remainder of the funding will come from the Cities of Robbinsdale and Golden Valley, Three Rivers Park District, and other sources (e.g., other grants, as appropriate).

Recent efforts to better understand the ecological health, and set appropriate goals for, the Sochacki Park wetlands (South and North Rice Ponds), plus adjacent, upstream Grimes Pond have identified improvements that are likely necessary to improve the ecological health of the wetlands, improve aesthetics, and provide recreation and education opportunities. Many of the goals or metrics for ecological health are directly tied to improved wetland water quality (through nutrient reductions) and enhancements to vegetative diversity and integrity.

Using monitoring data and other data/information, Barr updated and calibrated the Bassett Creek Watershed Management Commission's (BCWMC) pollutant loading model to better understand the ecological conditions and evaluate the source of pollutants impacting the ponds. The modeling results revealed that the ponds' contributing watersheds currently provide low levels of water quality treatment. The water quality data and modeling results also showed that internal loading of phosphorus is an important source of phosphorus for each pond. We used the monitoring and modeling results, along with mapping information, to identify high priority areas for implementing watershed best management practices (BMPs).

Barr performed a Phase I environmental site assessment (ESA) for Sochacki Park and South Halifax Park (South Halifax Park is a Robbinsdale city park located on the north side of Grimes Pond). A Phase I ESA is primarily a desktop review that provides an initial evaluation of environmental conditions on a property. The Phase I ESA identified significant debris (construction debris landfill) present at Sochacki Park. Based on the Phase I ESA results, Barr recommends completion of a Phase II investigation as a first step in final design. A Phase II investigation involves collecting samples from various media (e.g., soil, groundwater) for chemical analysis to verify the absence or presence of contamination. Similar to previous BCWMC CIP projects, Barr recommends that the entity implementing the project enter the MPCA's Brownfields Program for hazardous substances, which can protect entities with ownership interests, and these

protections can be extended to entities performing work through an approved Response Action Plan (RAP). Although working in contaminated areas may be more complicated and costly, there are human health and ecological benefits to removing contaminants from the environment. Further, there are methods and protections for dealing with the contaminants.

The BCWMC included the Sohacki Park Water Quality Improvement Project in its CIP, based on the following “gatekeeper” policy from the BCWMC Plan. Those items in bold italics represent those that directly apply to this project.

110. The BCWMC will consider including projects in the CIP that meet one or more of the following “gatekeeper” criteria.

- ***Project is part of the BCWMC trunk system (see Section 2.8.1, Figure 2-14 and Figure 2-15 of the report)***
- ***Project improves or protects water quality in a priority waterbody***
- ***Project addresses an approved TMDL or watershed restoration and protection strategy (WRAPS)***
- Project addresses flooding concern

The BCWMC will use the following criteria, in addition to those listed above, to aid in the prioritization of projects:

- Project protects or restores previous Commission investments in infrastructure
- Project addresses intercommunity drainage issues
- ***Project addresses erosion and sedimentation issues***
- ***Project will address multiple Commission goals (e.g., water quality, runoff volume, aesthetics, wildlife habitat, recreation, etc.)***
- ***Subwatershed draining to project includes more than one community***
- Addresses significant infrastructure or property damage concerns

The BCWMC will place a higher priority on projects that incorporate multiple benefits, and will seek opportunities to incorporate multiple benefits into BCWMC projects, as opportunities allow.

The Sohacki Park Water Quality Improvement Project meets multiple gatekeeper criteria— the project will improve water quality by reducing the amount of sediment and pollutants that reach the Main Stem of Bassett Creek. Additionally, this project is part of the trunk system (South Rice Pond, North Rice Pond, and Grimes Pond), multiple communities (the Cities of Robbinsdale, Golden Valley and Crystal) are within

the project's subwatershed, and the project will address multiple Commission goals by enhancing water quality and aesthetics, providing recreation opportunities, and improving wildlife habitat.

Based on the calibrated watershed and pond water quality modeling, we recommend implementation of the following watershed BMPs and in-pond management options to substantially improve water quality, enhance vegetative diversity and integrity for each pond, and reduce downstream phosphorus loadings to and enhance biological integrity in Bassett Creek:

- Clear clogged debris and develop an annual maintenance plan for all inlet and outlet structures. Remove accumulated sediment and fill materials from BMPs and within, and adjacent to, each wetland.
- Reconfigure discharge outfall and stabilize erosion from stormwater conveyance entering northwest corner of Grimes Pond.
- Re-vegetate and control soil erosion from bare soil areas within the upland buffer areas. If mountain bike activity in the adjacent upland area is currently supported, isolate potential soil disturbance and adjacent vegetation improvements to prevent erosion into surrounding wetland areas.
- Conduct controlled water level drawdowns in each wetland prior to the winter season to ensure that curly-leaf pondweed is decreased to less than 20 percent cover and to enhance overall vegetative diversity and integrity. Remove, treat, and control other non-native invasive species, where possible, and remove fill material and trash.
- Initiate, or increase the frequency of, street sweeping and fall leaf litter removal programs, with emphasis in subwatersheds that have direct drainage to the wetlands.
- Install structural BMPs and/or pretreatment protection measures to prevent future sediment delivery and reduce nutrient loading into the ponds with design(s) intended to meet water quality goals. Untreated stormwater runoff from two discharge outfalls each to South Rice Pond (Pond SR-3 and Pond SR-4) and Grimes Pond (BMP GR-6), as well as one outfall to North Rice Pond (Pond NR-1), are prioritized for implementation.
- Complete in-pond alum treatment in all three ponds to control summer sediment phosphorus release, following implementation of watershed BMPs, to improve water clarity and support submersed aquatic plant growth.

The total estimated cost to construct all the above BMPs is \$1,903,000. The BCWMC's CIP includes \$600,000 for this project. See Table 7 1 for a summary of the potential pond improvement options, estimated annual total phosphorus removal, planning level capital cost estimate, annualized cost-benefit, and recommended sequence for implementation of each improvement option.

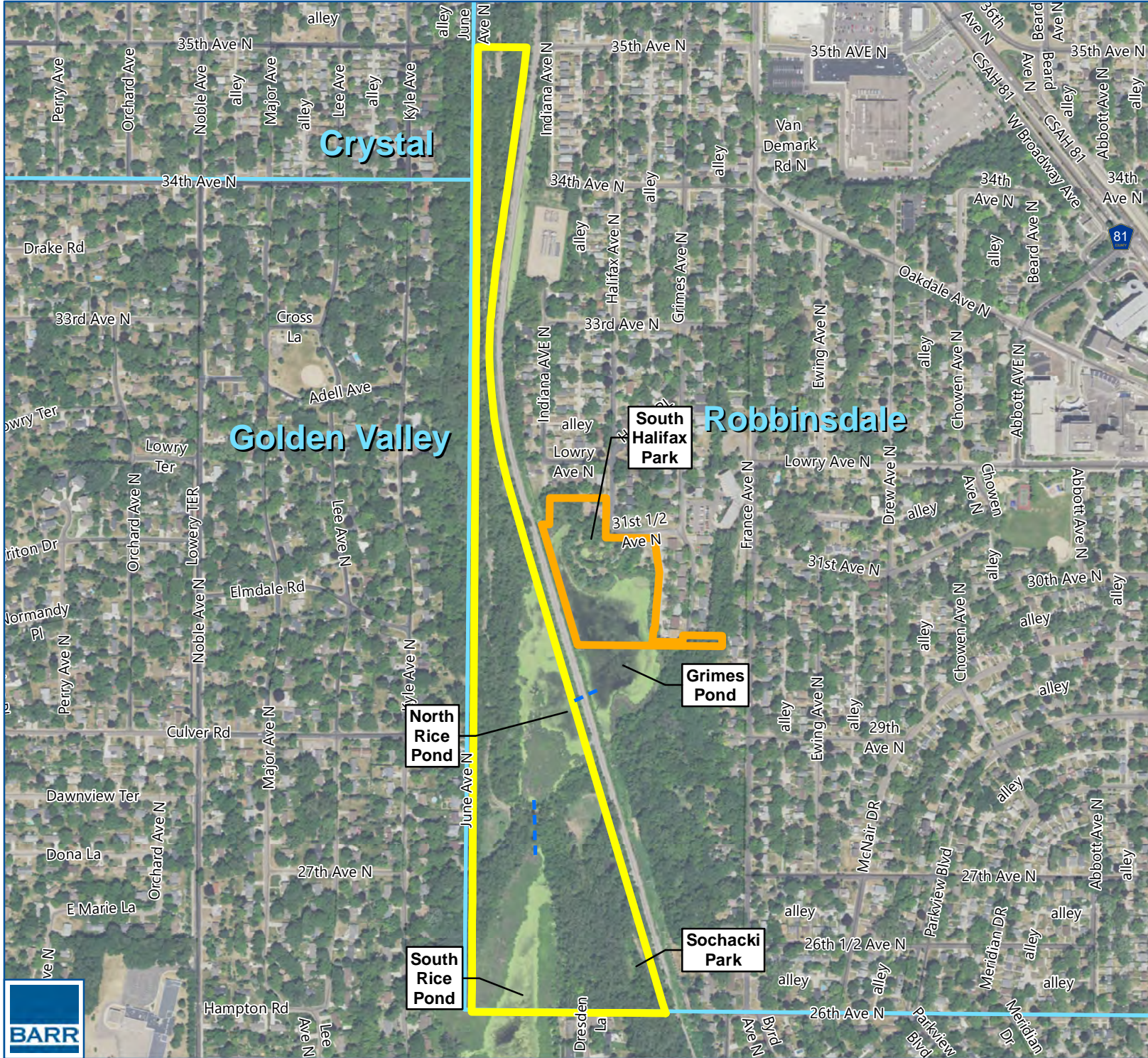
2 Background and Objectives

The Sochacki Park Water Quality Improvement Project is included in the BCWMC's current CIP as BC-14 (Table 5-3, as amended in 2023). The proposed project is in Robbinsdale and Golden Valley and will improve water quality in the Main Stem of Bassett Creek and the wetlands in Sochacki Park and South Halifax Park (see Figure 2-1). The feasibility study will aid in the future development of designs for anticipated construction and implementation of the project in 2024 and 2025.

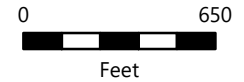
Recent efforts to better understand the ecological health, and set appropriate goals for, the Sochacki Park wetlands (South and North Rice Ponds) and Grimes Pond, identified improvements that are likely necessary to improve the ecological health of the wetlands, improve aesthetics, and provide recreation and education opportunities. Many of the goals or metrics for ecological health are directly tied to improved wetland water quality (through nutrient reductions) and enhancements to vegetative diversity and integrity. Another goal involved stakeholder engagement throughout the development of the Sochacki Park feasibility study.

2.1 Project Area Description

Sochacki Park is surrounded by residential property, located within the City of Robbinsdale, west of the BNSF Railroad and east of June Ave N (Township 29, Range 24, and Sections 7 and 18) within Hennepin County. The park is operated by Three Rivers Park District (TRPD) in cooperation with the cities of Robbinsdale and Golden Valley. The park access road off 36th Ave N leads to a small parking lot at the north end of the park adjacent to an Xcel Energy utility line. A picnic structure and paved trails are located within the park. North Rice Pond, located south of the picnic structure, is identified in the Minnesota Department of Natural Resources (MN DNR) Public Water Inventory (PWI) as Public Water Wetland 27-644W and South Rice Pond, located at the south end of the park, is identified as Public Water Wetland 27-645W. Grimes Pond, which shares the same PWI number as North Rice Pond, is located northeast of the railroad tracks. Robbinsdale's South Halifax Park is adjacent to Sochacki Park and includes the north side of Grimes Pond. South Rice Pond extends beyond Sochacki Park to the south adjacent to Bassett Creek into the City of Golden Valley. A restored prairie is located near the upland edges between North and South Rice Ponds. In addition to the main paved trails, several unpaved paths are present throughout the park. Mounds and logs placed for mountain bike activity are present east of South Rice Pond. Figure 2-2 shows the pond bathymetry and provides the maximum depths of each pond. Figure 2-3 shows the subwatersheds and drainage for the Sochacki Park study area.



- Culvert
- Sochacki Park
- South Halifax Park
- Municipal Boundary



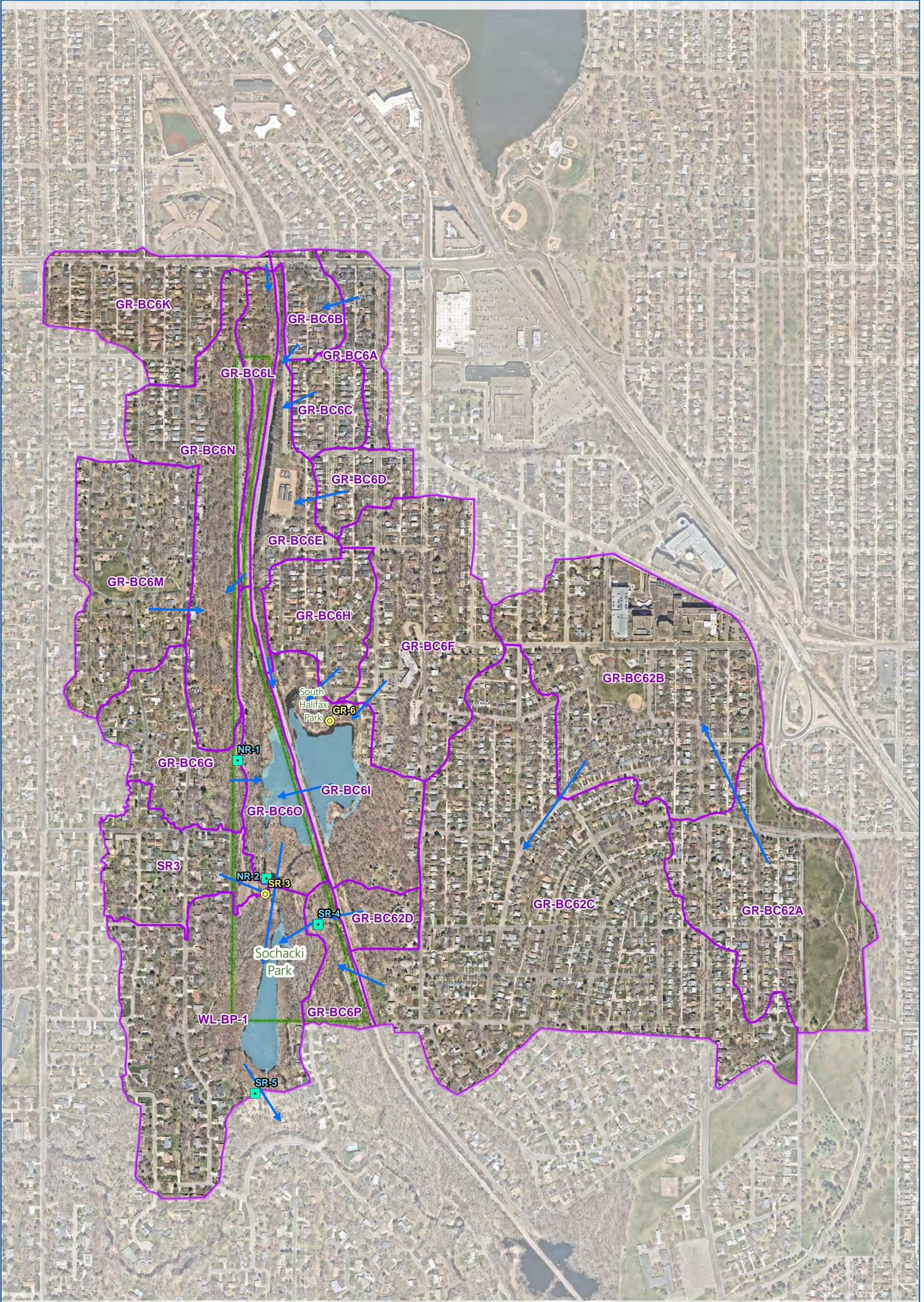
LOCATION MAP
Sochacki Park Feasibility Study
Three Rivers Park District
Hennepin County, MN

FIGURE 2-1





Figure 2-2 Sochacki Park Ponds, Bathymetry and Monitoring Sites



Automated Monitoring Site	Sochacki Park
Grab Sample Site	Subwatersheds
Pipe	Municipal Boundary
Flow Direction	
Waterbodies	

0 300 600 Feet

Imagery: NearMap; May 6, 2022

SUBWATERSHEDS & STORM SEWER
Sochacki Park
Subwatershed Assessment
Three Rivers Park District

FIGURE 2-3

2.2 Goals and Objectives

This project is consistent with the goals (Section 4.1) and policies (Sections 4.2.1, 4.2.4, 4.2.6, 4.2.8, and 4.2.10) in the 2015 – 2025 BCWMC Watershed Management Plan.

The goals and objectives of the feasibility study were to:

- Review the feasibility of developing water quality treatment best management practices (BMPs) in Sochacki and South Halifax Parks and identify and evaluate multiple water quality improvements.
- Develop conceptual BMP and water quality improvement designs, including evaluating the water quality improvements using water quality modeling (P8 model).
- Provide a planning level opinion of cost for design and construction of the improvement options.
- Identify potential project impacts and permitting requirements.
- Develop visuals of the improvement options for public input.

The goals and objectives of the water quality improvement project are to:

1. Develop stormwater BMPs in the project area to remove sediment and particulate and dissolved nutrients to improve water quality for the Main Stem of Bassett Creek, as well as the existing ponds and wetlands within the project study area.
2. Reduce sediment, bacteria and nutrient loading to Bassett Creek and improve downstream water quality by providing additional upstream water quality treatment in the existing ponds and in new stormwater BMPs in the project area.
3. Remove accumulated, contaminated sediment to restore water quality treatment capacity and provide enhanced aquatic habitat.

Although the 2015 Bassett Creek Watershed Management Plan does not include water quality goals for North and South Rice Ponds and Grimes Pond, the Bassett Creek Watershed Management Commission's (BCWMC) 2004 goal for Grimes, North Rice and South Rice Ponds was a management classification of Level III, meaning its water quality should support aesthetic viewing (BCWMC, 2004 and Barr Engineering, 2014). Level III goals were: (1) maximum total phosphorus (TP) concentration of 75 µg/L, (2) maximum chlorophyll *a* (Chl-*a*) concentration of 40 µg/L, and (3) minimum Secchi disc (SD) transparency of 1.0 meters (about 3 feet). Since Grimes and North Rice Ponds (27-644W) and South Rice Pond (27-645W) are considered wetlands, there are no MPCA water quality standards that apply. Although not BCWMC priority waterbodies, these ponds are directly upstream of the Main Stem of Bassett Creek and therefore impact the stream's health.

Based on literature and stakeholder feedback, there was consensus that it was important to improve wetland water quality and ecology in all three ponds by making an initial harvest of aquatic plants,

followed by significant nutrient reductions to shift away from floating plant dominance and the resulting low or no oxygen conditions (anoxia) in the pond water (per Scheffer et al., 2003). As a result, the previous BCWMC water quality goals provide a benchmark for making this shift in wetland ecology that will also enhance vegetative diversity and integrity. It will also be important to control invasive species, both in wetland and upland areas, while controlling and/or removing sediment deposits.

2.3 Considerations

Key considerations for project alternatives included:

1. Maximizing the amount of water quality benefit provided by the project.
2. Minimizing the permitting required to construct the project improvements.
3. Maintaining or improving the ecological integrity of the ponds, including water quality and habitat functions.
4. Minimizing impacts to upstream wetlands.
5. Balancing tree loss and water quality treatment volume development while preserving healthy, significant hardwoods trees in upland areas.
6. Maintaining or improving the functionality of the trails and park features, while enhancing water quality educational opportunities.

The considerations listed above played a key role in determining final recommendations and will continue to play a key role through final design.

5 Potential Improvements

5.1 Suggested Improvements and Overall Recommendations

5.1.1 Grimes Pond potential improvements

Suggested improvements to Grimes Pond include:

- Remove, treat, and control non-native invasive species, including submerged species in the wetland, and upland species in the immediately adjacent upland buffer.
- Remove accumulated sediment and fill materials within and immediately adjacent to the study wetland.
- Maintain pretreatment protection measures to prevent future sediment delivery and reduce nutrient loading into the wetland.
- Encourage community involvement in the protection and appreciation of the wetland and surrounding park, which may include:
 - coordinating seasonal community clean up events and invasive species removal
 - native planting projects
 - educational signage documenting restoration areas in progress with inspiration for park users to pick up trash and prevent damage
 - hold community education events such as birding and wildlife observation, cultural education, etc.
- Control soil erosion and re-vegetate bare soil areas along shoreline and immediately adjacent upland buffer including maintenance of erosion control measures found at the north inlet location near the railroad tracks.

5.1.2 North Rice Pond potential improvements

Suggested improvements to North Rice Pond include:

- Remove, treat, and control non-native invasive species, including curly-leaf pondweed, narrowleaf cattail, purple loosestrife, common buckthorn, and reed canary grass in the wetland, and common buckthorn, sweet clover, and honeysuckle in the immediately adjacent upland buffer.
- Remove accumulated sediment and fill materials within and immediately adjacent to the study wetland.

-
- Install pretreatment protection measures to prevent future sediment delivery and reduce nutrient loading into the wetland.
 - Encourage community involvement in the protection and appreciation of the wetland and surrounding park, which may include:
 - coordinating seasonal community clean up events and invasive species removal
 - native planting projects
 - educational signage documenting restoration areas in progress with inspiration for park users to pick up trash and prevent damage
 - hold community education events such as birding and wildlife observation, cultural education, etc.
 - Control soil erosion and re-vegetate bare soil areas along shoreline and immediately adjacent upland buffer including eroding soil found at the north inlet location near the paved trail.

Implementation of some or all proposed improvements could result in the overall wetland management classification increase from Manage 2 to Manage 1 and the following functional rating improvements:

- change in maintenance of hydrologic regime from low to moderate
- change in maintenance of wetland water quality from low to moderate
- change in maintenance of wildlife habitat structure from moderate to high
- change in aesthetics/recreation/education/cultural from moderate to high
- change in overall weighted average vegetative diversity and integrity from low to high

5.1.3 South Rice Pond potential improvements

Suggested improvements to South Rice Pond include:

- Remove, treat, and control non-native invasive species, including curly leaf pondweed, narrowleaf cattail, purple loosestrife, common buckthorn, and reed canary grass in the wetland, and common buckthorn, sticktight, and garlic mustard in the immediately adjacent upland buffer.
- Remove accumulated sediment and fill materials within and immediately adjacent to the study wetland.
- Install pretreatment protection measures to prevent future sediment delivery and reduce nutrient loading into the wetland.

-
- Clear clogged debris from inlet and outlet structures.
 - Re-build boardwalk and steps.
 - If mountain bike activity in the adjacent upland area is intended to continue, consider isolating potential soil disturbance and adjacent vegetation improvements to prevent erosion into surrounding wetland areas.
 - Control soil erosion and re-vegetate bare soil areas along shoreline and immediately adjacent upland buffer. Consider defining designated specific trails and maintaining them to prevent bare soil and erosion disturbance that occurs from meandering undesignated trails along the slope of the pond buffer. These can be further defined with wood rails or designated rock placement to allow access to the water edge at specific locations.
 - Encourage adjacent residential property owners to provide wider naturalized wetland buffer protection by avoiding mowing near the shoreline and establishing native vegetation in their back yards.
 - Encourage community involvement in the protection and appreciation of the wetland and surrounding park, which may include:
 - coordinating seasonal community clean up events and invasive species removal
 - native planting projects
 - educational signage documenting restoration areas in progress with inspiration for park users to pick up trash and prevent damage
 - hold community education events such as birding and wildlife observation, cultural education, etc.

Implementation of some or all proposed improvements could result in the overall wetland management classification increase from Manage 2 to Manage 1 and the following functional rating improvements:

- change in maintenance of wetland water quality from low to moderate
- change in maintenance of characteristic fish habitat structure from moderate to high
- change in aesthetics/recreation/education/cultural from moderate to high
- change in overall weighted average vegetative diversity and integrity from low to high

5.1.4 Overall Recommendations

Based on the wetland assessment and calibrated watershed and pond water quality modeling, the following watershed BMPs and in-pond management options are recommended to substantially improve

water quality and to enhance vegetative diversity and ecological health for each pond and to reduce downstream phosphorus loadings and enhance biological integrity in Bassett Creek:

- Clear clogged debris and develop an annual maintenance plan for all inlet and outlet structures. Remove accumulated sediment and fill materials from BMPs and within, and adjacent to, each wetland.
- Reconfigure discharge outfall and stabilize erosion from stormwater conveyance entering northwest corner of Grimes Pond.
- Re-vegetate and control soil erosion from bare soil areas within the upland buffer areas. If mountain bike activity in the adjacent upland area is currently supported, isolate potential soil disturbance and adjacent vegetation improvements to prevent erosion into surrounding wetland areas.
- Conduct controlled water level drawdowns in each wetland prior to the winter season to ensure that curly-leaf pondweed is decreased to less than 20 percent cover and to enhance overall vegetative diversity and integrity. Remove, treat, and control other non-native invasive species, where possible, and remove fill material and trash.
- Initiate, or increase the frequency of, street sweeping and fall leaf litter removal programs, with emphasis in subwatersheds that have direct drainage to the wetlands.
- Install structural BMPs and/or pretreatment protection measures to prevent future sediment delivery and reduce nutrient loading into the pond with design(s) intended to meet water quality goals. Untreated stormwater runoff from two discharge outfalls each to South Rice Pond (Pond SR-3 and Pond SR-4) and Grimes Pond (BMP GR-6), as well as one outfall to North Rice Pond (Pond NR-1), are prioritized for implementation.
- Complete in-pond alum treatment in all three ponds to control summer sediment phosphorus release, following implementation of watershed BMPs, to improve water clarity and support submersed aquatic plant growth.

5.2 Conceptual Design

Figure 5-1 shows the location of the four proposed structural BMPs in the watershed which are further described in Table 5-1. Figures 5-2, 5-3, 5-4 and 5-5 show the proposed BMP footprints for Pond NR-1, Pond SR-3, BMP GR-6 and Pond SR-4, respectively. The proposed BMP at GR-6 involves the installation of a permeable filtration system that contains a type of crushed limestone (CC17) for total phosphorus removal. The proposed BMP located at SR-4 involves dredging and expansion of an existing stormwater pond and pretreatment cell, as well as downstream channel stabilization (see Figure 5-6), while the other two proposed BMPs would involve construction of new stormwater ponds at each of the other three locations shown in Figure 5-1.

Figure 5-7 includes a photo and schematic as examples of the important elements of the stormwater ponds envisioned for future implementation. The expectation is that the pretreatment provided by these two-cell pond systems will ensure that most of the ongoing operation and maintenance effort will not need to involve dredging, due to excess sedimentation in the main treatment cell. Both outfalls entering

the GR-6 BMP location currently have Continuous Deflective Separation (CDS) proprietary treatment units that have recently been maintained and can be available for stormwater pretreatment of the respective subwatersheds. In addition, the City of Robbinsdale performs enhanced street sweeping approximately five to six times per year in the tributary drainage area.

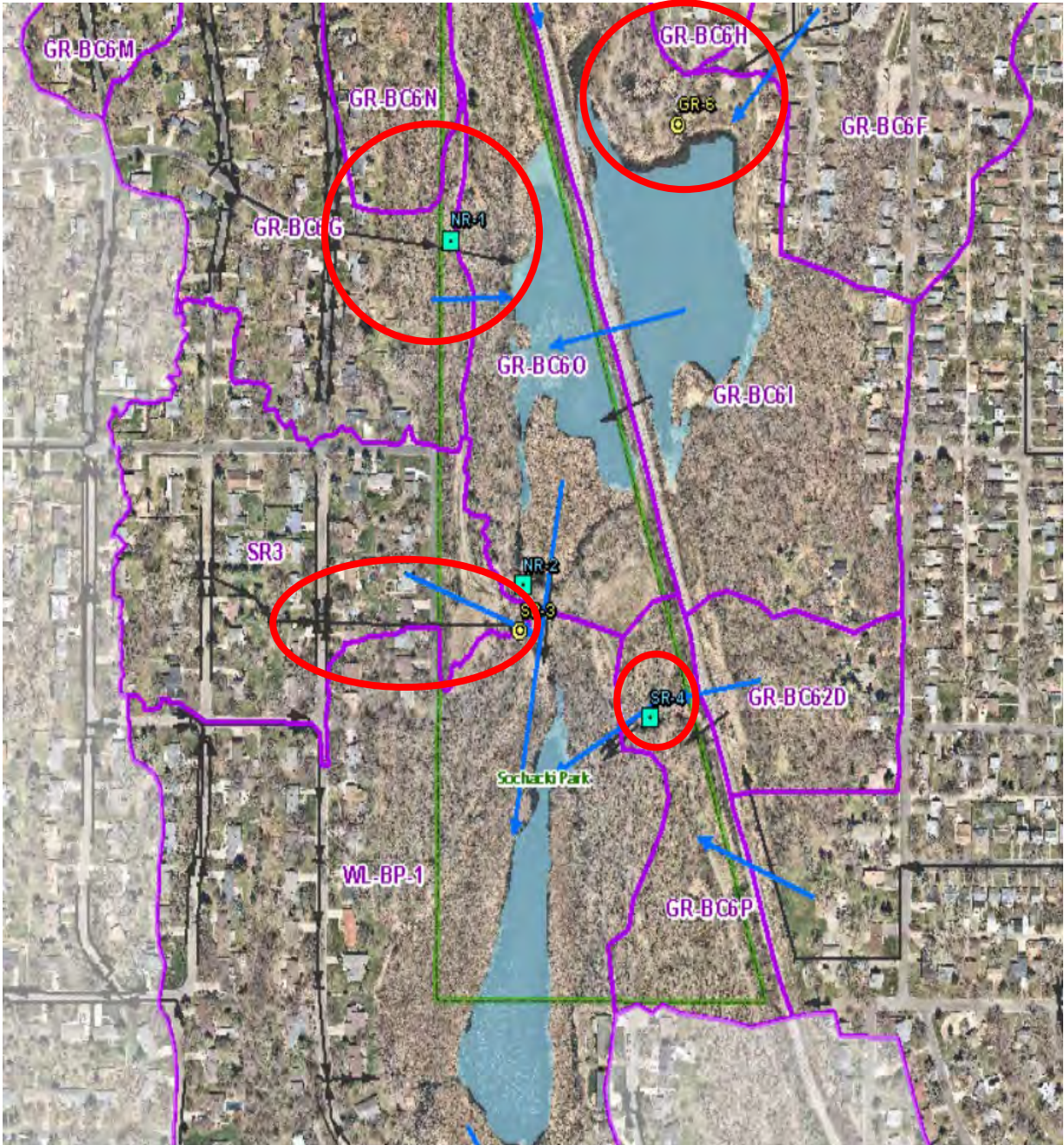


Figure 5-1 Recommended Sochacki Park Subwatershed Locations for Structural BMPs

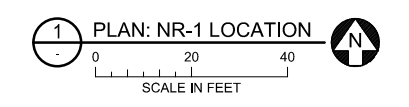
Table 5-1 Proposed Structural BMP Descriptions

BMP ID/Name	BMP Location	BMP Description	Approximate Number of Tree Removals	Wetland/ Prairie Impacts	Annual TP Removal (lbs/yr)
Pond NR-1	Northwest portion of Sochacki Park, tributary to North Rice Pond	Construct new stormwater pond for untreated runoff from City of Golden Valley	70	None. Disturbance is limited to upland area.	3.6
Pond SR-3	West portion of Sochacki Park, tributary to South Rice Pond	Construct new stormwater pond for untreated runoff from City of Golden Valley	60	Negligible. Pond will be developed from wooded upland area.	3.3
BMP GR-6	South Halifax Park, tributary to Grimes Pond	Construct permeable filtration system with CC17 crushed limestone to better treat runoff from City of Robbinsdale	10	Approximately 0.2 acres of wetland area, below MnDNR OHWL, would be used to install permeable filtration system.	15.5
Pond SR-4	East portion of Sochacki Park, tributary to South Rice Pond	Dredge and expand existing pond to better treat runoff from City of Robbinsdale and stabilize outlet channel	100	None. Pond expansion is occurring in wooded upland area.	38.9

LEGEND - - SURVEY

	CONTROL POINT
	HYDRANT
	VALVE
	SIGN
	MANHOLE
	SANITARY MANHOLE
	STORM MANHOLE
	CATCH BASIN
	CULVERT
	TREE
	BATHYMETRIC ELEVATION
	MAJOR CONTOUR
	MINOR CONTOUR
	CENTERLINE
	FLOW LINE
	EDGE OF WOODS
	WATERS EDGE
	EDGE OF PATH
	CURB AND GUTTER
	STORM SEWER
	WETLAND BOUNDARY
	NORMAL WATER EL.
	BOTTOM WATER EL.

**PROVISIONAL
NOT FOR CONSTRUCTION**



**NORMAL AND
BOTTOM WATER
EXCAVATION
AREAS**

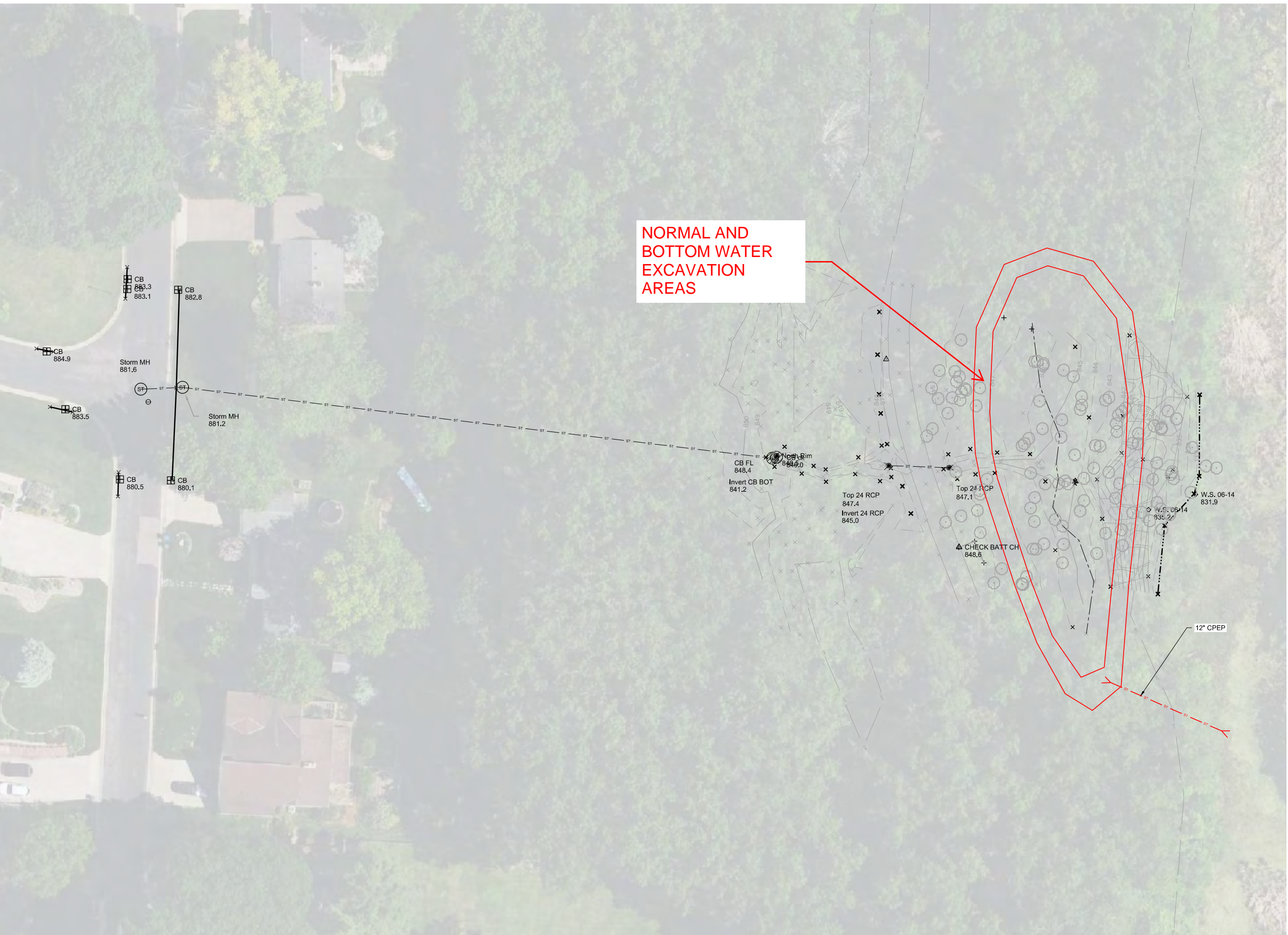
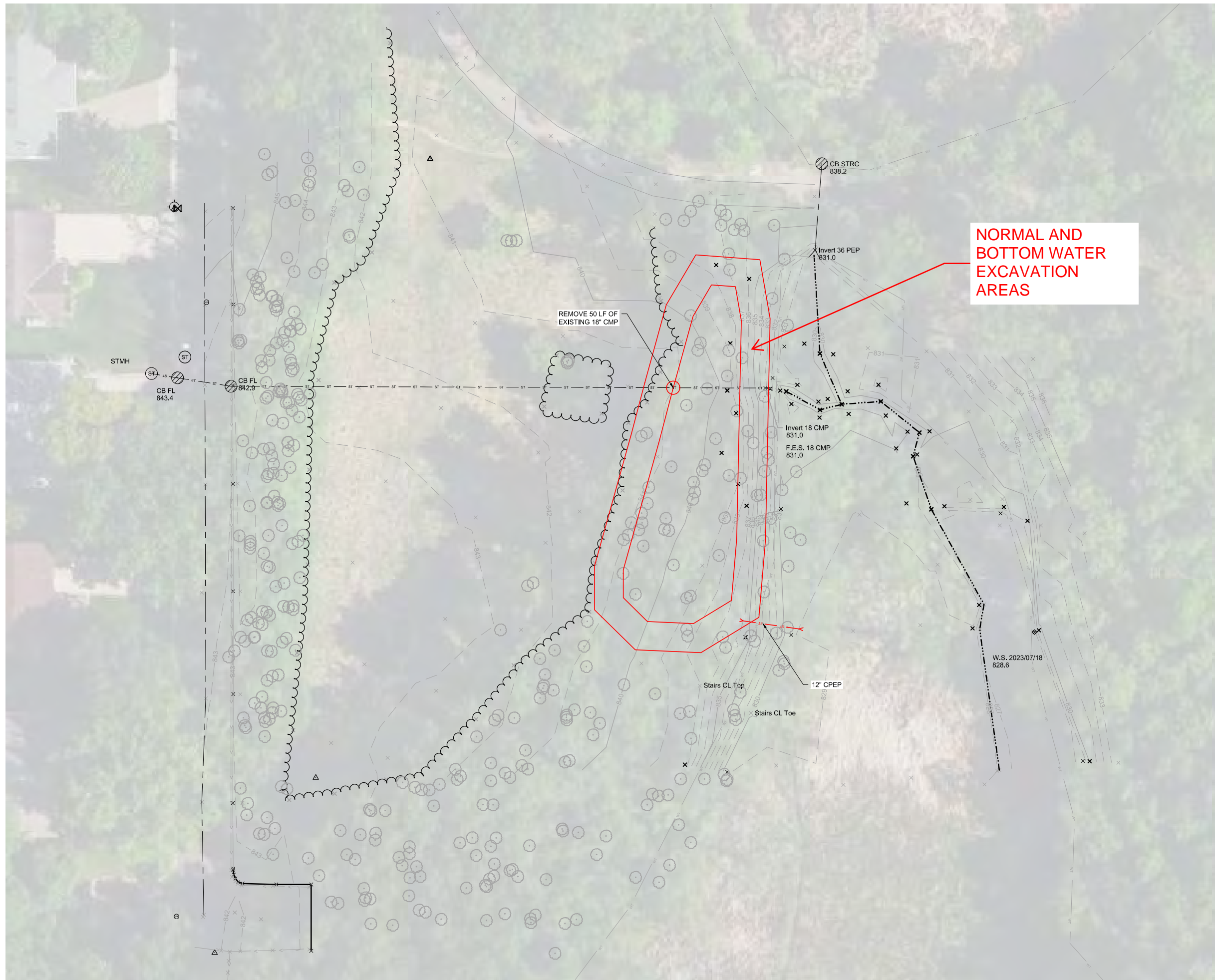


Figure 5-2 Proposed Pond NR-1 (North Rice Pond)



**NORMAL AND
BOTTOM WATER
EXCAVATION
AREAS**

LEGEND - SURVEY

	CONTROL POINT
	HYDRANT
	VALVE
	SIGN
	MANHOLE
	SANITARY MANHOLE
	STORM MANHOLE
	CATCH BASIN
	CULVERT
	TREE
	BATHYMETRIC ELEVATION
	MAJOR CONTOUR
	MINOR CONTOUR
	CENTERLINE
	FLOW LINE
	EDGE OF WOODS
	WATERS EDGE
	EDGE OF PATH
	CURB AND GUTTER
	STORM SEWER
	WETLAND BOUNDARY
	NORMAL WATER EL.
	BOTTOM WATER EL.

**PROVISIONAL
NOT FOR CONSTRUCTION**

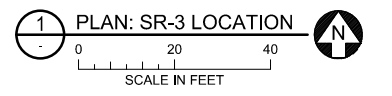





















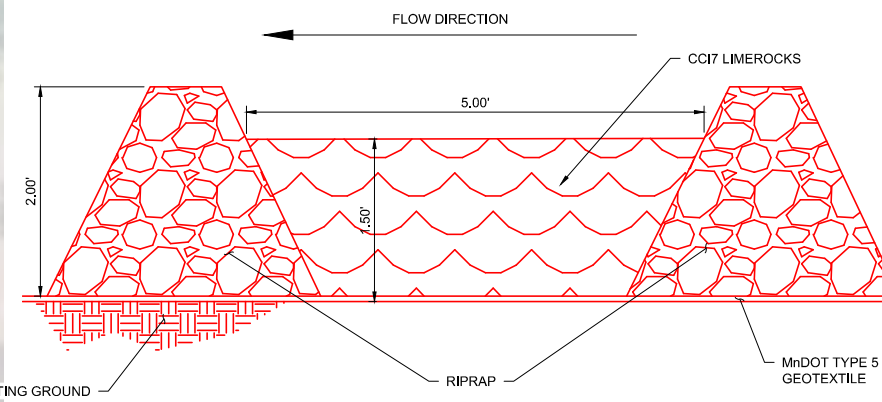
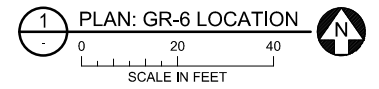


Figure 5-3 Proposed Pond SR-3 (South Rice Pond)

LEGEND - - SURVEY

-  CONTROL POINT
-  HYDRANT
-  VALVE
-  SIGN
-  MANHOLE
-  SANITARY MANHOLE
-  STORM MANHOLE
-  CATCH BASIN
-  CULVERT
-  TREE
-  BATHYMETRIC ELEVATION
-  MAJOR CONTOUR
-  MINOR CONTOUR
-  CENTERLINE
-  FLOW LINE
-  EDGE OF WOODS
-  WATERS EDGE
-  EDGE OF PATH
-  CURB AND GUTTER
-  STORM SEWER
-  WETLAND BOUNDARY
























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2 SECTION: TREATMENT COLLECTION SYSTEM

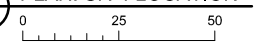
**Figure 5-4 Proposed BMP GR-6
(Grimes Pond)**

LEGEND - - SURVEY

-  CONTROL POINT
-  HYDRANT
-  VALVE
-  SIGN
-  MANHOLE
-  SANITARY MANHOLE
-  STORM MANHOLE
-  CATCH BASIN
-  CULVERT
-  TREE
-  BATHYMETRIC ELEVATION
-  MAJOR CONTOUR
-  MINOR CONTOUR
-  CENTERLINE
-  FLOW LINE
-  EDGE OF WOODS
-  WATERS EDGE
-  EDGE OF PATH
-  CURB AND GUTTER
-  STORM SEWER
-  WETLAND BOUNDARY
-  NORMAL WATER EL.
-  BOTTOM WATER EL.

**PROVISIONAL
NOT FOR CONSTRUCTION**

1 PLAN: SR-4 LOCATION



SCALE IN FEET

**NORMAL AND
BOTTOM WATER
EXCAVATION
AREAS**

Figure 5-5 Proposed Pond SR-4
(South Rice Pond)

7 Project Cost Considerations

7.1 Opinion of Cost

Planning level cost estimates were developed for each of the BMPs based on the conceptual design of each BMP. Although the point estimate of cost was used for the cost-benefit analysis, there is cost uncertainty and risk associated with this concept-level cost estimate. The costs reported for the BMPs include engineering, design, and permitting (20-30 percent), construction management (15 percent), and estimated legal costs (5 percent). In addition, an estimated \$100,000 in total combined costs for Phase II environmental investigations is included for the BMPs. The costs do not include any wetland mitigation costs, assume that the excavated soils are contaminated, and the BMPs do not require significant utility modifications or relocations. The range of probable costs presented reflects the level of uncertainty, unknowns, and risk due to the concept nature of the individual project designs. Based on the current level of design (planning level estimate), the cost range is expected to vary by -20 percent to +40 percent from the planning level point opinion of cost.

Appendix F includes the itemized planning level cost estimates for most of the water quality improvement options evaluated. These more detailed cost estimates should be reviewed and considered when planning and budgeting for the larger CIP projects and/or applications for grant funding.

A cost-benefit assessment was completed for each BMP to assist with prioritizing and selecting the preferred and most cost-effective BMPs to help achieve the necessary phosphorus load reductions. The capital costs (engineering, design, and construction) were annualized assuming a 30-year life span at a 6 percent interest rate. Although this timeframe is commonly used for these cost-benefit assessments, the actual lifespan of ponds, other BMPs, and infrastructure can be significantly longer if maintained regularly. Annual operation and maintenance costs were estimated for each project, assuming 1 percent of the capital cost. The benefit was estimated as an annualized cost per pound of total phosphorus removed per year.

7.2 Cost-Benefit and Project Sequencing

Table 7-1 summarizes the potential pond improvement options, estimated annual total phosphorus removal, planning level capital cost estimate, annualized cost-benefit, and recommended sequence for implementation of each improvement option. Items marked with "NA" in Table 7-1 are associated with options that are intended to address wetland habitat and are not applicable or quantified for TP load reductions. It is assumed that enhanced street sweeping in untreated subwatersheds would be incorporated into each City's operations, so planning level costs for this improvement option were not estimated.

Table 7-1 Summary of Potential Improvement Benefits and Planning Level Costs by Option

BMP ID/Location	Annual TP Removal (lbs/yr)	Planning Level Capital Cost Estimate	Annualized Cost-Benefit (\$/lb TP Removed/yr)	Recommended Sequence for Implementation
Revegetate/control upland soil erosion	NA	\$10,000	NA	1a
Street sweeping in untreated subwatersheds	NA	NA	NA	1b
Clear inlet/outlet debris, remove sediment deltas and stabilize erosion	NA	\$100,000	NA	1c
Conduct pond water level drawdowns	NA	\$182,000	NA	1d
Dredge/expand existing SR-4 pond and stabilize outlet channel	38.9	\$471,000	\$1,000	2a
Construct permeable filtration system at GR-6	15.5	\$333,000	\$1,800	2b
Construct stormwater pond at NR-1	3.6	\$255,000	\$5,900	2c
Construct stormwater pond at SR-3	3.3	\$307,000	\$7,700	2d
Alum treatment of Grimes, North and South Rice Ponds	11.2	\$245,000	\$1,800	3
Total	72.5	\$1,903,000	\$2,200	

7.3 Funding Sources

It is expected that the following funding sources are likely be available for implementation of some of the recommended improvement options:

- BCWMC CIP Funds (\$600,000)
- BWSR Clean Water Fund grant
- Conservation Partners Legacy Grant Program (for habitat components)
- Hennepin County Opportunity or Stewardship grants
- Hennepin County Environmental Response Fund
- Minnesota Department of Employment and Economic Development (DEED) Contamination Investigation and Response Action Plan Development Grant program
- MPCA grants and MN Public Facilities Authority funds
- MnDNR short term action request grants
- Partner CIP funds (for potential grant match)

8 Alternatives Assessment and Recommendations

Based on the predicted water quality and other project benefits, we recommend implementing the following watershed BMPs and in-pond management options to substantially improve water quality, enhance vegetative diversity and integrity for each pond, and to reduce downstream phosphorus loadings and enhance biological integrity in Bassett Creek (according to the implementation sequence recommended in Table 7-1):

- Clear clogged debris and develop an annual maintenance plan for all inlet and outlet structures. Remove accumulated sediment and fill materials from BMPs and within, and adjacent to, each wetland. Reconfigure discharge outfall and stabilize erosion from stormwater conveyance entering northwest corner of Grimes Pond.
- Re-vegetate and control soil erosion from bare soil areas within the upland buffer areas. If mountain bike activity in the adjacent upland area is currently supported, isolate potential soil disturbance and adjacent vegetation improvements to prevent erosion into surrounding wetland areas.
- Conduct controlled water level drawdowns in each wetland prior to the winter season to ensure that curly-leaf pondweed is decreased to less than 20 percent cover and to enhance overall vegetative diversity and integrity. Remove, treat, and control other non-native invasive species, where possible, and remove fill material and trash.
- Initiate, or increase the frequency of, street sweeping and fall leaf litter removal programs, with emphasis in subwatersheds that have direct drainage to the wetlands.
- Install structural BMPs and/or pretreatment protection measures to prevent future sediment delivery and reduce nutrient loading into the pond with design(s) intended to meet water quality goals. Untreated stormwater runoff from two discharge outfalls each to South Rice Pond and Grimes Pond, as well as one outfall to North Rice Pond, are prioritized for implementation.
- Complete in-pond alum treatment in all three ponds to control summer sediment phosphorus release, following implementation of watershed BMPs, to improve water clarity and support submersed aquatic plant growth.

9 References

- Bassett Creek Watershed Management Commission. 2015. 2015 Watershed Management Plan.
- Bassett Creek Watershed Management Commission. 2004. *Bassett Creek Watershed Management Plan*. Prepared by Barr Engineering Company for the Bassett Creek Water Management Commission.
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- Cowardin, L.M., V. Carter, F.C. Golet, and R.T. LaRoe. 1979. *Classification of Wetlands and Deepwater Habitats of the United States*. U.S. Fish and Wildlife Service, FWS/OBS079/31.
- Eggers, S.D. and Reed, D.M. Version 3.2 July 2015. *Wetland Plants and Plant Communities of Minnesota and Wisconsin*. U.S. Army Corps of Engineers, Saint Paul District. Saint Paul, Minnesota.
- Minnesota Department of Natural Resources. 2023. Bats of Minnesota. Accessed online: <https://www.dnr.state.mn.us/mammals/bats.html>
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BASSETT CREEK WATERSHED MANAGEMENT COMMISSION
RESOLUTION NO. 23-06

A RESOLUTION ORDERING THE 2024 IMPROVEMENTS,
DESIGNATING ENTITIES RESPONSIBLE FOR CONSTRUCTION,
MAKING FINDINGS PURSUANT TO MINNESOTA STATUTES, SECTION
103B.251, CERTIFYING COSTS TO HENNEPIN COUNTY, AND APPROVING
AGREEMENT FOR CONSTRUCTION OF PONDEROSA WOODS STREAM RESTORATION PROJECT

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

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

WHEREAS, the CIP includes the following capital projects for the year 2024 (collectively, the “2024 Projects”):

- a) Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM);
- b) Ponderosa Woods Stream Restoration Project (ML-22);
- c) Sochacki Park Water Quality Improvement Project (BC-14); and
- d) Cost Share Purchase of High Efficiency Street Sweeper (BC-12)

WHEREAS, the Plan specifies a county tax levy under Minnesota Statutes, section 103B.251 as a source of funding for said 2024 Projects and two previously ordered 2021 projects, SEA School – Wildwood Park Flood Reduction Project (BC-2, 3, 8, 10) and Medley Park Stormwater Treatment Facility (ML-12);

WHEREAS, on September 21, 2023, following published and mailed notice in accordance with the Commission’s Joint Power Agreement and Minnesota Statutes, section 103B.251, the Commission conducted a public hearing on the 2024 Projects; and

WHEREAS, the 2024 Projects will be conducive to the public health, promote the general welfare and is in compliance with Minnesota Statutes, sections 103B.205 to 103B.255 (the “Act”) and the Plan, as adopted and amended in accordance with the Act.

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

1. The 2024 Projects are hereby ordered.
2. The total estimated cost of the Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd project is \$2,241,000. Of this amount, \$434,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024. Additional funds of up to \$1,307,000 will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251, levied in years 2024 and 2025 for collection in 2025 and 2026, respectively. Another \$200,000 will come from the BCWMC Closed Project Account. The City of Golden Valley will contribute up to \$300,000 toward the project.

3. The total estimated cost of the Ponderosa Woods Stream Restoration Project is \$352,000. This amount will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024.
4. The total estimated cost of the Sochacki Park Water Quality Improvement Project is \$2,300,000. Of this amount, \$300,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024. Additional funds of up to Three Hundred Thousand Dollars \$300,000 will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251, levied in 2024 for collection in 2025. Additional funds will be sought from local partners and grants.
5. The total estimated cost of the Cost Share Purchase of High Efficiency Street Sweeper is \$150,000. Of this amount, \$100,000 will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024. Additional funds of up to Fifty Thousand Dollars \$50,000 will be paid from funds received from county tax levies pursuant to Minnesota Statutes, section 103B.251, levied in 2024 for collection in 2025.
6. The cost of the Medley Park Stormwater Treatment Facility Project was partially paid from county tax levies collected in 2022 and 2023 totaling \$550,000. Another \$300,000 will come from grants. Additional funds of up to \$500,000 will come from the City of Golden Valley. The remaining estimated cost of the project is \$800,000, which will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024.
7. The cost of the SEA School – Wildwood Flood Reduction Project was partially paid from county tax levies collected in 2022 and 2023 totaling \$1,048,000. Another \$1,300,000 will come from grants. Additional funds of up to \$500,000 will come from the City of Golden Valley. The remaining estimated cost of the project is \$252,000, which will be paid from funds received from a county tax levy pursuant to Minnesota Statutes, section 103B.251 levied in 2023 for collection in 2024.
8. In light of the above, the total amount certified to Hennepin County for the 2024 Projects and the two 2021 projects referenced above is \$2,238,000 for payment by the County in accordance with Minnesota Statutes, section 103B.251, subdivision 6.
9. The Commission has received, accepted, and approved the feasibility reports for the 2024 Projects.
10. The costs of the aforementioned projects will be paid by the Commission up to the amounts specified above from proceeds received from Hennepin County pursuant to Minnesota Statutes, section 103B.251 and grant funding, if awarded. Additional costs may be paid by the public entities constructing the particular project, but no additional costs will be charged to the Commission or other members of the Commission.
11. The City of Golden Valley is designated as the member responsible for contracting for the construction of the Bassett Creek Main Stem Restoration Project - Regent Ave to Golden Valley Rd. The engineer designated for preparation of plans and specifications is the Golden Valley City Engineer, other engineers selected and retained by the City of Golden Valley, or the Commission Engineer. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Golden Valley.

12. The City of Plymouth is designated as the member responsible for contracting for the construction of the Ponderosa Woods Stream Restoration Project, and the engineer designated for preparation of plans and specifications is the Plymouth City Engineer, or other engineers selected and retained by the City of Plymouth. Contracts for construction shall be let in accordance with the requirements of law applicable to the City of Plymouth. The Cooperative Agreement with the City of Plymouth for the construction of the Ponderosa Woods Stream Restoration Project presented to the Commission on the date of this Resolution is approved, and the Chair and Secretary are authorized to execute said agreement on behalf of the Commission.

13. The City of Golden Valley is the member responsible for the implementation of the Cost Share Purchase of High Efficiency Street Sweeper. Contracts for purchase of the street sweeper shall be let in accordance with the requirements of law applicable to the City of Golden Valley.

14. Three Rivers Park District is designated as the entity responsible for contracting for the construction of the Sochacki Park Water Quality Improvement Project. The engineer designated for preparation of plans and specifications are engineers selected and retained by Three Rivers Park District. Contracts for construction shall be let in accordance with the requirements of law applicable to Three Rivers Park District.

Adopted by the Board of Commission of the Bassett Creek Watershed Management Commission the 21st day of September 2023.

Chair

ATTEST: _____
Secretary



Bassett Creek Watershed Management

MEMO

To: BCWMC Commissioners
From: Laura Jester, Administrator
Date: September 13, 2023

RE: Item 6Aiii Certifying Costs to Hennepin County:

Recommendation: Direct staff to certify for payment by Hennepin County in 2024 a total tax levy of \$2,238,000 as laid out in Resolution 23-06 and in the table on the following page.

Background

At their meeting in June 2023, the Commission set a maximum 2024 levy of \$2,238,000 for the projects below. I recommend certifying the same amount to the County for the final 2024 levy.

- 2024 portion of the Bassett Cr Main Stem Restoration Project - Regent Ave to Golden Valley Rd (2024-CRM) (project split among 2024, 2025, and 2026 levies)
- The Ponderosa Woods Stream Restoration Project (ML-22)
- 2024 portion of the Sochacki Park Water Quality Improvement Project (BC-14) (project split between 2024 and 2025 levies)
- 2024 portion of the Cost Share Purchase of High Efficiency Street Sweeper (BC-12) (project split between 2024 and 2025 levies)
- 2024 portion of the Medley Park Stormwater Treatment Facility (ML-12) (project split among 2022, 2023, and 2024 levies)
- 2024 portion of the SEA School-Wildwood Park Flood Reduction Project (BC-2,3,8,10) (project split among 2022, 2023 and 2024 levies)

2024 Final Levy Request

Project Name	City & Proj #	2022	2023	2024	2025 & 2026	Other Funding	Total Project Cost
Bassett Cr Main Stem Restoration Project - Regent Ave to Golden Valley Rd	Golden Valley 2024-CRM			\$434,000	\$1,307,000	\$500,000 (City funds and Closed Project Account)	\$2,241,000
Ponderosa Woods Stream Restoration Project	Plymouth ML-22			\$352,000			\$352,000
SEA School - Wildwood Park Flood Reduction Project (Medicine Lake Rd & Winnetka Ave Long Term Flood Mitigation Plan Project)	Golden Valley BC-2,3,8, 10	\$300,000	\$748,000	\$252,000		\$1,800,000 (MnDNR and City Funds)	\$3,100,000
Medley Park Stormwater Treatment Facility	Golden Valley ML-12	\$400,000	\$150,000	\$800,000		\$800,000 (Clean Water Fund Grant and City Funds)	\$2,150,000
Sochacki Park Water Quality Treatment Project	Robbs Golden Valley BC-14			\$300,000	\$300,000	\$1,700,000 (TRPD, cities, grants)	\$2,300,000
Cost share purchase of high efficiency street sweeper	Golden Valley BC-12			\$100,000	\$50,000		\$150,000
TOTAL				\$2,238,000			

COOPERATIVE AGREEMENT
(Ponderosa Woods Stream Restoration Project ML-22)

This Cooperative Agreement (“**Agreement**”) is made as of this 21st day of September, 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 several capital improvements including the Ponderosa Woods Stream Restoration Project ML-22 (“**Project**”).
- C. The Project is in the City of Plymouth and will be designed and constructed as described in the feasibility report for the Project prepared by Barr Engineering Co. entitled *Feasibility Report for Ponderosa Woods Stream Restoration Project*, dated June 2023 (“**Feasibility Report**”), which is attached hereto as Exhibit A. The Project will consist of the work identified in the Feasibility Report as Alternative 1.5 – small footprint design with additional buckthorn removal.
- D. The estimated planning level opinion of cost of the Project, including feasibility study, design, and construction, is \$352,000 which will be funded by the Commission according to the terms and conditions of this Agreement.
- E. On September 21, 2023, the Commission adopted a resolution ordering the Project and directing that it be constructed by the City.
- F. In accordance with the Plan, the Project costs were certified to Hennepin County, which will levy taxes throughout the watershed for Project costs in 2023 for collection and settlement in 2024, pursuant to Minnesota Statutes, section 103B.251.
- G. The City is willing to construct the Project in accordance with the terms and conditions hereinafter set forth.

AGREEMENT

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

1. Project. The Project will consist of the work identified as Alternative 1.5 – small footprint design with additional buckthorn removal as provided in Section 8 of the Feasibility Report, plus appendices, which includes stabilizing streambanks to reduce sediment and nutrient pollution reaching Medicine Lake, improving habitat, and removing two acres of buckthorn along a 1,000-foot section of stream. The Project is estimated to reduce total phosphorus and total suspended solids entering the lake by 7.4 pounds per year and 14,770 pounds per year, respectively.
2. Design and Plans. The City will design the Project and prepare plans and specifications for construction of the Project. The 50% and 90% plans and specifications shall be submitted to the Commission for approval in accordance with the Commission’s CIP project review process. Any changes to the Commission-approved 90% plans and specifications must be submitted to the Commission and shall require written approval of the Commission’s engineer following a reasonable review period, which shall be no less than 10 business days. Minor change orders may be approved by the City without requiring additional approvals by the Commission. For purposes of this paragraph, “minor change orders” shall mean those changes to the approved plans that do not materially change either the effectiveness of the Project to meet its intended purposes, the aesthetics, form, or function of the Project, or the environmental impacts of the Project.
3. Contract Administration. The City will advertise for bids and award contracts in accordance with the requirements of applicable law. The City will award the contract and supervise and administer the construction of the Project to ensure that it is completed in accordance with the approved plans and specifications. The contract may only be let to a responsible contractor in accordance with Minnesota Statutes, section 16C.285 and the City will require the contractor to provide all payment and performance bonds required by law. The City will further require the contractor to name the Commission as additional insured on all liability policies required by the City and the Commission shall be given the same notification of cancellation or non-renewal as is given to the City. The City will require the contractor to defend, indemnify, protect and hold harmless the Commission and the City, their agents, officers, and employees, from all claims or actions arising from negligent acts, errors or omissions of the contractor. The City will supervise the work of the contractor. However, the Commission may observe and review the work of the Project until it is completed. The City will display a sign at the construction site stating “Paid for by the Taxpayers of the Bassett Creek Watershed.”
4. Contract Payments. The City will pay the contractor and all other expenses related to the construction of the Project and keep and maintain complete records of such costs incurred.
5. Commission Reimbursement. The Commission will use its best efforts to secure payment from the County in accordance with Minnesota Statutes, section 103B.251 in the amount of Three Hundred and Fifty Two Thousand Dollars (\$352,000) by tax levy in 2023 for collection in 2024. The total reimbursement paid by the Commission to the City for the Project may not exceed the total amount levied, less Commission expenses. Out-of-pocket costs incurred and paid by the Commission related to the Project including but not limited to feasibility studies, publication of notices, securing County tax levy, preparation of contracts, review of engineering designs, review of proposed contract documents, grant application development, grant administration, administration of this contract, and up to a 2.5% administrative charge shall be repaid from the amount specified above from funds received in the tax settlement from Hennepin County. All

such levied funds in excess of such expenses are available for reimbursement to the City for costs incurred by the City in the design and construction of the Project. Reimbursement to the City will be made as soon as funds are available, provided a request for payment has been received from the City that contains such detailed information as may be requested by the Commission to substantiate costs and expenses. The City shall complete and submit with its final reimbursement request to the Commission a final report on the Project using the Commission's final reporting form and providing such other information as may be requested by the Commission.

6. Limits on Reimbursement. Reimbursement to the City under this Agreement will not exceed the lesser of the amount specified above (\$352,000) or the amount received from the County for the Project, less any amounts retained by the Commission for Commission expenses. Reimbursement will not be increased by grants or other revenues received by the Commission for the Project. Reimbursement will not exceed the costs and expenses incurred by the City for the Project, less any amounts the City receives for the Project as grants from other sources. All costs of the Project incurred by the City in excess of such reimbursement shall be borne by the City or secured by the City from other sources.
7. 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.
8. 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.
9. Ongoing Maintenance. Upon completion of the Project, the City shall be responsible for its ongoing maintenance. The City agrees to perform, at its cost, such maintenance as may be required to sustain the proper functioning of the improvements constructed as part of the Project for their useful life.
10. 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.
11. 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.
12. Entire Agreement. The above recitals and the exhibits attached hereto are incorporated in and made part of this Agreement. This Agreement contains the entire understanding between the parties regarding this matter and no amendments or other modifications of its terms are valid unless reduced to writing and signed by both parties.

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

BASSETT CREEK WATERSHED
MANAGEMENT COMMISSION

By: _____
Its Chair

And by: _____
Its Secretary

Date: _____

CITY OF PLYMOUTH

By: _____
Its Mayor

And by: _____
Its City Manager

Date: _____

EXHIBIT A
Feasibility Report

[attached hereto]



Memorandum

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Item 6C: Consider Approving Updated 90% Design Plans for Four Seasons Mall Area Water Quality Improvement Project (2013 CIP NL-2) – Plymouth, MN
BCWMC September 21, 2023 Meeting Agenda
Date: September 13, 2023
Project: 23270051.58 2023 623

6C Consider Approving Updated 90% Design Plans for Four Seasons Mall Area Water Quality Improvement Project (2013 CIP NL-2) – Plymouth, MN

Summary:

Proposed Work: Above-and-beyond stormwater quality improvements and wetland restoration

Basis for Review at Commission Meeting: 90% CIP review

Impervious Surface Area: No change

Recommendations: Conditional approval

Project Proposer: City of Plymouth

Project Schedule: Construction is planned during fall 2023 with final turf restoration anticipated during spring 2024. Wetland mitigation will involve longer term monitoring and maintenance per the City's plan with the USACE.

At its July 2023 meeting, the Commission approved an agreement with the City of Plymouth to design and construct the CIP components of the Four Seasons Area Water Quality Improvement Project with reimbursement from this project's BCWMC CIP funds. At that meeting it was noted that 90% design plans would be updated from plans originally submitted by the city in December 2022. A review of the updated 90% plans is presented here.

Background

The Four Seasons Mall area is located in the southwest corner of Highway 169 and Rockford Road as shown on the location map. This area drains through the North Branch of Bassett Creek which flows through a degraded wetland, under Highway 169 and into Northwood Lake on the east side of the highway. Northwood Lake is impaired due to high nutrients. Several development submittals have been reviewed by the BCWMC for this site.

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Item 6C: Consider Approving 90% Design Plans for Four Seasons Mall Area Water Quality Improvement Project (2013 CIP NL-2) – Plymouth, MN
Date: September 13, 2023
Page: 2

Plymouth Project

At their September 2013 meeting, the BCWMC conditionally approved 90% plans for the Four Seasons Mall Area Water Quality Improvement Project– BCWMC 2013 CIP Project NL-2 – that included restoration of a channel west of the mall and creation of a stormwater pond. The project was not built due to residents’ concerns with tree loss.

Agora Development

At their August 2016 meeting, the Commission received a presentation on the stormwater management components of a redevelopment project (named Agora) on the Four Seasons Mall site. At the time, the Commission was asked to consider providing funding (in the ballpark of \$500,000) toward stormwater management features that would go “above and beyond” pollutant removal requirements for the redevelopment. The Commission moved forward with exploring a partnership with Rock Hill Management through an agreement with the City of Plymouth and directed Commission staff to continue to gather and assess additional information for further consideration including technical and legal issues.

At their December 2016 meeting, the Commission received a presentation on four alternatives for possible stormwater management features for the redevelopment. The Commission provided conditional approval to provide funds from the BCWMC CIP budget as a financial contribution towards Alternative 4, which would have removed an estimated 109 pounds of phosphorus above and beyond the BCWMC’s requirements at the Agora development in Plymouth.

At its January 2017 meeting, the Commission directed the administrator and legal counsel to develop an agreement with Rock Hill Management for the Commission’s consideration and on January 30, 2017, the developer’s consultant submitted the Agora project for BCWMC review.

At its February 2017 meeting, the Commission 1) conditionally approved the Agora development project as part of the BCWMC project review program, 2) approved an agreement with Rock Hill Management, which required that the CIP project remove at least 100 pounds of total phosphorus (TP) above-and-beyond the BCWMC requirements for the Agora development project, and 3) approved a separate agreement with the City of Plymouth to allow the developer access to a city-owned parcel to construct the wetland restoration project and to ensure ongoing maintenance of the CIP project components. The agreements were executed later in February 2017.

At its August 2017 meeting, the Commission conditionally approved 90% design CIP plans for the Agora project. However, at their April 2018 meeting, Plymouth Commissioner James Prom informed the Commission that the Agora project had fallen through due, in part, to a change in market demand for some of the intended uses.

Dominium Development

At its December 2019 meeting, the Commission received a presentation from Dominium Development and Acquisition, LLC on redevelopment plans for the Four Seasons Mall site. At its April 2020 meeting, the Commission conditionally approved Dominium’s Four Seasons Mall Redevelopment Project and the 90% plans for the Water Quality Improvement Project (2013 CIP NL-2). As with the Agora development, the developer was required to provide at least 100 pounds total phosphorus removal “above and beyond” water quality requirements. However, the approved project was not built due to external circumstances.

To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Item 6C: Consider Approving 90% Design Plans for Four Seasons Mall Area Water Quality Improvement Project (2013 CIP NL-2) – Plymouth, MN
Date: September 13, 2023
Page: 3

Plymouth Water Quality Improvement Project

At its August 2021 meeting, the Commission reviewed the Technical Advisory Committee's recommendation to implement the Four Seasons CIP project ahead of the future development. The Commission approved entering into an agreement with the City of Plymouth to construct the previously approved Four Seasons Mall Area CIP stormwater best management practices that were included as part of the Dominion development, pending the following two conditions:

1. No BCWMC funding will be used to create storage or water quality benefits that would be required of any proposed development.
2. 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.

An initial agreement was drafted but was not brought to the Commission due to on-going discussions with Plymouth.

At its December 2022 meeting, the Commission approved the 90% design CIP plans to construct the 2013 CIP NL-2 without the redevelopment of the Four Seasons Mall property. However, the approved project was not built, and the project was redesigned due to comments from other permitting agencies.

Revised Plymouth Water Quality Improvement Project: General Project Information

The City of Plymouth has completed the process of demolishing the Four Seasons Mall (BCWMC 2022-18) as conditionally approved by the Commission at its November 2022 meeting. Building demolition and removal from the site was completed on January 18, 2023. While the redevelopment planning process continues, the City would like to move forward with the construction of the BCWMC's 2013 CIP NL-2 to remove at least 100 pounds of TP.

The remainder of this memorandum summarizes review of the latest CIP NL-2 project (revised 90% design plans), including floodplain management, wetland management, rate control requirements, erosion and sediment control requirements, water quality requirements, and above-and-beyond water quality improvements (the CIP project components).

Floodplain

The proposed water quality improvement project includes work in the Bassett Creek 1% (base flood elevation, 100-year) floodplain. The January 2023 BCWMC Requirements for Improvements and Development Proposals (Requirements) document states that *projects within the floodplain must maintain no net loss in floodplain storage and no increase in flood level at any point along the trunk system* (managed to at least a precision of 0.00 feet). The 1% (base flood elevation, 100-year) floodplain elevation of the North Branch of Bassett Creek (North Branch) in this reach is 892.9 feet NAVD88.

The proposed project will result in a net increase in floodplain storage of approximately 0.70 acre-feet from pre-demolition condition. In addition, the Four Seasons Mall demolition project increased the existing floodplain storage by 2.48 acre-feet. The final floodplain storage for this area will be assessed as part of the future development submittal.

It is our understanding that the City of Plymouth is requesting that the BCWMC’s floodplain analysis of the future development be based on the pre-demolition existing conditions floodplain storage.

Wetlands

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

Rate Control

The proposed project does not create one or more acres of new or fully reconstructed impervious surfaces; therefore, BCWMC rate control review is not currently required. Rate control for the former mall site will be assessed as part of the future development submittal.

Water Quality

The proposed project does not create one or more acres of new or fully reconstructed impervious surfaces; therefore, BCWMC water quality review is not required. Water quality treatment for the former mall site will be assessed as part of the future development submittal.

Above-and-Beyond Water Quality Treatment

As noted in the Background section, the Commission conditionally approved a financial contribution towards a previous submittal for redevelopment of the Four Seasons Mall Area site for providing stormwater treatment, specifically TP removal, “above and beyond” BCWMC requirements. The above-and-beyond treatment goal was set at 100 pounds of TP removal.

The current proposed CIP best management practices (BMPs) on the Four Seasons Mall site will treat stormwater from the site and off-site areas with a small stormwater pond (Northwest Pond), vegetated swale, a large stormwater pond (South Pond), and a wetland restoration as shown in the Proposed BMPs figure provided by the applicant.

There are two primary differences between the current proposed BMPs and the BMPs in the plans approved by the Commission in December 2022: 1) the forebay for the South Pond was removed due to permitting agency comments, resulting in a modified pond footprint and 2) the outlet pipe between the vegetated swale and the pond was modified because of the changed pond footprint. Because the BMPs are in a treatment train system (a series of BMPs that treat stormwater), the loading and removals for the downstream BMPs changed compared to the previous submittal, but the site still achieves more than the 100 pounds of total phosphorus removal treatment goal.

Table 1 summarizes the estimated annual TP loading to each proposed BMP and the TP removals provided by each proposed BMP on the site, not including the wetland restoration. The TP loading is based on the “existing conditions” impervious surface area of 11.93 acres (the amount of impervious surface on the Four Seasons Mall site before demolition).

Table 1: Proposed Water Quality Treatment and Pollutant Removals for the Development Site

Device	TP Loading (lbs/year)	TP Removal (lbs/year)	TP Removal (%)
Northwest Pond (WP) ¹	11.3	3.9	34.4
Vegetated Swale (CRSP)	207.7	6.2	3.0
South Pond (NP)	200.1	4.6	2.3
TOTAL ²	214.8	14.7	6.8

¹ Runoff from this BMP is routed to the North Branch of Bassett Creek. As part of the proposed project, low flows from the North Branch of Bassett Creek are diverted onto the proposed project site for water quality treatment in the South Pond.

² Total loading may not be a direct sum of the individual BMPs due to the routing of outflow from one BMP to another.

The proposed project includes restoring the existing wetland to the south of the development site. As in previous reviews, the BCWMC Engineer estimated the water quality treatment potential and TP removal efficiency for the wetland restoration based on guidance from the Minnesota Stormwater Manual, rather than on water quality modeling. (The P8 model was not a sufficient model to estimate TP removal from the restored wetland because past monitoring and modeling of the existing wetland indicated that P8 did not properly account for resuspension or internal phosphorus sources, especially considering the high potential for short-circuiting and the higher proportion of soluble phosphorus). Table 2 summarizes the annual TP loading and removals for the wetland restoration.

Table 2: Proposed Water Quality Treatment and Pollutant Removals for the Wetland Restoration

Device	TP Loading (lbs/year)	TP Removal (lbs/year)	TP Removal ¹ (%)
Wetland (From South Pond: NP)	195.6	24.8	12.7
Wetland (From West and Direct)	193.6	73.6	38.0
TOTAL	389.2	98.4	25.3

¹ TP removal efficiency for the wetland restoration is based on guidance from the Minnesota Stormwater Manual.

Table 3 summarizes the total annual above-and-beyond TP removals. The total exceeds the above-and-beyond treatment goal of 100 pounds of TP removal.

Table 3: Above-and-Beyond Total Phosphorus Removal

Water Quality Components	TP (lbs/year)
TP Removal Provided by Onsite BMPs	14.7
TP Removal Provided by Wetland Restoration	98.4
Total Above-and-Beyond TP Removal Provided	113.1¹

¹ The 90% design plans reviewed by the Commission in December 2022 resulted in 118.1 pounds of annual TP removal.

Erosion and Sediment Control

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







To: Bassett Creek Watershed Management Commission (BCWMC)
From: Barr Engineering Co.
Subject: Item 6C: Consider Approving 90% Design Plans for Four Seasons Mall Area Water Quality Improvement Project (2013 CIP NL-2) – Plymouth, MN
Date: September 13, 2023
Page: 6

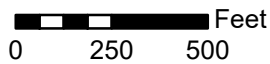
Recommendation

Conditional approval based on the following comments:

1. Sheet 5: It is difficult to distinguish the contours from the extent/border of the riprap emergency overflow for Basin NP. To clarify the extent of the emergency overflow and proposed elevations, a zoomed in drawing or additional details of the emergency overflow and riprap limits should be included on the drawings.
2. Sheet 6: To clarify the flow path through the western side of the restored wetland, spot elevations of the riprap overflow sections and elevations between the graded pools should be included on the drawings.



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

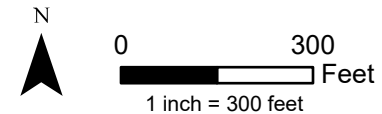


CIP NL-2
 FOUR SEASONS
 WATER QUALITY
 IMPROVEMENT PROJECT
 Plymouth, MN
 LOCATION MAP



Proposed BMPs

Four Seasons Water Quality Project
City of Plymouth, MN



MAP DESIGN/PRINTING AGREEMENT

This Map Design/Printing Agreement (“Agreement”) is effective on the ____ day of _____, 2023 (the “Effective Date”) by and between the Bassett Creek Watershed Management Commission, a Minnesota joint powers organization (the “Commission”), and INCase, LLC, a Minnesota limited liability company (the “Consultant”).

RECITALS

- A. The Commission desires to obtain certain map design and printing services which the Consultant represents it has the necessary skill, equipment, and personnel to provide.
- B. The Commission desires to contract with the Consultant to provide, and the Consultant desires to provide, such services in accordance with the terms and conditions of this Agreement.

AGREEMENT

1. **Map Design/Printing Services.** The Consultant agrees to provide the Commission those map design and printing services identified in the proposal attached hereto as Exhibit A (the “Proposal”), as such services may be further directed by the Commission and defined herein (collectively, the “Services”). All Services provided by the Consultant shall be of similar quality of other professionals who provide similar services. The Proposal is hereby incorporated into this Agreement as if fully set forth herein, provided, however, that if any provision in the Proposal conflicts with any provision of this Agreement, the provisions of this Agreement shall be controlling.
2. **Performance; Compensation.** The Consultant will endeavor to perform and complete the Services within 180 days of the date of this Agreement. In exchange for providing the Services, the Commission agrees to compensate the Consultant no more than \$7,700, as more specifically provided in the Proposal. Payment shall be provided in accordance with the Proposal and within 45 days following Consultant invoicing. No additional commissions, fees, or reimbursement shall otherwise be due under this Agreement. Additionally, the Commission shall not be responsible for payment for any work performed by the Consultant that is not specifically requested by the Commission or contained within the scope of Services contained in the Proposal, unless otherwise expressly agreed to by the Commission in writing.
3. **Term; Termination.** This Agreement shall commence as of the date first written above and it shall continue until Services are completed and all required payments are made. Either party may terminate this Agreement upon 10 days’ written notice to the other party. Said termination may be made for any reason or for no reason at all. Following a notice of termination by either party, the Commission shall only be responsible for compensating the Consultant for Services that were requested and duly performed before said notice was provided, unless otherwise agreed to by the parties in writing. The Consultant’s indemnification, audit disclosure, and data practices obligations herein shall survive termination of this Agreement.

4. **Amendments.** No modification, amendment, deletion, or waiver in the terms of this Agreement, or any expansion in the scope of Services, is valid unless it is in writing and signed by both parties.
5. **Data Practices; Audit Disclosure.** The Consultant shall manage all data created, collected, received, stored, used, maintained, or disseminated by the Consultant pursuant to this Agreement in accordance with, and subject to the requirements of, the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13 (“Act”). The Consultant must also allow the Commission, or its duly authorized agents, and the state auditor or legislative auditor reasonable access to the Consultant’s books, records, documents, and accounting procedures and practices that are pertinent to all Services provided under this Agreement for a minimum of six years from the termination of this Agreement.
6. **Independent Contractor.** All Services provided by the Consultant pursuant to this Agreement shall be provided by the Consultant as an independent contractor and not as an employee of the Commission for any purpose including, but not limited to, income tax withholding, workers’ compensation, unemployment compensation, FICA taxes, liability for torts, and eligibility for employee benefits. The manner in which the Services are performed shall be controlled by the Consultant; however, the nature of the Services and the results to be achieved shall be specified by the Commission. The Consultant is not to be deemed an employee or agent of the Commission and has no authority to make any binding commitments or obligations on behalf of the Commission.
7. **Assignment.** Neither party will assign any part of this Agreement, nor any interest arising herein, without the written consent of the other party.
8. **Services Not Provided For.** No claim for services furnished by the Consultant not specifically requested, provided for and identified herein as part of the Services will be honored by the Commission.
9. **Severability.** The provisions of this Agreement are severable. If any portion of this Agreement is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision will not affect the remaining provisions of the Agreement.
10. **Entire Agreement.** This document, including the above recitals and the attached exhibit, constitute the entire agreement between the parties and it supersedes all oral agreements and negotiations between the parties regarding the subject matter of this Agreement.
11. **Compliance with Laws and Regulations.** In providing the Services hereunder, the Consultant must abide by all applicable state and local laws and regulations.
12. **Equal Opportunity.** During the performance of this Agreement, the Consultant must not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance,

disability, or age. Violation of any part of this provision may lead to the immediate termination of this Agreement.

13. **Waiver.** Any waiver by either party of a breach of any provision of this Agreement will not affect, in any respect, the validity of the remainder of this Agreement.
14. **Indemnification.** To the fullest extent permitted by law, the Consultant, and the Consultant's successors or assigns, agree to protect, defend, save, and hold harmless the Commission, its officials, agents, and employees from all claims, suits, or actions of any kind, nature, or character, and the costs, disbursements, and expenses of defending the same including, but not limited to, attorneys' fees, professional services, and other technical, administrative, or professional assistance resulting from or arising out of the alleged negligence, breach of contract, or willful misconduct of the Consultant, its subcontractors, agents, or employees related to or arising out of the performance of, or failure to perform, the Services under this Agreement. Additionally, the Commission represents that it will only provide the Consultant with intellectual property that it has the right and/or lawful authority under applicable laws to provide, and the Commission further agrees to indemnify the Consultant for any third-party claim made against the Consultant to the extent directly related to the unlawful provision of such intellectual property by the Commission. Nothing herein shall be construed as a limitation on or waiver of any immunities or limitations on liability available to the Commission under Minnesota Statutes, Chapter 466, or other law.
15. **Third Party Rights.** The parties to this Agreement do not intend to confer on any third party any rights under this Agreement.

IN WITNESS WHEREOF, the Commission and the Consultant have caused this Agreement to be executed by their duly authorized representatives in duplicate on the respective dates indicated below and effective as of the date first written above.

THE COMMISSION:

By: _____
Its: Chair

By: _____
Its: Secretary

CONSULTANT:

By: _____
Its: _____

Proposal, Sept 12, 2023

Exhibit A

INCcase, LLC

Nat Case, co-owner
701 27th Ave NE
Minneapolis, MN 55418
612-702-1333
nat@incasellc.com

Client

Laura Jester
Bassett Creek Watershed Management Commission
4700 W 77th St
Minneapolis, MN 55435-4803
952-270-1990
laura.jester@keystonewaters.com

Project: Updated map brochures for Bassett Creek Watershed Management Commission. Project will include (1) update to map and potentially adding points of interest to the map, (2) updates to back side content, (3) redesign of cover. This agreement assumes page size and fold will not change from the 2014 edition, but that size is changeable per client request, and printing will then be requested.

Printing specifications: 2500 copies, on 80 lb. Anthem gloss (10% post-consumer waste, FSC certified. Color and bleed as on original edition. Printing will be with Hybrid UV inks (low emission process).

Client will provide INCcase with a full text list of changes, new photos, and/or revised text based on existing brochure text, which INCcase will provide to the client. INCcase estimates three months from delivery of changes to INCcase to delivery of printed pieces, but this may change based on rounds of edits by the client.

Rights: Publication and Map © Hedberg Maps, Inc. and INCcase, LLC. Text © Bassett Creek Watershed Management Commission. Photography and Images © respective copyright holders. Research by Hoshal Advertising, Inc. Photographs, images and text compilation by Bassett Creek Watershed Management Commission. This publication may not be reproduced in part or whole without permission of the respective copyright holders.

Client and its member cities are granted a non-transferable perpetual license for use of map image. Hedberg Maps and INCcase, LLC may post the map in the custom mapping section of its website and/or printed materials that promote their custom mapping services.

INCcase, LLC warrants that it may act on behalf of Hedberg Maps, Inc. in using Hedberg Maps' copyrighted material, within INCcase's separate agreement with Hedberg Maps.

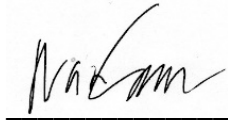
Costs: Printing quote as of date of this agreement is \$3300. Printing is subject to change if more than 30 days from the date of this agreement; and will be requested when we are closing in unless such delays are attributable solely to INCcase, LLC. Production on the publication will be billed at \$110/hour, including meeting time. INCcase estimate the total will be under 40 hours, so \$4400, but will adjust as needed when the full set of revisions is in hand. INCcase will treat the total of \$7700 as a not-to-exceed. If it becomes clear that that amount will be exceeded because of client requirements or changes, INCcase will advise and wait for approval from client before proceeding.

Terms: Payment of \$2500 will be due 30 days after work begins, the remainder on receipt of printed pieces. INCASE reserves the right to bill for work to date if the project lasts longer than 90 days from start of work. All payments require formal written invoice.

Limited liability: Client understands that INCASE offers no warranty on its work beyond the cost quoted above. INCASE assumes no liability for damages beyond the cost quoted above, in the event of faulty or incomplete information being transmitted.

Legal enforcement: This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Minnesota. Any action, suit or proceeding arising out of any claim against INCASE, LLC under this Agreement shall be brought exclusively in the federal or state courts in the State of Minnesota.

Agreed,

A handwritten signature in black ink, appearing to read 'N. Case', is written over a horizontal line.

Sept 12, 2023

For INCASE, LLC

For Bassett Creek Watershed Management Commission Date



Bassett Creek Watershed Management Commission MEMO

Date: September 12, 2023
From: Laura Jester, Administrator
To: BCWMC Commissioners
RE: **Administrator's Report**

Aside from this month's agenda items, the Commission Engineers, city staff, committee members, and I continue to work on the following Commission projects and issues.

CIP Projects (more resources at <http://www.bassettcreekwmo.org/projects.>)

2019 Medicine Lake Road and Winnetka Avenue Area Long Term Flood Mitigation Plan Implementation Phase I: DeCola Ponds B & C Improvement Project (BC-2, BC-3 & BC-8) Golden Valley (No change since Nov 2021): A feasibility study for this project was completed in May 2018 after months of study, development of concepts and input from residents at two public open houses. At the May 2018 meeting, the Commission approved Concept 3 and set a maximum 2019 levy. Also in May 2018, the Minnesota Legislature passed the bonding bill and the MDNR has since committed \$2.3M for the project. The Hennepin County Board approved a maximum 2019 levy request at their meeting in July 2018. A BCWMC public hearing on this project was held on August 16, 2018 with no comments being received. Also at that meeting the Commission officially ordered the project and entered an agreement with the City of Golden Valley to design and construct the project. In September 2018, the City of Golden Valley approved the agreement with the BCWMC. The [Sun Post](#) ran an article on this project October 2018. Another public open house and presentation of 50% designs was held February 6, 2019. An EAW report was completed and available for public review and comment December 17 – January 16, 2019. At their meeting in February 2019, the Commission approved the 50% design plans. Another public open house was held April 10th and a public hearing on the water level drawdown was held April 16th. 90% Design Plans were approved at the April Commission meeting. It was determined a Phase 1 investigation of the site is not required. The City awarded a contract to Dahn Construction for the first phase of the project, which involves earthwork, utilities, and trail paving and extends through June 2020. Dewatering began late summer 2019. Tree removal was completed in early winter; excavation was ongoing through the winter. As of early June 2020, earth work and infrastructure work by Dahn Construction is nearly complete and trail paving is complete. Vegetative restoration by AES is underway including soil prep and seeding. Plants, shrubs, and trees will begin soon along with placement to goose protection fencing to help ensure successful restoration. The construction phase of this project was completed in June with minor punch list items completed in September. The restoration and planting phase is complete except for minor punch list items and monitoring and establishment of vegetation over three growing seasons. A final grant report for BWSR's Watershed Based Implementation Funding was submitted at the end of January. City staff recently completed a site walk through to document dead or dying trees and shrubs in need of replacement (under warranty). This project (along with Golden Valley's Liberty Crossing Project) recently received the award for "Project of the Year" from the Minnesota Association of Floodplain Managers as part of the overall Project website: <http://www.bassettcreekwmo.org/index.php?CID=433> .

2020 Bryn Mawr Meadows Water Quality Improvement Project (BC-5) (No change since July), 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 waive potential conflict of the Commission legal counsel and reviewed a proposal for project design by the Commission Engineer. The updated design proposal and the design agreement among all three parties were approved at the June 2021 meeting. Four public open houses 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 (No change since July): 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) (No change since July): 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 6C): 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 the July meeting, the Commission approved an agreement with the city to design, construct, and maintain the CIP project components and allow a future developer to use pollutant removal capacity above 100 pounds of total phosphorus. A fully executed agreement is now filed. The updated 90% project plans are included in this agenda for consideration. 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): The feasibility study for this project was approved in May 2020 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to implement the project in coordination with commission staff. City staff and I have had an initial conversation about this project. The city plans to collect additional chloride data this winter in order to better pinpoint the source of high chlorides loads within the subwatershed. Partners involved in the Hennepin County Chloride Initiative (HCCI) are interested in collaborating on this project. A proposal from Plymouth and BCWMC for the "Parkers Lake Chloride Project Facilitation Plan" was approved for \$20,750 in funding by the HCCI at their meeting in March. The project will 1) Compile available land use data and chloride concentrations, 2) Develop consensus on the chloride sources to Parkers Lake and potential projects to address these sources, and 3) Develop a recommendation for a future pilot project to reduce chloride concentrations in Parkers Lake, which may be able to be replicated in other areas of Hennepin County, and 4) help target education and training needs by landuse. A series of technical stakeholder meetings 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 2022 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. The project report is expected at the October 2023 Commission meeting. 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 with Alternative 3 being approved for the drainage improvement work. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020 and entered an agreement with the city of Plymouth to design and construct the project. The city hired WSB for project design which is currently underway. 60% design plans were approved in June. 90% plans were approved at the August. Construction is complete and vegetation is currently being established. www.bassettcreekwmo.org/projects/all-projects/mt-olivet-stream-restoration-project

2021 Main Stem Lagoon Dredging Project (BC-7): The feasibility study for this project was approved in May 2020 with Alternative 2-all (dredge all three lagoons to 6-foot depth) being approved. After a public hearing was held with no public in attendance, the Commission ordered the project on September 17, 2020. Rather than entering an agreement with a separate entity to design and construct this project, the Commission will implement the project in close coordination with the MPRB. At their meeting in November, the Commission approved a timeline for implementation and the Commission Engineer was directed to prepare a scope of work for project design and engineering. The engineering scope and budget were approved at the May 2021 meeting. Design and permitting got underway in summer 2021. Dredging of all three lagoons is planned for winter 2022/2023. A grant agreement for the \$250,000 Watershed Based Implementation Funding grant was approved at the January 2021 meeting. The project work plan was approved by BWSR. In the spring 2021 the Commission approved a grant agreement for a Hennepin County

Opportunity Grant for this project. An Environmental Assessment Worksheet was approved by the Commission at their October 2021 meeting and was submitted for a 30-day comment period by the City of Golden Valley as the RGU. A meeting of project stakeholders was held December 7th and 50% designs were approved at the December 2021 meeting. Comments were received on the EAW from multiple review agencies and one private citizen. Agency comments were relatively minor and expected. Comments from the citizen were more complex and detailed. Responses to comments were developed the RGU (city of Golden Valley) made an official declaration that no Environmental Impact Statement is needed. Staff reviewed a request from a resident to add “safety” benches to the ponds, reviewed reference materials and discussed in detail with MPRB. Determined safety benches aren’t appropriate or needed for this project and responded to the resident. 90% plans were approved at the June meeting. A project flyer and FAQs page were developed in conjunction with MPRB staff. They are posted on the webpage and were distributed to MPRB and Loppet staff at the Chalet and Trailhead. At the October meeting the Commission awarded the construction contract to the lowest responsive, responsible bidder: Fitzgerald Excavating and Trucking and contract documentation was completed thereafter. A pre-construction meeting was held November 28th. Dredging began in January and was completed in March 2023. Two pay requests from the contractor have been approved 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 and the Commission Engineer submitted an official opinion on the claim, and the contractor submitted a response to the claim. Discussion on claim dispute will took place during a closed session at the August meeting. A verbal update will be provided by the Commission Attorney at this meeting during Item 7Ci. Project website:www.bassettcreekwmo.org/projects/all-projects/bassett-creek-main-stem-lagoon-dredging-project

2022 Medley Park Stormwater Treatment Facility (ML-12) (No change since July): 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 and comment form were offered to the public including live chat sessions on April 8th. The feasibility study report was approved in June with a decision to implement Concept #3. A public hearing on this project was held in September with no members of the public attending. In September, a resolution was approved to officially order the project, submit levy amounts to the county, and enter an agreement with the city to design and construct the project. The city hired Barr Engineering to develop the project designs which are now underway. A virtual public open house was held February 3rd. 50% Design Plans were approved at the January meeting. 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). At the end of July utility crews lowered the watermain and installed the storm sewer diversions into the park from along Duluth Street. The hydrodynamic separator was also set (with a crane). Crews also worked on the iron-enhanced sand filter and the outlet installation, stone work on the steepened slopes, trail prep, bituminous paving, and concrete work (curb and gutter, pads, and ADA ramps). The preconstruction meeting for the restoration work was held with work to begin late August or early September. The city awarded the contract for the DeCola Pond D outlet work to Bituminous Roadways Inc. in August. In early September, the construction contractor is doing final site clean-up and finishing the iron enhanced sand filter. The site is being stabilized with temporary cover crop and Erosion Control Blanket/Hydromulch. Site restoration work is starting with utility locations and staking tree and shrub locations. Planting is slated to begin next week. For the DeCola Pond D outlet replacement, Bituminous Roadways recently started site prep, erosion control, fencing etc. Bituminous Roadways will be starting the trench/pipe work next week and is expected to take a week or two to replace the entire outlet pipe system.

. 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), Golden Valley (See Items 5A and 6B)

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. A Clean Water Fund grant application for \$350,000 was recently developed and submitted to BWSR. The Commission will hold a public hearing on this project at this meeting and will consider officially ordering the project and setting the final levy. An agreement with the City of Golden Valley to implement the project was drafted by the Commission Attorney and is being review by city staff. 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) (See Items 5A and 6B)

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 this meeting and will consider officially ordering the project, setting the final levy, and entering an agreement with the City of Plymouth for project implementation. Project website: <https://www.bassettcreekwmo.org/projects/all-projects/ponderosa-woods-stream-restoration-project>.

Sochacki Park Water Quality Improvement Project (BC-14) (See Items 5A, 6A, and 6B)

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 was held July 26th and a Phase I Environmental Site Assessment was recently completed. The draft feasibility study was presented at the August meeting; a final feasibility study is being presented at this meeting. Also at this meeting the Commission will hold a public hearing on this project and will consider officially ordering the project and setting the final levy. Project webpage: <https://www.bassettcreekwmo.org/projects/all-projects/sochacki-park-water-quality-improvement-project>.

Administrator Activities August 9 – September 11, 2023

Subject	Work Progress
CIP	<ul style="list-style-type: none"> • <u>Main Stem Lagoon Dredging Project</u>: Sent a demand letter to the contractor that resulted from the August closed session; reviewed follow up correspondence; discussed and reviewed correspondence related to reimbursement to MPRB for pavement analyses with MPRB staff and Commission engineer • <u>Sochacki Park Water Quality Improvement Project</u>: Reviewed draft feasibility study and presentation for the August Commission meeting; discussed potential agreement and CIP components with individual partners and then as a group • <u>Main Stem Restoration Project Regent Ave to Golden Valley Rd</u>: Prepared and submitted grant application for \$350,000 of Clean Water Funds • Corresponded with Plymouth and Golden Valley re: 2024 CIP project agreements • Developed and sent September 21 public hearing notice for official publication • Drafted resolution ordering projects and setting final levy
Bassett Creek Tunnel and Bassett Creek Valley	<ul style="list-style-type: none"> • Reviewed next draft of agreement on tunnel inspections, maintenance, development reviews, and emergency response • Set meeting with Commission attorney and engineer to discuss revisions • Secured meeting space for Sept 27th Bassett Creek Valley stakeholder meeting and set planning meeting with Stantec staff and Fernando's office
Education, Outreach & West Metro Water Alliance (WMWA)	<ul style="list-style-type: none"> • Attended August WMWA meeting • Attended DEIA Workgroup meeting • Gathered CAMP samples from volunteers and coordinated equipment replacement • Attended Haha Wakpadan event on update of oral history project • Discussed outreach to MPLS neighborhoods with Metro Blooms staff • Responded to resident inquiries about possible blue green algae blooms and AIS in Cortlawn Ponds • Began developing watershed tour plans including driving to possible sites and discussing with TAC members and Commission engineers • Reviewing and commenting on AIS signage being drafted by Hennepin County • Edited abstract for Low Salt No Salt MN campaign presentation at MN Watershed conference • Met with WMWA/County Education coordinator re: special project options in BCWMC • Corresponding with potential contractor and Commission attorney re: contract for redesign and reprint of the watershed map • Correspondence with Freshwater re: Low Salt No Salt MN campaign training for MN Water Stewards • Correspondence with U of M professor re: using BCWMC 2015 Watershed Plan for class project
Administration	<ul style="list-style-type: none"> • Developed agenda; reviewed invoices and submitted expenses spreadsheet to Redpath; developed Administrator's report; reviewed bank statements, investment statements and financial report; drafted August 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 September Commission meeting • Requested input from Administrative Services Committee meeting on Roles and Responsibilities Document and memo re: commissioner engagement • Posted final 2024 Operating Budget online • Updated 2015 Plan sections online • Continued correspondence with City of Plymouth re: accounting tasks starting in 2024 • Updated commission roster information for MN Campaign Finance Office • Prepared agenda and materials for 9/6 TAC meeting and attended meeting • Attended MPCA webinar on federal funding opportunities for climate priorities • Prepared and send invoice for project review expenses related to Golden Valley Country Club project • Applied for and obtained PO Box at Golden Valley Post Office; updated Commission address • Corresponded with SAFL staff re: panelist opportunity at upcoming Stormwater Series discussion • Posted and distributed Medicine Lake water level graph and corresponded with Medicine Lake mayor

	<ul style="list-style-type: none"> • Reviewed correspondence and biennial financial allocation of Watershed Based Implementation Funds; sent BWSR follow up email
MAWD	<ul style="list-style-type: none"> • Attended MAWA Executive Committee meeting (1 hour) •
Sweeney Lake Eurasian Watermilfoil	<ul style="list-style-type: none"> • Corresponded and coordinated with Sweeney Lake Association (SLA), Commission engineers, Golden Valley staff, Hennepin County staff, and DNR re: EWM discovery in Sweeney Lake (8/25) • Reviewed photos of potential EWM plants submitted by residents and sent to Commission Engineers • Applied for herbicide treatment permit from DNR on behalf SLA • Communicated with herbicide applicator and helped coordinate treatment using treatment plan developed by Commission Engineer • Corresponded with Commission Engineers re: post treatment surveys • Secured funding from Hennepin County for post treatment survey
2025 Watershed Management Plan	<ul style="list-style-type: none"> • Met with Commission Engineers for bi-weekly check in meetings • Drafted meeting minutes for August 1st PSC meeting • Assisting with preparing memo with PSC recommended issues and priorities for Aug 17th Commission workshop • Prepared notes from Commission workshop • Reviewed and commented on issue statements and measurable goals format for PSC input • Prepared agenda and materials for September 7th Plan Steering Committee meeting; attended meeting • Send “homework” email to PSC and worked to set next PSC meeting