



Bassett Creek Watershed Management Commission

Minutes of Regular Meeting

Thursday, July 18, 2024

8:30 a.m.

Golden Valley City Hall, 7800 Golden Valley Road

1. CALL TO ORDER and ROLL CALL

On Thursday July 18, 2024 at 8:31 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	Joan Hauer	<i>Absent</i>	<i>Absent</i>
Golden Valley	<i>Absent</i>	Roxanne Gould	<i>Absent</i>
Medicine Lake	Clint Carlson	Shaun Kennedy (voting member)	<i>Absent</i>
Minneapolis	Michael Welch	Jodi Polzin	Liz Stout
Minnetonka	Maryna Chowhan	<i>Absent</i>	Chris Long, Sarah Schweiger
New Hope	Jere Gwin-Lenth	Jen Leonardson	Nick Macklem
Plymouth	Catherine Cesnik	<i>Absent</i>	Ben Scharenbroich
Robbinsdale	Wayne Sicora	Bob Stamos	Richard McCoy, Jenna Wolf
St. Louis Park	RJ Twiford	<i>Absent</i>	Erick Francis
Administrator	Laura Jester, Keystone Waters, LLC		
Engineers	Karen Chandler, Stephanie Johnson, Meg Rattei, Greg Wilson – Barr Engineering Co.		
Recording Secretary	<i>Vacant Position</i>		
Legal Counsel	Dave Anderson, Kennedy & Graven		
Guests/Public	None		

2. PUBLIC FORUM ON NON-AGENDA ITEMS

No public comments.

3. APPROVAL OF AGENDA

MOTION: Commissioner Gwin-Lenth moved to approve the agenda. Alternate Commissioner Kennedy seconded the motion. Upon a vote the motion carried 9-0.

4. CONSENT AGENDA

Two items were removed from the consent agenda: Item 4A Approval of Minutes – June 20, 2024 Commission Meeting and Item 4G Approval to Provide Comments on the Supplemental Draft Environmental Impact Statement for the METRO Blue Line Extension Project.

MOTION: Commissioner Gwin-Lenth moved to approve the consent agenda as amended. Chair Cesnik seconded the motion. Upon a vote the motion carried 9-0.

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

- Acceptance of July Financial Report
- Approval of Payment of Invoices
 - Keystone Waters, LLC – June 2024 Administration
 - Keystone Waters, LLC – June 2024 Administrative Expenses
 - Barr Engineering – June 2024 Engineering Services
 - Triple D Espresso – Meeting Catering
 - City of Plymouth – June Accounting Services
 - Kennedy and Graven – Legal Services
 - Stantec – Watershed Outlet Monitoring Program (WOMP) Services
 - HDR, Inc. – Website Services
 - LSC Resource Inc. – Checking Account Checks
- Appoint Ryan Vadnais as BCWMC Deputy Treasurer
- Set Public Hearing for September 19th Meeting
- Approval of Hwy 55 Lift Station Relocation Project, Golden Valley
- Accept 2023 Financial Audit

4A. Approval of Minutes – June 20, 2024 Commission Meeting

Commissioner Welch pointed out a grammatical error in motion statement of Item 5F of the June minutes, noting that the word “moved” is missing.

MOTION: Commissioner Welch moved to approve the June meeting minutes as amended. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion carried 9-0.

4G. Approval to Provide Comments on the Supplemental Draft Environmental Impact Statement for the METRO Blue Line Extension Project

Commission Engineer Chandler noted that the Commission should decide who should submit the comments on the project – either the chair, administrator, or engineer.

MOTION: Commissioner Chowhan approved submittal of the comments as presented and direction for the Administrator to submit the comments. Commissioner Hauer seconded the motion. Upon a vote the motion carried 9-0.

5. BUSINESS

A. Review Revised Joint Powers Agreement

Commission Attorney Anderson reminded commissioners that they reviewed comments from member cities on the JPA at the June meeting and approved only non-substantive changes to the document. He presented the next version of the JPA with those changes made and outlined his recommendations for next steps which included submitting this version of the JPA to cities for review and official comment from city leadership by August 31st. He noted that cities should not actually sign the document until all cities have one final chance to dispute particular provisions, if any.

Commissioner Hauer outlined two areas where she recommended a change to semantics. Attorney Anderson recommended no further changes to the document at this point.

MOTION: Commissioner Hauer moved to approve staff recommendations to send this version of the JPA to member cities requesting comment on any disputed provisions from city leadership by August 31st. Alternate Commissioner Kennedy seconded the motion.

Discussion: Commissioner Welch indicated that he, Minneapolis Alternate Commissioner Polzin, and Minneapolis city staff have been discussing the term of the JPA and trying to meet with his city council representative. He reported that he will advocate that the city not support the JPA with the 12-year term and again recommended that the term be shorter to better incentivize a shift in structure or funding after an evaluation of options in 2026 or 2027. There was discussion about how the Commission could amend the JPA sooner than 12 years if there is consensus that a significant change is warranted. Commissioner Hauer voiced her support for a shorter term.

Upon request, Commission Attorney Anderson reiterated the preferred timeline for JPA approval noting that city comments on any disputed provisions would come to the BCWMC's September meeting and hopefully a final decision on the JPA would be made at that time. When asked, Commissioner Welch noted that he doesn't know how the Minneapolis city council would vote and said it would first need to go to committee. Minneapolis TAC member Liz Stout indicated that most city councils will take direction from staff and suggested that the TAC spend time discussing the JPA at an upcoming meeting.

VOTE: Upon a vote the motion carried 9-0.

There was further discussion after the vote. Commissioner Welch and Commission Attorney Anderson indicated that they don't know how a JPA discussion at a TAC meeting would help as negotiations or discussions on JPA provisions should be beyond a city staff level. Commissioner Sicora disagreed noting that a discussion and consensus building among TAC members would be helpful and that commissioners could attend that meeting as well. Commissioner Gwin-Lenth noted that consensus does not necessarily mean total agreement, but rather compromise and that he is open to compromise, if needed.

B. Consider Approval of Feasibility Study Scope for Crane Lake Chloride Reduction Demonstration Project (CL-4)

Administrator Jester reported that this project is on the Commission's CIP schedule for 2026 and that a feasibility study for this project as part of the normal CIP implementation process.

Commission Engineer Wilson reviewed the scope reporting that chloride levels in Crane Lake continue to increase and that a CIP project adjacent to Crane Lake in 2019 did not result in a project to reduce chloride levels, despite efforts. Engineer Wilson reviewed various components of the proposed study including monitoring of stormwater ponds with outlets to the lake, pollutant load modeling to assess various sources (including gathering information on deicer use by adjacent properties), development of management options or BMPs, meetings with stakeholders, and final report generation. He noted that the monitoring task includes purchasing \$18,000 worth of equipment that could be used elsewhere in the watershed after this project.

[Commissioner Carlson leaves the meeting.]

Commission Engineer Chandler noted that this project will be informed by the recent Parkers Lake Chloride Reduction project. She also noted that this project does not include a typical public open house, but more directed outreach to adjacent property owners and managers.

There were questions from commissioners regarding pond sizes, monitoring equipment storage and maintenance (which is done by Barr Engineering), and the impact of development on chloride levels. There was discussion about the potential sources of chlorides in this subwatershed, differences in deicer use by different types of land use, the need for alternatives to chlorides for deicing, and the acknowledgement that actual regulation of chloride use may be needed. Additionally, Plymouth TAC Member Scharenbroich noted that the City of Plymouth has been monitoring "Ridgedale Creek" (which flows from Crane Lake to Medicine Lake under certain conditions) and offered to monitor it next year too.

MOTION: Commissioner Hauer moved to approve the Crane Lake Chloride Reduction Demonstration Project feasibility study as presented. Commissioner Gwin-Lenth seconded the motion. Upon a vote the motion passed 9-0.

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

[Alternate Commissioner Gould leaves the meeting.]

- C. Receive Report on 2023 Water Quality Monitoring Results for Sweeney Lake, Twin Lake, and Plymouth Creek**
 Commission Engineer Chandler introduced Commission Biologist Meg Rattei (Barr Engineering) who presented the monitoring results.

Ms. Rattei reported that water quality has improved significantly in Sweeney Lake due to improvements in the watershed, stopping use of the year-round aerator, and BCWMC projects (including carp management, alum treatment). The lake will be removed from the impaired waters list in 2024 for nutrients. However, chloride levels remain high in the lake and have doubled in the last 6 years. She reported that zooplankton numbers are down but may be a result of better fish foraging because of improved water clarity. She also reported that Sweeney Lake has a healthy native plant community (although noted a few locations of yellow iris) and the (hopefully) eradicated beds of Eurasian watermilo discovered late last summer. Recommendations include continuing to monitor for Eurasian watermilfoil, continued regular BCWMC monitoring, removing yellow iris, reducing chloride pollution and educating on AIS prevention.

For Twin Lake, Ms. Rattei reported that the lake continues to have excellent water quality following an alum treatment in 2015. She also noted that chloride levels meet state standards. She reported the plant community and zooplankton community are healthy and recommended continued monitoring and educating on AIS prevention.

Ms. Rattei reported on results of monitoring in Plymouth Creek in 2022 and 2023 including some monitoring by Three Rivers Park District on behalf of the city of Plymouth. Flow and water quality were monitored in 2022 and 2023 while macroinvertebrates and habitat were assessed in 2022. She described two monitoring locations, one capturing 3,700 acres of the Plymouth Creek watershed, and the other capturing a 222-acre subwatershed that drains into the creek from the west. She reported that the stream failed to meet state standards for dissolved oxygen, total suspended solids, and chlorides and had some high bacteria readings. While the stream met the eutrophication standard (despite high total phosphorus levels), it was below the standard for biological assessment, and habitat had declined in some areas. Ms. Rattei reported that Plymouth Creek will be added to the impaired waters list for biological impairment in 2024. She also reported that the MPCA performed a stressor identification study for aquatic life and found that altered hydrology and connectivity, eutrophication due to excess total phosphorus, inadequate dissolved oxygen, excess chloride, and excess total suspended solids were likely stressors.

Recommendations for the creek include continued monitoring, evaluation of excess phosphorus and total suspended solids, evaluation of stream corridor for improvement opportunities, and chloride reduction measures.

- D. Consider Submitting Clean Water Fund Grant Application**

Administrator Jester reported that the MN Board of Water and Soil Resources (BWSR) is seeking grant applications for projects that protect and improve water quality throughout the state. This competitive grant program has been a significant source of funding for Commission projects over the last several years. Although the Commission did not receive a grant for the Main Stem Restoration Project last year, she believes the Plymouth Creek Restoration Project may score higher because of the plan to re-meander a section of the stream and the proximity to a public school and trail system. She recommended applying for a grant of approximately \$400,000 for the Plymouth Creek Restoration Project. She noted that grant applications take about 5 hours of her time to prepare.

MOTION: Commissioner Chowhan moved to approve the submittal of a Clean Water Fund grant application for the Plymouth Creek Restoration Project. Commissioner Hauer seconded the motion. Upon a vote the motion carried 8-0 with the City of Golden Valley absent from the vote.

- E. Consider Approving Policy on Diversity, Equity, Inclusion, and Accessibility (DEIA)**

Administrator Jester noted that at the meeting in April 2023, the Commission briefly discussed development of a policy related to DEIA. She noted that recently the Plan Steering Committee recommended that the Commission take up the discussion once again so that appropriate goals and policies can be developed in the watershed plan. She reported the draft policy presented here was developed in collaboration with Commissioner Pentel. There was some discussion about the definition and purpose of the term “accessibility.” Ultimately the group agreed it should remain broad rather than being more specific. Commissioner Welch requested that the policy be revised to incorporate the Commission’s primary functions of flood risk mitigation and water resource improvement to better define the Commission’s “work.” Others wondered if the Commission’s “climate resiliency” should also be included

as Commission work. Administrator Jester will bring another draft back next month with input from Commissioner Pentel.

[Commissioners Chowhan and Hauer leave the meeting.]

F. Consider Submitting Resolutions for Minnesota Watersheds 2025 Platform

Administrator Jester reported that the Commission could consider drafting and submitting policy recommendations to the MN Watersheds (MW) organization (formerly MAWD) for consideration in MW's resolutions process. She noted final recommended resolutions are due September 1st. Commissioner Welch wondered if the Commission or another watershed should consider submitting a resolution advocating for regulatory control of deicer use (such as licensing or fines for overuse) as the limited liability legislation may not ever pass. He noted he will connect with Administrator Jester and/or other watersheds on the matter. Alternate Commissioner Kennedy reported that more and more non-Metro watersheds are starting to understand the significance of oversalting.

G. Receive Update from Plan Steering Committee

Committee Chair Kennedy reported that the committee continues its work of developing issue statements and 10-year goals for the plan. He noted the progress tracker with the meeting materials and reminded commissioners about the workshop in August.

6. COMMUNICATIONS

A. Administrator's Report

- i. Update on Watershed Based Implementation Funding Convene Meeting #2 – The second convene meeting was held July 8th. The group agreed to continue funding the shared educator position with Hennepin County for \$46,000. They discussed using the remaining funds (\$137,000) to implement the Crane Lake Chloride Reduction Demonstration Project. The group also discussed using funds for an enhanced street sweeping program. But, BWSR representatives reminded the group the funding can only be used for projects or programs in the watershed management plan. Another meeting will be scheduled soon for final decisions.
- ii. Update on Twin Lake Riparian Restoration – The MPRB is working to remedy illegal action by a beachgoer who removed soil from the slope and added it to the lakebed (apparently to expand the beach area). (The city of Golden Valley and DNR are also informed and/or cooperating.) They are also considering other restoration projects to protect and stabilize the steep slope. Administrator Jester reported a resident recently called and emailed her with information about the deteriorating conditions at the beach including the filling of the lakebed, no bathroom facilities, and dozens of people there at times. She noted that, luckily, the lake's water quality continues to be excellent.
- iii. Golden Valley Historical Society Event Sept 14th – Volunteers requested for this event and the Golden Valley Sustainability Fair on July 28th. Administrator Jester will send an email with details.

B. Engineer

- i. Update on Schaper and Sweeney Carp Surveys – Commission Engineer Chandler reported that carp populations in Schaper Pond remain stable but apparently have increased in Sweeney Lake to levels above the threshold that impacts water quality. She noted that Carp Solutions will be advising on possible box netting to remove carp on Sweeney Lake later this summer. She noted that Commission Engineers may request funding for additional effectiveness monitoring on Schaper Pond.

C. Legal Counsel – No report

D. Chair – Chair Cesnik reported that she is running for the Plymouth City Council seat she was appointed to fill.

E. Commissioners

- i. Report on Minnesota Watersheds Summer Tour – Alternate Commissioner Kennedy reported that the tour in the east Metro visited 8 sites and was very informative. He also indicated he has been learning more about the differences between watershed management organizations (like BCWMC) and watershed districts. Engineer Chandler was also on the tour and noted how all projects showcased relied heavily on collaboration and partnerships.

F. TAC Members – No report

G. Committees

- i. Report on Education Committee Meeting June 26th – Committee Chair Leonardson reported that the committee continues to work on the map and that Jim Rock presented a wealth of interesting information on Native history, geography and content at the last meeting.
- ii. Report on Budget Committee Meeting July 17th – Committee Chair Sicora reported that the group is still anticipating comments from cities on the proposed budget and that they are considering an 11-month budget year in 2025, which would also help reduce some costs. A final proposed budget will be presented at the August meeting.

7. INFORMATION ONLY (Information online only)

- a. Administrative Calendar
- b. CIP Project Updates www.bassettcreekwmo.org/projects
- c. Grant Tracking Summary and Spreadsheet
- d. WCA Notice, Golden Valley

8. ADJOURNMENT – The meeting adjourned at 11:08 a.m.