

Purple text = internal notes; won't be included in final plan

BCWMC 2025 Watershed Management Plan

Section 4 – Implementation

Contents

4.0 Implementation	2
4.1 BCWMC Roles, Policies and Tools for Implementation	2
4.1.1 Operations, Administration, Technical Services	5
4.1.2 Inter-Agency Planning and Collaboration	5
4.1.2.1 Community Planning and Design	7
4.1.2.2 Dispute Resolution	8
4.1.3 Requirements for Development, Redevelopment, and Other Projects	9
4.1.3.1 Project Review and Permitting Process	10
4.1.3.2 Wetland Conservation Act	11
4.1.4 Studies, Subwatershed Assessments, and Other Non-capital Projects	11
4.1.5 Monitoring and Modeling	12
4.1.5.1 Monitoring	12
4.1.5.2 Modeling	13
4.1.6 Aquatic Invasive Species Management	14
4.1.7 Flood Control Project and Trunk System Management	16
4.1.7.1 System Modifications	16
4.1.7.2 FCP Inspection, Maintenance, and Repair/Rehabilitation/Replacement	17
4.1.8 Capital Improvement Program (CIP)	21
4.1.9 Education and Engagement	26
4.1.10 Evaluation and Assessment	27

4.2	Implementation Activities.....	29
4.3	Funding.....	29
4.3.1	Funding Sources	29
4.3.2	Long-term Funds.....	32
4.4	Local Water Management and Member City Responsibilities.....	33
4.5	Plan Updates and Amendments	37

4.0 Implementation

This section describes the BCWMC implementation program – the policies, programs, activities, and projects carried out by the BCWMC and its member cities to achieve the 10-year goals described in Section 3.0. The roles, policies, and tools for implementation are described in Section 4.1. Section 4.2 includes Table 4.5 – the schedule and estimated budgets for Activities and Program Implementation, and Table 4.6 – the BCWMC 10-year Capital Improvement Program. Information related to funding mechanisms, funding sources, and long-term funds are found in Section 4.3. Member city responsibilities and information related to local water management plan adoption are found in Section 4.4, including Table 4.4 which lists requirements of member cities. Finally, procedures for amending this plan are found in Section 4.5

4.1 BCWMC Roles, Policies and Tools for Implementation

The following sections describe the operational tools the BCWMC uses to address issues and pursue its goals and the roles of the BCWMC, member cities, and other agencies. These sections provide guidance and include BCWMC policies (numbered and shown in bold) within the specific areas. Additional details and guidance of select tools are also included in relevant Plan appendices (e.g., Education and Engagement Plan, Monitoring Plan) and in the BCWMC Requirements for Improvements and Development Proposals (“Requirements document”).

Activities related to these tools and policies are found the Activities and Program Implementation Schedule (Table 4.5) and the Capital Improvement Program Schedule (Table 4.6)

The tools include:

- Operations, Administration, Technical Services
- Inter-agency Planning and Collaboration
- Review of Development, Redevelopment, and Other Projects
- Studies, Subwatershed Assessments, and Other Non-Capital Projects
- Monitoring and Modeling
- Aquatic Invasive Species Management
- Flood Control Project and Trunk System Maintenance
- Capital Improvement Program (CIP)
- Education and Engagement
- Evaluation and Assessment

There are often multiple tools that are used to address a particular issue and each tool can be used to make progress on goals for multiple issues. The matrix in Table 4.1 presents these complex relationships.

Table 4.1. Matrix of Issues vs. Tools

ISSUE	PRIORITY	TOOLS									
		Operations, Administration	Inter-Agency Coordination	Development Requirements	Studies & Assessment (BCWMC lead)	Monitoring & Modeling	AIS Management	Flood Control Project	CIP	Education & Engagement	Evaluation & Assessment
Impaired Waters	Hi	X	X	X	X	X	X		X	X	X
Chloride Loading	Hi	X	X	X	X	X			X	X	X
Streambank & Gully Erosion	Med	X	X	X	X	X			X	X	X
Lakeshore Erosion	Med	X	X		X	X			X	X	X
Wetland Health & Restoration	Med	X	X	X	X	X	X		X	X	X
Aquatic Invasive Species	Med	X	X			X	X		X	X	X
GW – Surface Water Interaction	Med	X	X	X	X	X			X	X	X
Degradation of Riparian Areas	Low	X	X	X	X	X			X	X	X
Degradation of Upland Areas	Low	X	X			X				X	X
Groundwater Quality	Low	X	X	X					X	X	X
Flooding & Impact of Climate Change on Hydrology	Hi	X	X	X	X	X		X	X	X	X
Bassett Creek Valley	Hi	X	X	X	X	X		X	X	X	X
Groundwater Quantity	Low	X	X	X					X	X	X
Public Awareness & Action	Med	X	X			X	X		X	X	X
Engagement of Diverse Communities	Med	X	X		X	X	X		X	X	X
Recreation Opportunities	Low	X	X			X	X			X	
Organizational Staff & Capacity	Hi	X	X					X	X	X	X
Funding Mechanisms	Hi	X	X	X				X	X	X	X
Progress Assessment	Hi	X			X	X					X
Implementation with DEIA Lens	Med	X	X						X	X	X
Public Ditch Management	Low	X	X			X					
BCWMC Project Carbon Footprint	Low	X			X				X	X	X

4.1.1 Operations, Administration, Technical Services

The BCWMC operates as a joint powers organization among nine member cities with no employees and no physical office space. It contracts all services from consultants including an administrator, legal counsel, accountants, and technical experts/engineers. These positions are sometimes referred to as “BCWMC staff” for simplicity. Additional contractors or consultants may also be used to perform tasks such as website updates/hosting, education and outreach, communications, etc.

The BCWMC regularly convenes a technical advisory committee (TAC) consisting of staff from each of the member cities and the Minneapolis Park and Recreation Board which provides input on many BCWMC activities - particularly technical studies and capital projects. At times the TAC also comments on budgets and policies, or other matters as requested by the Board of Commissioners (Commission).

The BCWMC maintains a “roles and responsibilities” document which outlines specific tasks and responsibilities for its key staff, commissioners, alternates, and TAC. The BCWMC holds contracts with each of the consulting staff and seeks proposals from legal and engineering firms biennially as required by MN Statutes 103B.227, Subd. 5.

The BCWMC Administrator implements the strategic direction set by the Commission, acts as the primary point of contact for the BCWMC, coordinates the work of other consultants, and provides leadership, communication, project management, and overall coordination of BCWMC activities.

The BCWMC Engineers provide technical expertise, implement the BCWMC’s monitoring and modeling programs, ensure functionality and maintenance of the Flood Control Project, review development/redevelopment/project proposals, and perform studies or technical reviews as directed by the Commission.

The organizational structure and staff capacity of the BCWMC will be assessed for efficiency and effectiveness in the first two years of this Plan’s implementation. Changes to the staffing structure or staff capacity may be updated during the life of this plan.

4.1.2 Inter-Agency Planning and Collaboration

The BCWMC is one of many organizations responsible for managing natural resources within its jurisdictional area and collaborates with partners to implement this Plan. This collaboration is critical to much of the Commission’s work and is especially important with respect to those resources and/or issues listed below for which the BCWMC is not the primary managing entity. A robust mechanism

for collaborating and partnering with others helps improve the Commission's organizational capacity, extending its reach and impact. It also improves government efficiency and the responsible use of public funds.

Groundwater

The BCWMC recognizes the groundwater management authorities of other local and state agencies and identifies the BCWMC's role as primarily one of support and collaboration. The BCWMC encourages and supports public and private landowners to pursue conservation practices and supports cities in the implementation of their water conservation grant or cost-share programs. These activities will help address the Commission's issues of groundwater quality and quantity. [\[policy #49 from 2015 plan\]](#)

The BCWMC encourages local, regional, and state agencies to develop a groundwater action plan and will collaborate on implementation of a plan if/when it's developed in an effort to gain a better understanding of groundwater-surface water interaction and develop management strategies that consider the protection of both resources (Policy 1). [\[policies #43 and #47 from 2015 plan\]](#)

Public Ditches

There are two sections of Bassett Creek that are officially considered public ditches including a large portion of the Main Stem of Bassett Creek between Medicine Lake and Brookview Golf Course, and downstream of Highway 100 (Figure A-7). The original function of public ditches was to provide drainage for agricultural lands. Although these sections are now managed as creeks, the public ditch designation has not been removed. The BCWMC encourages member cities to petition Hennepin County to transfer authority over public ditches in the BCWMC to the member cities (per MN Statute 383B.61). BCWMC goals related to public ditches indicate that if authority is transferred to the member cities, the BCWMC and cities will manage these drainages similar to other BCWMC waterways, in accordance with the BCWMC's latest adopted Plan. [\[policy #75 from 2015 plan\]](#)

In consideration for the original function of public ditches to provide drainage of agricultural lands, the BCWMC will support the efforts of other entities to pursue legislation abandoning public ditches on land zoned non-agricultural. [\[policy 76 from 2015 plan\]](#)

The BCWMC will manage public ditches that are part of the trunk system the same as its priority streams, reflecting their functions as urban waterways, and consistent with the BCWMC Requirements document (Policy 2). [\[policy #77 from 2015 plan\]](#)

Member cities are responsible for management of public ditches that are not on the trunk system but are currently part of their municipal drainage system. [policy #77 from 2015 plan]

Rare Species and Land Conservation

Although the BCWMC's work is primarily concentrated on aquatic resources, the BCWMC encourages and supports public and private landowners to maintain, preserve, and restore open space and native habitats. The BCWMC promotes and encourages the protection and restoration of natural and native shoreland, riparian corridors, prairies, and woodlands, and will incorporate restoration of these areas in its projects and programs as opportunities arise. Collaboration with others will help make progress toward BCWMC goals related to degraded upland habitats. [policies #81, 84, and 85 from 2015 plan]

The BCWMC will submit data, as available, and encourages others to submit data regarding occurrences of rare and endangered species and native plant communities to the State's Natural Heritage Information System (Policy 3). [policy #87 from 2015 plan]

The BCWMC will cooperate, when appropriate and as resources allow, with partners and organizations that identify and work to preserve connected greenway corridors and other natural areas and encourages member cities to participate in these efforts (Policy 4). [new policy]

4.1.2.1 Community Planning and Design

The BCWMC relies on the member cities for primary management of runoff and local water management issues. The BCWMC works to provide leadership, encourage collaboration, and assist member cities with local and intercommunity water management issues. Member cities may request that the BCWMC provide technical assistance, coordination, or dispute resolution for specific issues. This may include calculating the apportionment of costs between adjoining cities for water resource projects with intercommunity participation. [policy #117 from 2015 plan]

Member cities must update their local water management plans to incorporate consistency with BCWMC goals, policies, and requirements. The BCWMC will review city local water management plans for consistency with BCWMC goals. (Policy 5).

Member cities must inform the BCWMC regarding updates to city ordinances or comprehensive plans that will affect stormwater management. (Policy #6) [Policy #113 from 2015 plan]

The BCWMC may review proposed changes to member city development regulations (e.g., zoning and subdivision ordinances) at its discretion or the request of the member cities (Policy 7). [policy #112 from 2015 plan]

4.1.2.2 Dispute Resolution

If watershed management disputes should arise between the BCWMC member cities, member cities may refer these to the BCWMC for resolution. The BCWMC will hear the disputes and endeavor to reach a mutually agreeable solution whenever possible. Under the joint powers agreement, the BCWMC's findings and recommendations are not binding unless the parties to the dispute make a prior agreement to that effect.

The BCWMC will follow this process for the hearing of such disputes (Policy 8): [policy #118 from 2015 plan]

1. The BCWMC will mediate inter-community disputes relating to watershed management problems within the Bassett Creek watershed, as requested by member cities.
2. Disputes will be referred to a committee of three BCWMC members or alternate members from member communities who are not parties to the dispute. Members will be appointed by the BCWMC chair or vice-chair, which will also appoint one of the three members as the chair of the committee.
3. The committee chair will call a meeting where each party to the dispute will be allowed to present its suggestions to resolve the dispute.
4. The committee may consult with the members of the BCWMC staff and TAC and will prepare findings and recommendations to resolve the dispute.
5. The committee's recommendation will be presented to the full BCWMC, which may accept, reject, or amend the recommendation before forwarding the findings and recommendations to the parties of the dispute.

Disputes between a member city and the BCWMC regarding the allocation of project costs shall be resolved using the procedures described in the JPA (see Appendix G).

4.1.3 Requirements for Development, Redevelopment, and Other Projects

The BCWMC does not have a permit program (i.e., does not issue permits for development, redevelopment, or other projects) but it does review projects that trigger specific criteria for compliance with BCWMC requirements and performance standards published in the BCWMC *Requirements for Improvements and Development Proposals* (as amended) (Requirements document). For non-linear projects, (Minimal Impact Design Standards (MIDS) from the MN Stormwater Manual were adopted by the Commission in conjunction with its 2015 Watershed Plan and will continue to be in effect with this 2026 Watershed Plan.

BCWMC development requirements are a primary and critical function of the Commission that reduces the potentially harmful impacts of stormwater runoff. At a high level, requirements address: *[incorporates policies 12, 13, 29, 31, 32, 34, 35, 36, 38, 42 – specific requirements are moved into requirements document and not included in body of plan for easier revisions in the future, if needed.]*

- Floodplains (e.g., minimum building elevations, floodplain storage standards, allowable uses in floodplains)
- Stormwater rate control
- Water quality (including infiltration and pollutant removal requirements)
- Erosion and sediment control
- Lake, Stream, and Wetland impacts (including stream and wetland buffer requirements)
- Diversion of surface water runoff
- Utility crossings and bridges
- Modifications to the Bassett Creek tunnels
- Groundwater quality and quantity

The BCWMC has established criteria (“triggers”) to determine which projects require BCWMC project review and which requirements apply to specific projects. Generally, BCWMC requirements apply to any project (linear or non-linear) that creates one or more acres of new or fully reconstructed impervious area. Specific requirements and triggers for review are included in the most current version of the Requirements document.

Member cities must incorporate standards and requirements included in the Requirements document into their official controls (e.g., ordinances). Member cities must inform developers and other project applicants regarding BCWMC requirements (Policy 9). *[policy #104 from 2015 plan]*

The BCWMC requires public agencies to comply with the requirements and standards published in the Requirements document (Policy 10). [policy #14 from 2015 plan]

The BCWMC will work with member cities to periodically review and update the Requirements document outside of the Plan update process (Policy 11). [new policy]

4.1.3.1 Project Review and Permitting Process

The BCWMC relies on its member cities to review development and redevelopment proposals for compliance with BCWMC requirements, when applicable, and to issue permits only after compliance has been determined.

Member cities shall not issue construction permits, or other approvals relevant to controls intended to protect water resources, until the BCWMC has approved the project (Policy 12) [policy 121 from 2015 plan]

Member cities must inform the BCWMC of development, redevelopment, and other project proposals that trigger review per the BCWMC Requirements document. Prior to BCWMC conducting its formal review, city staff completes their review and establishes that the development, redevelopment, or other project proposal conforms to their local municipal ordinances and regulations. The BCWMC will then review the proposal and submit their comments and recommendations to the city and other appropriate governmental agencies prior to the city or other governmental agency giving their final approval or disapproval, or the granting of any required permits.

For projects subject to BCWMC review and erosion and sediment control standards, the BCWMC requires that member cities perform regular erosion and sediment control inspections (Policy 13). [policies #51 and 54 from 2015 plan]

To ensure consistent enforcement of erosion and sediment control requirements, the BCMWC may assist cities with inspection activities upon request.

At the request of member cities and/or project proposers, the BCWMC will provide information and assistance in the preliminary planning stages of improvements or land development proposals. The BCWMC will also review projects that would not otherwise trigger review per the Requirements document at the request of the member cities. [policy #105 from 2015 plan]

The BCWMC will review applications to the Minnesota Department of Natural Resources (MDNR) for public waters work permits and groundwater appropriations permits (Policy 14). [policies #45 and 108 from 2015 plan]

4.1.3.2 Wetland Conservation Act

The BCWMC cooperates with member cities to manage wetlands. Proper wetland management can help improve wetland health and is involved in wetland restoration projects – a medium level priority issue for the Commission. Most cities in the watershed serve as the Local Governmental Unit (LGU) administering the Wetland Conservation Act (WCA). The BCWMC will assist the member cities with managing wetlands in accordance with the WCA, as requested. The MnDOT is the LGU within its rights-of-way.

The BCWMC will serve as the local governmental unit responsible for administering the Wetland Conservation Act in member cities, when officially delegated. The BCWMC is currently the LGU for the Cities of St. Louis Park, Robbinsdale, and Medicine Lake (Policy 15). *[policy #70 from 2015 plan]*

Per the requirements of WCA, each city must maintain a comprehensive wetland inventory or inventory, classify, and assess the functions and values of wetlands on an as-needed basis. The BCWMC adopts the Minnesota Rapid Assessment Method (MnRAM) *[placeholder for pending new State classification system or adapted BCWMC classification system]* and encourages member cities to use this method when performing functions and values assessments. *[policy #67 from 2015 plan]*

The BCWMC encourages member cities to complete comprehensive wetland management plans as part of their local water management plans and encourages member cities to pursue wetland restoration projects, as opportunities allow (Policy 16). *[policies #65 and 73 from 2015 plan]*

4.1.4 Studies, Subwatershed Assessments, and Other Non-capital Projects

The BCWMC conducts studies and other non-capital projects to assess watershed and resource conditions and to identify and evaluate opportunities for improvements across multiple issue areas. Studies allow the BCWMC and its partners to objectively assess improvement opportunities and prioritize and target actions that are feasible and most effective in accomplishing their goals.

Studies are an important element of the BCWMC's adaptive management approach. Studies rooted in sound science provide the information the BCWMC and partners need to take appropriate actions. Further studies and monitoring evaluate the results of these actions, allowing the BCWMC and partners to adjust implementation strategies, as needed.

Placeholder for infographic of adaptive management approach

BCWMC studies focus on the priority issues identified in this plan (see Section 3) and are included in the Activities and Program Implementation schedule (see Table 4.5). The BCWMC may perform targeted monitoring as part of these studies in addition to routine BCWMC and/or partner monitoring efforts (see Section 4.1.5.1 and Appendix B).

The BCWMC will cooperate with member cities, the MPCA and other partners to develop water quality studies (e.g., total maximum daily load (TMDL) studies)) and/or perform subwatershed assessments for degraded priority waterbodies and those listed on the MPCA's impaired waters 303(d) list. (Policy 17) [Policy#7 from 2015 plan]

The BCWMC will work to align recommended actions resulting from these studies and assessments into its Activities and Program Implementation schedule (see Table 4.5) and will seek funding partners and grant opportunities for implementation.

When updated precipitation is published (e.g., Atlas 15), the BCWMC will reevaluate flood elevations and flood risk based on the most recent precipitation data and identify potential actions for flood risk reduction, including partnering with and applying for grants from Federal and State agencies.

4.1.5 Monitoring and Modeling

The BCWMC uses data based on sound science to make decisions and target actions that are most likely to achieve BCWMC goals. The BCWMC routine monitoring and modeling of the watershed provides data used to assess and target work across almost all issues and goals. Additionally, Section 4.1.4 describes the BCWMC's use of targeted studies and assessments to collect data not available through routine BCWMC efforts.

4.1.5.1 Monitoring

The BCWMC uses monitoring data to evaluate the condition of the watershed and waterbodies, evaluate trends, and assess progress towards water quality and ecological goals. Recent BCWMC monitoring activities and results are summarized in the Land and Water Resource Inventory in Appendix A. Generally, BCWMC-led monitoring includes:

- Lake water quality monitoring (including chemistry, phytoplankton, and zooplankton)
- Lake aquatic vegetation monitoring
- Lake level monitoring
- Stream biological monitoring
- Stream flow and water quality monitoring

The BCWMC will continue to perform routine monitoring of the BCWMC's priority waterbodies consistent with the *BCWMC Monitoring Plan* (Appendix B), the guidance and policies described in this section, and actions included in the BCWMC Activities and Program Implementation schedule (see Table 4.5) (Policy 18). [Policy # 9 from 2015 plan]

The BCWMC prepares an annual monitoring report for waterbodies monitored by the BCWMC the previous year, posts the data on its website, and submits the data to the MPCA in an appropriate format. [policy #10 from 2015 plan]

The BCWMC may perform additional studies or investigations outside of routine monitoring to achieve specific objectives (see Section 4.1.4). The BCWMC also cooperates and coordinates with partners to augment the collection of monitoring data, avoid duplication of monitoring efforts, and participate in joint and volunteer monitoring programs, including (but not limited to): [policy #11 from 2015 plan]

- Metropolitan Council Watershed Outlet Monitoring Program (WOMP)
- Metropolitan Council Citizen Assisted Monitoring Program (CAMP)
- Member city monitoring programs
- Three Rivers Park District monitoring programs
- Minneapolis Park and Recreation Board monitoring programs

The BCWMC uses an adaptive management approach to most efficiently pursue its highest priorities. The BCWMC may update the BCWMC Monitoring Plan or conduct studies, as needed, in response to changing waterbody and watershed conditions.

4.1.5.2 Modeling

The BCWMC uses models to support and prioritize its projects and programs. Models are useful to assess current resource and watershed conditions and to evaluate the potential impact of future changes including climate trends, land use changes, and improvement projects. The BCWMC has developed and maintains a watershed-wide water quality model and hydrologic and hydraulic model (H&H). The BCWMC uses these models to evaluate flood risk and water quality impacts of proposed BCWMC and partner projects (see Sections A.7.3 and A.8.6 of Appendix A).

The BCWMC's watershed-wide H&H model is based on the EPA's Storm Water Management Model (SWMM) framework. The BCWMC periodically updates the H&H model to reflect updated watershed conditions and precipitation data. The current iteration of the H&H model includes precipitation amounts based on the National Oceanographic and Atmospheric Administration's (NOAA's) Atlas 14

publication. Publication of Atlas 15, including updated precipitation data and future climate forecasts is expected after adoption of this Plan. The BCWMC is currently undertaking a project to update model inputs related to watershed topography and impervious areas and to convert the existing model into an alternative SWMM modeling software. The BCWMC will also update the SWMM model to incorporate the most current precipitation data when it is published. [policies #25, 33, 41 from 2015 plan]

The BCWMC's watershed-wide water quality model is built in the P8 modeling framework. The P8 model estimates pollutant (e.g., sediment, phosphorus) loading from the watershed and pollutant removal achieved by downstream best management practices (BMPs), but does not simulate in-lake or in-stream water quality. The BCWMC uses the P8 model to identify areas of high pollutant loading and/or limited treatment (i.e., hot spots) and estimate the performance of proposed improvement projects. The BCWMC periodically updates the P8 model to reflect current watershed conditions. [policy #16 from 2015 plan]

Upon request (typically annually), member cities shall provide the BCWMC with information on development, redevelopment, and BMPs constructed within their city such that the BCWMC can appropriately update the models (Policy 19). [New policy to reflect current practice.]

The BCWMC shares model results with member cities and other partners to support local resource management issues and member city MS4 reporting requirements.

4.1.6 Aquatic Invasive Species Management

BCWMC goals related to aquatic invasive species (AIS) issues include preventing the spread of AIS and lessening the impacts of AIS. To that end, the BCWMC works with its member cities and partners to manage AIS to protect and improve water quality and ecological health of BCWMC priority waterbodies. The BCWMC monitors for the presence of AIS plants as part of its monitoring program (see Appendix B) and reviews available fish survey data relative to AIS presence.

The BCWMC requires that member cities annually inspect wetlands classified as Preserve (or equivalent) for terrestrial and emergent aquatic invasive vegetation, such as buckthorn and purple loosestrife, and attempt to control or treat invasive species, where feasible. (Policy 20) [policy #72 from 2015 plan]

The BCWMC cooperates with partners to train groups or individuals on early detection of AIS in all waterbodies. BCWMC roles may include advertising training sessions, recruiting participants, assisting with venue coordination, reimbursing registration costs for Commissioners and volunteers, and modest funding support. This includes recruiting and training volunteers to detect zebra mussels

on all Priority 1 lakes, aiming for at least one volunteer in each lake quadrant. The BCWMC may also provide funds to assist boat launch owners with inspections, equipment purchase, educational signage, and staff training through an AIS Prevention Grant Program.

The BCWMC developed an AIS Rapid Response Plan that describes BCWMC and partner actions taken in response to the detection of some AIS.

The BCWMC will consider the following AIS management actions as conditions warrant and consistent with the AIS Rapid Response Plan (Policy 21): [stronger and more specific policies reflected in AIS-related work since 2025 plan. 2015 plan did have one AIS-related policy #79]

- Herbicide spot treatments of AIS plants where the following conditions are met:
 - Treatment of the plant is considered a management tool for improving water or habitat quality according to an approved management plan (e.g., TMDL); and
 - Another entity or organization is sharing the cost of the treatment
- Herbicide spot treatment of AIS plants considered on a case-by-case basis for lakes without an approved plan
- Whole lake herbicide treatments in coordination with the MDNR
- Carp population management in Priority 1 lakes if fish surveys and other data indicate that carp are a significant problem
- Water level management to manage AIS considered on a case-by-case basis if the action is recommended in an approved management plan
- Biological treatment (e.g., beetles to manage purple loosestrife) considered on a case-by-case basis

The BCWMC may periodically convene meetings of lake groups and other interested parties to discuss issues and management options concerning AIS. The BCWMC also communicates activities and information regarding AIS through its education and engagement program (see Appendix C). Actions may include:

- Providing printed educational materials during events
- Distributing newsletter articles to cities about AIS
- Adding AIS information to news items to the BCWMC website home page
- Considering ideas or requests from cities/lake groups for tailored educational materials through the Education Committee's annual work and budget planning

4.1.7 Flood Control Project and Trunk System Management

The BCWMC “Trunk System” and Flood Control Project (FCP) are described in Section A.8, Appendix A. Figure A-11 presents the waterbodies and watercourses included in the trunk system. The FCP is considered critical infrastructure and includes the 2.4-mile Bassett Creek Tunnel that travels under Minneapolis to the Mississippi River, and several smaller control structures upstream along the trunk system. Proper inspection and maintenance of the FCP is crucial to a high priority goal of reducing flood risk throughout the watershed. In general, the trunk system includes the primary streams of the watershed (Bassett Creek, Plymouth Creek, North Branch of Bassett Creek, and Sweeney Lake Branch of Bassett Creek), along with connected, significant ponds and storage areas (e.g., Grimes Pond, North and South Rice Ponds) Table A-25 lists the FCP infrastructure and water storage areas; these elements are also shown in Figure A-11.

The BCWMC cooperates with its member cities to manage the trunk system and FCP to minimize the risk of flooding and associated negative impacts. The BCWMC manages the trunk system according to its Joint Powers Agreement (Appendix G), the guidance and policies described in this section, and actions included in the BCWMC Activities and Program Implementation Schedule (see Table 4.5).

4.1.7.1 System Modifications

The BCWMC requires the following criteria to be met for all proposed modifications to the BCWMC FCP or the trunk system, including those to existing control structures, structures along the trunk system, and structures between storage sites (Policy 22):

- All proposed changes must be submitted to the BCWMC for review and approval.
- The location and design of any control structures, including all proposed culverts or other controls, are also subject to BCWMC approval.
- The effect of the 100-year storm on potentially impacted control structures, portions of the trunk system, and storage sites must be assessed by the project proposer to ensure that the design does not adversely affect FCP performance.

The BCWMC will not approve changes to the BCWMC Flood Control Project system that would result in negative impacts to the Flood Control Project system components or performance (Policy 23).

The BCWMC will update, as necessary, the existing 100-year water elevations to reflect any increases resulting from modifications to the FCP system, following the approval of those modifications by the BCWMC, local and state agencies, and after a public hearing on the modification plan has been held (if required).

As part of its planning roles and responsibilities (see Section X), the BCWMC reviews changes in local water management plans, comprehensive land use plans, and other plans, for their effect on the FCP, trunk system, and associated floodplains, when such plans are submitted to BCWMC.

A joint and cooperative agreement (JCA, see Appendix G) between the BCWMC, Mississippi Watershed Management Organization (MWMO), and City of Minneapolis defines additional management obligations for the old tunnel and new tunnel, both of which are part of the BCWMC FCP. Section 5.1 of the JCA requires the City of Minneapolis to maintain 50 cubic feet per second (cfs) capacity in the old tunnel during the 100-year storm event to accommodate the overflow of stormwater that cannot be accommodated in the new tunnel. Section 6 of the JCA includes obligations relating to the new tunnel, which require BCWMC approval prior to performing the following activities:

- Increasing the drainage area tributary to the new tunnel.
- Adding connections or outlets to the new tunnel
- Altering the runoff to the new tunnel for the 10-, 50-, or 100-year rainfall event.

Placeholder for new agreement (or reference) with Minneapolis regarding inspection and maintenance of new tunnel.

4.1.7.2 FCP Inspection, Maintenance, and Repair/Rehabilitation/Replacement

The BCWMC will continue to implement an inspection and maintenance program for FCP features consistent with the *Bassett Creek Flood Control Project Operation and Maintenance Manual* with the following increased inspection frequencies (Policy 24):

- Annual inspection of all non-tunnel FCP features
- Inspection of the double box culvert at least every 5 years
- Inspection of 3rd Avenue Deep Tunnel at least every 5 years (in conjunction with City of Minneapolis I-94 tunnel inspection)
- Inspection of the 2nd Street Deep Tunnel 10 years

The BCWMC funds the FCP inspection program through its FCP Long-term Maintenance Fund. The BCWMC may consider funding more frequent/complex inspections if requested by member cities.

The BCWMC will distribute annual inspection reports to cities (and copy the US Army Corps of Engineers) regarding the condition and maintenance and/or repair needs of the FCP features in their cities.

Member cities must formally notify the Commission Engineer regarding their completed maintenance and repair actions on any of the FCP project features (Policy 25).

The BCWMC will include city maintenance information in the following year's inspection reports. The BCWMC's communication of the annual inspection report will note that the cities are required to report on their maintenance and repair actions. The inspection and reporting are essential to ensure the BCWMC maintains its eligibility to receive federal funds to repair or replace FCP features in the event of an emergency.

Member cities are responsible for routine maintenance and repair of FCP features as outlined in Table 4.2 (Policy 26).

Member cities (or other road authority) where the FCP structures are located are responsible for maintenance, repair and replacement of road crossings, and their corresponding conveyance structures, that were installed as part of the FCP.

Some maintenance and repair activities may be classified as major based on the extent. The BCWMC will reimburse cities (if requested) for maintenance and repairs that are over \$25,000, using funds from the FCP Long-term Maintenance Fund. Cities must perform regular, routine maintenance and repair activities before receiving BCWMC funding to prevent excessive reimbursement costs resulting from neglected routine activities. Cities shall inform the BCWMC in advance (e.g., two years) of their request for reimbursement.

The BCWMC will identify major repair, rehabilitation, and replacement activities, as needed, through its inspection process and will consider adding maintenance and repair projects that are more than \$100,000 to the BCWMC CIP (see Table 4.6). These projects will be funded by the ad valorem levy (via Hennepin County).

The BCWMC maintains an FCP emergency repair fund for funding emergency repairs of FCP features. Member cities shall perform the initial response to an emergency involving FCP structures, as the BCWMC is not equipped to perform emergency management and

response services. The BCWMC shall assist the cities in obtaining reimbursement for the emergency response, either through BCWMC funds or grants (e.g., FEMA funding). [\[policy #19 from 2015 plan\]](#)

Table 4.2. FCP Routine and Major Maintenance and Repair

Classification as Routine vs. Major	Maintenance or Repair Activity
Routine	Vegetation: removal of trees, removal of brush, chemical treatment of stumps, control of noxious weeds, establish vegetation on bare areas.
Routine	Removal of debris: woody debris, riprap, trash from channel, inlets, culverts
Routine	Repair erosion; channels, inlet and outlet structures, culvert ends
Routine	Repair/replace riprap: on inlet and outlet ends of culverts, channels, banks
Routine	Remove sediment from channels, structures, culverts, etc.
Routine	Repair/maintain guard rails, hand-rails and fencing: remove rust, prime and paint, repair damaged rails and posts, replace rusted-out sections, repair cables, replace posts, repair chain link fence
Routine	Repair concrete pipe: repair joints, tie-bolts, spalling, connection to culverts, breakage
Routine	Repair/maintain debris barrier: removal of debris, repair cables, replace poles
Routine	Repair/maintain tunnel inlet trash rack: repair/replace trash rack rods, loose or broken, vandalized, bent
Routine	Repair/replace catch basins, manholes, casting assemblies, grates
Routine	Street repairs: pavement, curb and gutter, cracks, depressions, settlement
Varies by extent	Repair scouring/undercutting at structures and culvert outlets
Varies by extent	Repair concrete structures: cracking, spalling, breakage
Varies by extent	Culverts/Bebo sections: joints, settlement, separation, concrete spalling, wing walls –movement and breakage
Major	Repair/replace gabion baskets
Major	Remove sediment/dredge ponds, basins, etc.
Major	Tunnel repairs: concrete and other repairs to the new Bassett Creek tunnel

4.1.8 Capital Improvement Program (CIP)

The BCWMC will continue implementing a robust capital improvement program (CIP) utilizing MN Statute 103B.251 to collect funds levied by Hennepin County to study, design, and construct large capital projects aimed at improving or protecting water quality, reducing flood risk, and/or mitigating water quantity issues. This Plan builds off the success of the BCWMC's CIP that began in 2005, and enhances CIP implementation with further guidance and tools. The complete 10-year schedule of capital projects is presented in Table 4.6.

Only projects that meet one or more "gatekeeper" criteria will be considered by the BCWMC for inclusion in the CIP:

1. Project is part of the BCWMC trunk system (See Appendix A, Figure A-11)
2. Project improves or protects water quality in a priority waterbody
3. Project addresses an approved Total Maximum Daily Load (TMDL), watershed restoration and protection strategy (WRAPS), or subwatershed analysis (SWA)
4. Project addresses flooding concern, or other high priority water quantity issue

The BCWMC focuses its resources on projects that primarily address water quality and water quantity issues; additional benefits are considered when identifying and prioritizing projects.

Improvements to the ecological health of the waterbody or project area will be incorporated into most capital projects. The BCWMC will aim to incorporate Indigenous land and water care practices into their capital projects, where appropriate (Policy 27). (new policy)

Table 4.6 lists the CIP projects the BCWMC plans to implement over the next 10 years. The 10-year CIP includes planning level costs and general timeframes for implementation. In addition to Table 4.6, the BCWMC maintains a "working version" of its CIP that covers a 5-year period. The BCWMC annually reviews its working CIP to consider whether new projects should be added to the CIP or whether project implementation dates and funding sources should be changed, as necessitated by changing priorities, funding availability, partnering opportunities, or other factors. New projects suggested by the BCWMC or member cities are sent to the Technical Advisory Committee (TAC) for consideration. The TAC develops a draft working CIP which is reviewed and revised by the BCWMC. Following another round of TAC review, the BCWMC approves the working CIP.

To prioritize the most impactful projects for addressing BCWMC goals, the BCWMC scores and ranks projects being evaluated for inclusion in the working CIP using a prioritization matrix. The BCWMC will maintain and use this matrix as a guidance document and may update it, as needed. The matrix includes criteria in four over-arching categories with specific criteria in each including (but not limited to):

“Primary benefits” such as

- Project addresses a TMDL, WRAPS, or SWA
- Project addresses chloride pollution
- Project addresses a pollution “hot spot”
- Project addresses a flooding concern or other high priority water quantity issue

“Jurisdiction” such as

- Project is in intercommunity subwatershed
- Project is located in area of social vulnerability

“Opportunity” such as

- Project partners are identified
- Coordinated with redevelopment or infrastructure project

“Secondary benefits” such as

- Habitat
- Educational
- Groundwater improvements

Once the BCWMC adds a project to its working CIP, the BCWMC follows the process outlined in the JPA and depicted in Figure 4.1. CIP project implementation begins with the preparation of a feasibility study, which evaluates information, data, and outcomes for various alternatives. The study results in clearly analyzed alternatives for the desired outcome and enough specificity to judge the merits of each alternative, and the benefits (or lack thereof) of the project itself. In evaluating project alternatives, the BCWMC will consider low impact design principles, life-cycle impacts, and Indigenous care practices guidance, as applicable. Figure X

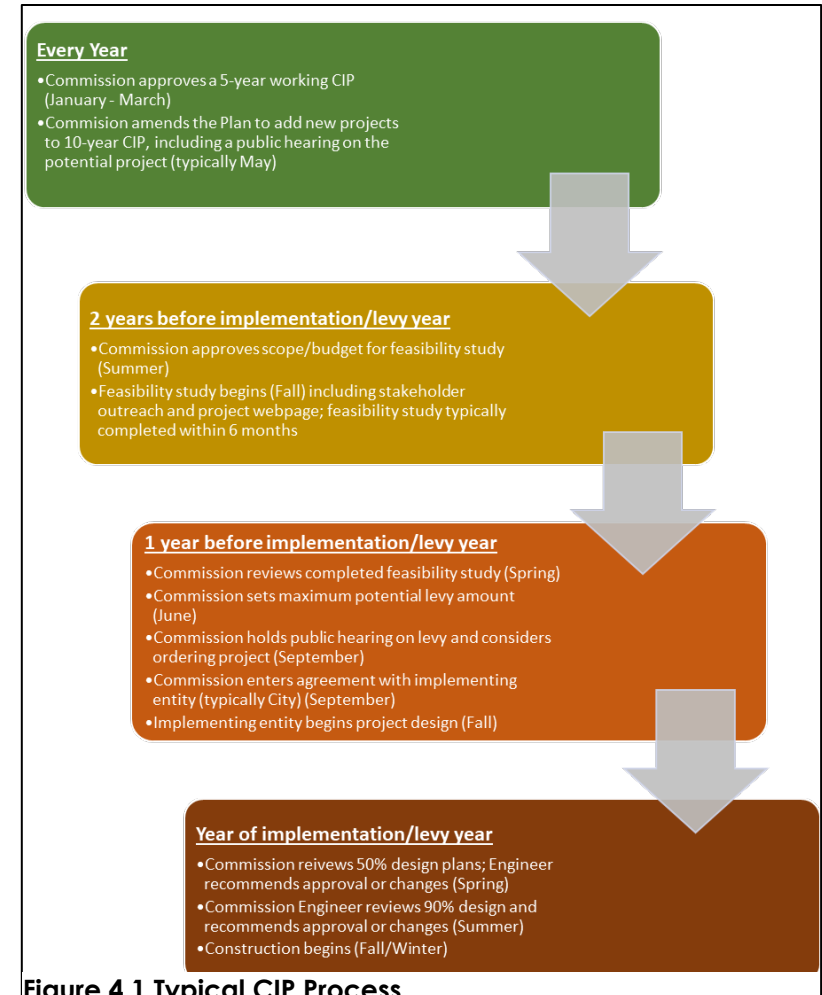


Figure 4.1 Typical CIP Process

includes elements that should be included in BCWMC feasibility studies. The list may be updated over time and is retained as a guidance document outside of this Plan.

If, after reviewing the feasibility report, the BCWMC approves implementation of the project, the BCWMC must hold a public hearing on the proposed project, giving at least 45 days' notice to the clerk of each member city. After the hearing, the BCWMC may order the project by a two-thirds vote of its members and then certify a levy to Hennepin County for the cost of the project. The BCWMC may also apply for grant funds to cover project costs.

There are different phases of CIP project implementation, including design, permitting, public engagement, bidding, construction, and on-going maintenance. Once a CIP project is ordered, the BCWMC may enter an agreement with a member city or other partner to implement all or some phases of the project. Or the BCWMC may implement the entire project on its own. This flexibility can maximize efficiency in the CIP program as entities cooperate on projects understanding that staff capacity, strengths, and experience differ between projects and among partners. Project designs must be approved by BCWMC commissioners at the 50% and 90% stage before project construction can move forward.

Most, but not all, CIP project costs are eligible for funding via BCWMC CIP project funds. Table 4.3 lists the types of CIP project costs that are either eligible or potentially eligible to be funded using BCWMC CIP project funds.

The BCWMC will pay 100% of the project costs determined to be fully eligible per Table 4.3. The BCWMC may pay a portion (up to 100%) of other project costs determined to be potentially eligible per Table X-2, as determined on a case-by-case basis. (Policy #28)

The CIP project feasibility studies should provide enough cost information for the BCWMC to discuss and decide which project costs are eligible for funding or reimbursement from the BCWMC's CIP project funds. For CIP projects implemented by entities other than the BCWMC, the BCWMC would reimburse these CIP project costs to the implementing entity, as outlined and specified in an implementation agreement.

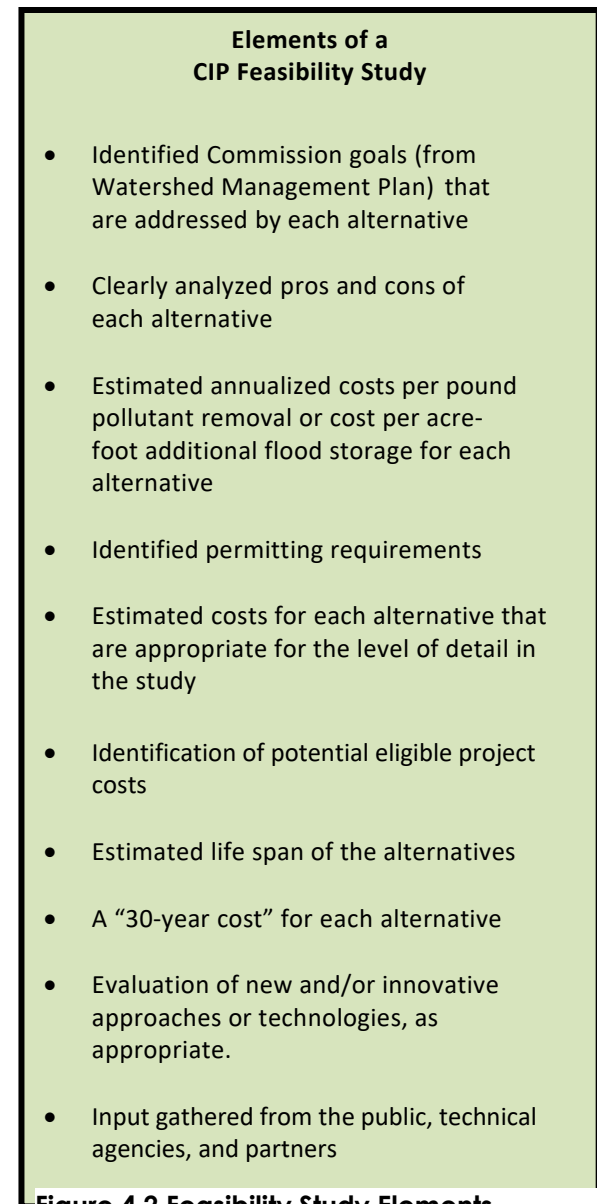


Figure 4.2 Feasibility Study Elements

Table 4.3. CIP Project Costs Eligible for Funding through the BCWMC's CIP Project Fund

A. Project costs wholly eligible for reimbursement from BCWMC:	
Feasibility study costs	
Pre-project planning, monitoring (e.g., fish surveys, feasibility study review/follow-up)	
Plan amendment costs	
Grant application & administration costs	
Permitting costs and fees	
Engineering and design costs (plans & specs)	
Construction costs	
Project bidding & advertising fees	
Construction administration & observation costs	
Warranty period monitoring costs – e.g., wetland monitoring, vegetation monitoring, post-construction inspection	
City staff time and expenses (if requested prior to levy certification)	
Other BCWMC administration and engineering time, including tracking CIP project budget, engineering plan review and reviewing reimbursement requests	
Transfer to BCWMC administrative fund for CIP administrative expenses, as designated by the Commission	
B. Other types of project costs that will be considered for whole or partial reimbursement on a project by project basis*:	
Easement acquisition	City staff time and expenses (if not requested prior to levy certification)
Property acquisition	Wetland mitigation or replacement
Utility relocation	Educational signage
City improvements associated with the project but not directly tied to the goals of the BCWMC (e.g. trails, pedestrian bridges, signage)	Art/aesthetic improvements directly associated with the project
Contaminated soils/groundwater remediation	

*The BCWMC will consider potential project costs on a case-by-case basis. Factors influencing eligibility decisions include the cost effectiveness of the project (e.g., cost per pound of pollutant removal, cost per acre-foot of flood storage, or similar appropriate metrics relative to past BCWMC projects and other available references), along with overall funding availability, partnerships, grant opportunities, opportunities to advance additional Commission goals (such as habitat and education), and others.

Long term (on-going) maintenance of BCWMC-funded CIP projects (such as stormwater ponds, streambank stabilization, underground storage, pipes, culverts, etc.) is typically the responsibility of the city where the project is located and is memorialized in an agreement with the city or other partner, as appropriate. This is due, in part, to the Joint Powers Agreement not allowing the BCWMC to own property. The BCWMC may pursue the establishment of a CIP Maintenance Levy through Hennepin County for maintenance of certain types of projects (typically non-structural projects) such as alum treatments, carp management, regular dredging, etc. Some smaller CIP project maintenance performed by cities can also be funded through the Commission's Channel Maintenance Fund, including pond dredging and streambank repair. Once a project has come to the end of its expected life, a new CIP project to reconstruct or rehabilitate the project could be added to the CIP list.

To date, the BCWMC's CIP has focused projects on public lands such as parks and easements along stream corridors. However, moving forward, as space for improvement projects on public land diminishes, it is likely that the BCWMC may want to partner with non-public entities (including developers) on CIP projects. To enable this, the BCWMC will assess options for creating public-private partnerships or developing a cost share program with public, private, or non-profit entities that incentivizes these entities to implement practices that go "above and beyond" pollutant removals or flood management required by regulations. The BCWMC could develop such a program utilizing the experience of other watershed organizations with similar programs; the program could result in significant watershed improvements within the context of the CIP.

For projects not currently included in Table 4.6, the BCWMC must initiate a plan amendment to add the project to its CIP prior to certifying a levy to Hennepin County. The amendment process is described in Section 4.5 and requires a public hearing. Inclusion of a project in the BCWMC CIP allows the BCWMC to certify a levy to Hennepin County for the project, as well as apply for various grant funds. Following adoption of the plan amendment, the BCWMC will proceed with certifying a levy to Hennepin County, and project implementation as described herein.

The BCWMC may implement the projects listed in on a different schedule than shown in the table as circumstances dictate. For example, the availability of grants and partnerships could result in either acceleration or delay of projects. The BCWMC will consider such shifts in the schedule or adjustments to budgets as consistent with this Plan and will not require a plan amendment.

4.1.9 Education and Engagement

“Education and engagement” is identified in this plan as both an issue with related goals, and a tool used to address almost all other issues and goals. With proper awareness and tools, community members, businesses, and institutions can help improve water resources through specific activities and everyday actions. Engaged officials, community leaders, volunteers, lake homeowners, and others can be a critical component of watershed protection and improvement.

The BCWMC will implement an education and engagement program in cooperation with member cities and partners in pursuit of the goals described in this Plan (Policy 29). [policy #90 from 2015 plan]

The BCWMC will work to build relationships and avenues of communication with diverse and underrepresented communities. (Policy 30) [new policy]

The BCWMC aims to coordinate education activities with member cities such that they augment but do not duplicate activities. The BCWMC’s Education and Engagement Plan (see Appendix C) describes these activities in greater detail. The Education and Engagement Plan incorporates multiple avenues to convey various educational messages and to engage with different audiences including: [the Education and Engagement plan incorporates policies #91 – 102 in the 2015 plan]

- Commissioner training
- Public meetings, open houses, and community conversations
- Digital communications
- Printed materials
- Signage, displays, and promotional items
- Events, presentations, and workshops
- Leveraging education through partnerships
- Program evaluation

Funding for implementation of education and engagement activities comes from the BCWMC annual operating budget (primarily), collaboration with other entities, and possible grant funding. Each year, the Commission’s Education Committee will recommend to the Commission a plan and budget for education and engagement activities. The Education and Engagement Plan serves as a “menu” of options for each year’s annual education plan.

The Commission's Education Committee, volunteers, and staff will be the primary plan implementers. The BCWMC will also maintain partnerships and seek new opportunities for collaboration to help achieve the goals set out in this Plan. The BCWMC will annually provide a Letter of Understanding to member cities describing the BCWMC's educational activities from the previous year for use in MS4 reporting, as appropriate.

The BCWMC regularly updates its website (www.bassettcreekwmo.org) as a primary means of communicating information to watershed residents and other partners. The BCWMC website includes content as required by Minnesota Statute 8410.0150 as well as additional content consistent with the BCWMC Education and Engagement Plan (see Appendix C). [policy 96 from 2015 plan]

The BCWMC will evaluate the success of its education and engagement activities as described in the Education and Engagement Plan (see Appendix C). [policy #92 from 2015 plan]

4.1.10 Evaluation and Assessment

The BCWMC evaluates its accomplishments to assess organizational performance. The BCWMC annually tracks the execution of its Activities and Program Implementation schedule (see Table 4.5).

The BCWMC will assess progress towards the goals presented in this Plan at least every two years, using quantitative metrics where appropriate (Policy 31). [policy #114 from 2015 plan]

The BCWMC reports its accomplishments in an annual report submitted to the Board of Water and Soil Resources (BWSR) consistent with MN Rules 8410.0150. The BCWMC also annually submits an audit for the previous fiscal year. MN Rules 8410 specify the required contents of the annual report. Generally, the BCWMC annual report includes:

- An assessment of accomplishments relative to the previous year's annual work plan
- A work plan and budget for the current year specifying which activities will be undertaken
- A summary of significant trends of monitoring data and trends

The annual review process is an opportunity for the BCWMC to assess the effectiveness of its goals, requirements/policies, strategies, and actions. If the BCWMC determines that programmatic changes are necessary, the BCWMC may amend this Plan to reflect the needed changes and/or adopt new policies or strategies that require action by the member cities (see Section X).

The BCWMC regularly reviews member city compliance with this Plan. This review may include:

- Evaluating the status of local water plan adoption and implementation of BCWMC-required activities (see Section X)
- Reviewing updates to member city official controls (e.g., ordinances, local water plans) addressing water and watershed management, including enforcement [policies #40 and #112 from 2015 plan]
- Reviewing member city permits and variances issued or denied and violations under rule or ordinance requirements of the organization or local water plan
- Reviewing of member city annual MS4 reports

If review of member city practices reveals implementation inconsistent with the BCWMC Plan, the BCWMC will take administrative or legal action to ensure that BCWMC rules and policies are being implemented by the member cities.

4.2 Implementation Activities

Table 4.5 and Table 4.6 are comprehensive lists of the projects, activities, and programs that comprise the BCWMC implementation program. The Activities and Program Implementation schedule in Table 4.5 lists implementation activities (aside from capital projects) such as studies, monitoring, flood control programs, administrative activities, education programs, etc. while Table 4.6 is the BCWMC's 10-year capital improvement program (10-year CIP). These tables comprise a schedule of activities across the life of the plan (2026 – 2035) along with estimated budgets (in 2025 dollars). Budgets and schedules of existing activities may shift or change due to funding availability, changes in opportunities, or other reasons. These changes will not constitute an amendment this Plan.

4.3 Funding

Funding sources that are available to the BCWMC include ad valorem taxing through Hennepin County, levies for emergencies, city assessments, and establishment of an improvement fund. Additional funding sources include income from investments, development review fees, and grants. The BCWMC also maintains certain long-term funds for specific purposes. The BCWMC maintains fiscal policies regarding funds and funding sources. The BCWMC joint powers agreement (JPA) also describes some funding sources and associated requirements. Each of these funding sources and long-term funds are further described below.

4.3.1 Funding Sources

Ad Valorem Tax Funding

Although joint power WMOs (such as BCWMC) do not have ad valorem taxing authority, Minnesota Statute 103B.251 allows WMOs to certify capital improvements to the county for payment, if those improvements are included in the WMO's watershed management plan. The county then issues bonds and levies an ad valorem tax on all taxable property in the WMO (or subwatershed unit of the WMO) to pay for the projects. This process requires sufficient lead time and coordination with the County. The County must formally approve any amendments to a WMO's plan and the associated levy amounts. A WMO may also raise funds through direct ad valorem taxation (Minnesota Statutes 103B.241), but only if the WMO is specifically listed as a special taxing district in Minnesota Statutes 275.066. If a WMO is given taxing authority, the WMO may also accumulate funds to finance improvements as an alternative to issuing bonds (Minnesota Statutes 103B.241). The BCWMC has not pursued this authority.

In addition to levies for the actual capital improvements, the Commission may also use Minnesota Statute 103B.251(Subd. 9) to levy funds through the County for normal and routine maintenance of capital improvements. The proceeds of the levy shall be deposited in

a separate maintenance and repair account to be used only for the purpose for which the levy was made. To date, the BCWMC has not utilized this authority but may consider it in the future.

Emergency Projects

Minnesota law allows local units of government or WMOs to declare an emergency and order work to be done without a contract, and without levy limits (Minnesota Statutes 103B.252).

City Assessments

Through the BCWMC JPA, each member city contributes annually to the BCWMC general fund. The general fund is to be used to implement the day-to-day operations of the BCWMC. Each city's annual contribution is based 50 percent on the assessed valuation of property in the watershed and 50 percent on the ratio of area of each member city within the watershed to the total BCWMC area. The general fund is used to pay for most activities outside of capital improvements and special studies. The general fund is used for administrative expenses, monitoring programs, watershed management plan development, special studies, education activities, etc. The general fund may also be used to pay for routine repair and maintenance of facilities. The general fund could also be used to pay for the administrative expenses related to a capital project, such as preparing feasibility reports, conducting hearings, educating the public about the capital projects, etc.

CIP Project Funding – BCWMC Improvement Fund

The BCWMC Joint Powers Agreement (JPA) calls for the establishment of an improvement fund for each improvement project (CIP project) ordered by the BCWMC. In accordance with the current JPA, the BCWMC may use one of the following three methods to apportion project costs to the member cities:

1. Negotiated settlement among the member cities.
2. Use the same basis as the BCWMC general fund (50 percent property value/50 percent watershed area), which can be varied (by a two-thirds vote of the BCWMC) under certain circumstances, and with credits given for land acquisition. Any member city unhappy with the cost allocation may appeal the decision and submit it for arbitration.
3. If the project is certified to the county for payment using Minnesota Statutes 103B.251, the costs will be apportioned according to a levy on all taxable property in the watershed.

Investment Income

In recent years, dividend income earned by funds invested by the BCWMC has been substantial. In 2023, the BCWMC adopted a new fiscal policy to set aside investment income in a long-term fund earmarked for special projects. Use of the Special Projects Fund is prioritized toward studies or planning to help target capital improvement projects or BCWMC programs. Use of the Special Projects Fund requires approval by the Commission prior to the expenditure.

Development Review Fees

The BCWMC collects fees associated with the BCWMC Engineers' review of applications for developments, redevelopments, and other proposed projects that trigger BCWMC reviews. Fees vary depending on the complexity of the project. The fee schedule may be updated from time to time to ensure that fees cover most or all BCWMC expenses resulting from reviews. The BCWMC does not hold fees in an escrow account and fees are not structured to generate income, only to cover costs.

Grants

There are a variety of local, regional, state, and federal grant programs applicable to the work of the BCWMC. The BCWMC is often successful at receiving grant funding, particularly for the implementation of capital projects. Since 2015, the BCWMC has been awarded over \$3.6 million in grant funding for projects and programs.

Hennepin County administers grant programs such as Opportunity Grants, Good Steward Grants, and Aquatic Invasive Species Prevention Grants. The county also has funding for environmental (contaminant) assessments and response and brownfield clean up projects.

State agencies including the Board of Water and Soil Resources (BWSR), the Pollution Control Agency (MPCA), and the Department of Natural Resources (MDNR) each have a variety of grant programs that are applicable to the BCWMC's work. The Minnesota Clean Water, Land, and Legacy Amendment funding has been a particularly important source of grant funding for water resources improvements through its Clean Water Fund. The BWSR administers multiple Clean Water Fund grant programs including competitive programs such as the Projects and Practices grant and Accelerated Implementation grants, and the Watershed Based Implementation Funding block grant for watershed geographies. The MPCA administers multiple grant programs with state funds and also administers some federal grant programs such as the Section 319 Grant Program. The MDNR administers various habitat-related grant programs along with the Flood Hazard Mitigation Grant Program.



Federal grant programs through the Environmental Protection Agency, U.S. Army Corps of Engineers, Federal Emergency Management Administration, National Oceanic and Atmospheric Administration and other federal agencies may also be applicable to BCWMC's work.

Various grant programs are also administered by the Metropolitan Council, the Minnesota Public Facilities Authority, MN Local Road Research Board, the McKnight Foundation, and other public entities and private/civic organizations. Barr Engineering maintains an updated grant tracking spreadsheet with a comprehensive list of grant programs, guidelines, and application processes. The BCWMC utilizes this spreadsheet to learn about and consider various grant opportunities.

4.3.2 Long-term Funds

The BCWMC maintains several long-term (savings) accounts to accumulate and/or hold funds for specific purposes. The BCWMC's current long-term funds are described below. Additional long-term funds may also be established during the life of this plan.

Channel Maintenance Fund

The BCWMC maintains a channel maintenance fund. Most years \$25,000 is transferred from the General Fund to this long-term fund. This fund can be accessed by member cities with a portion of the Trunk System in their city to off-set the cost of minor stream maintenance, pond maintenance, repair, stabilization, and restoration projects, and portions of larger stream restoration projects.

Flood Control Project Long-term Maintenance Fund

The BCWMC maintains a long-term maintenance fund for inspections (including coordination and reporting) and minor maintenance of its Flood Control Project (FCP). The FCP Long-term Maintenance Fund was originally started with a portion of the funds remaining from the construction of the FCP. As outlined in Section 4.1.7.2, major repair, rehabilitation, and replacement activities that are more than \$100,000 will be included in the BCWMC CIP. Other projects, such as updates to the BCWMC hydrologic and hydraulic model, may also be funded with this long-term fund at the direction of the Commission. In 2021, the average annual cost of FCP inspections was estimated at \$32,500 but fluctuates significantly year to year depending on the inspection schedule. The BCWMC may transfer funds from its General Fund to this long-term fund to maintain an adequate level of funding over the course of 10 to 20 years.

Flood Control Project Emergency Fund

The BCWMC maintains this fund to address emergency repairs to the Flood Control Project. This fund was created using a portion of the remaining funds from the original construction of the Flood Control Project. The BCWMC does not add to this fund on an annual basis.

Special Project Fund

This long-term fund was created in 2023 to set aside income from BCWMC investments for special projects. As noted in Section 4.3.2, a fiscal policy was approved that outlines intended uses for these funds.

Plan Development Long-Term Fund

Development of a 10-year watershed management plan is a significant endeavor. The BCWMC may set aside funds from the General Fund each year to save for the potentially high cost of developing the next 10-year plan.

4.4 Local Water Management and Member City Responsibilities

The BCWMC anticipates that some member cities will need to revise their local plans and official controls to bring them into conformance with this Plan, Minnesota law (Minnesota Statutes 103B), and Minnesota Rules (Minnesota Rules 8410). Minnesota Statutes 103B.235 Subd. 2 include specific requirements for local water management plan contents. BCWMC member cities must revise and adopt local water management plans not more than two years before the local comprehensive plan is due consistent with the schedule required by Minnesota Rules 8410.0105 Subp. 9B. Extensions of the comprehensive local plan due dates do not alter this schedule.

A member city can assume as much management control as it wishes through its approved local water management plan. The BCWMC assumes that the member cities will continue to be the permitting authority for all land alteration activities in addition and complementary to the BCWMC's project review process (see Section 4.1.3.1). To continue as the permitting authority, the local government must outline its permitting process in its local water management plan, including the preliminary and final platting process.

The policies and goals established in each city's local water management plan must be consistent with the BCWMC Plan. The section of the local plan covering assessment of problems must include those problems identified in the BCWMC Plan that affect the city. Corrective actions proposed must consider the individual and collaborative roles of the BCWMC and its member cities and must be consistent with the BCWMC Plan. A city may use all or part of the BCWMC Plan when updating its local plan. The local water management plan must identify official controls and programs (e.g., ordinances, management plans) which are used to enforce the policies and requirements of the BCWMC.

Local units of government must maintain stormwater systems (storm sewers, ponding areas, ditches, water level control structures, etc.) under their jurisdiction in good working order to minimize flooding and water quality problems. The BCWMC requires that local plans assess the need for periodic maintenance of public works, facilities, and natural conveyance systems, including the condition of public ditches constructed under Minnesota Statutes 103D or 103E, if they are under the cities' jurisdiction.

Review of Local Plans

Before a member city adopts its local water management plan, the new or revised plan must be submitted to all affected watershed management organizations, the Metropolitan Council, and Hennepin County (if the County adopts a groundwater plan) for concurrent review. Within 60 days of receipt of the local plan, the BCWMC will review the local plan for conformance with the BCWMC Plan. As part of its review, the BCWMC will take into consideration any comments received from the Metropolitan Council and the County. The BCWMC will approve all or part of the local plan or provide comments detailing why the BCWMC did not approve the local plan within the 60-day time frame, unless the city agrees to an extension. If the BCWMC does not complete its review, or fails to approve/disapprove the plan within the allotted time, and the city has not given an extension, the local plan will be considered approved (per Minnesota Rules 8410 and Minnesota Statutes 103B.235, Subd. 3 and 3a).

Once the BCWMC approves the local plan, the local government must adopt and implement its plan within 120 days and amend its official controls within 180 days of plan approval. Each member city must notify the BCWMC (and the other affected WMOs) within 30 days of plan adoption and implementation, and adoption of necessary official controls.

Any amendments to the local plan must be submitted to the BCWMC for review and approval prior to their adoption by the member city. The BCWMC review process for amendments is the same as for the original or revised local plan.

The BCWMC reserves the right to recommend that a City does not issue permits for a project the BCWMC believes to be in conflict with the BCWMC Plan or local water plan (see also Section 4.1.3.1).

Member City Responsibilities

This plan includes various responsibilities and requirements for member cities. Table 4.4 Lists BCWMC policies and requirements that impact member cities.

Table 4.4 Member City Responsibilities and Requirements

Subject Area	Policy Number (from Section 4.1)	Responsibility/ Requirement (Red)
Rare species and land conservation	3	Encouragement to submit data regarding occurrences of rare and endangered species and native plant communities to the State's Natural Heritage Information System
Rare species and land conservation	4	Encouragement to cooperate with partners and organizations that identify and work to preserve connected greenway corridors and other natural areas
Local Plans/Controls	5	Member cities must update their local water management plans to incorporate consistency with BCWMC goals, policies, and requirements. The BCWMC will review city local water management plans for consistency with BCWMC goals
Local Plans/Controls	6	Member cities must inform the BCWMC regarding updates to city ordinances or comprehensive plans that will affect stormwater management.
Development Requirements	9	Member cities must incorporate standards and requirements included in the Requirements document into their official controls (e.g., ordinances). Member cities must inform developers and other project applicants regarding BCWMC requirements
Development Requirements	12	Member cities shall not issue construction permits, or other approvals relevant to controls intended to protect water resources, until the BCWMC has approved the project
Development Requirements	13	For projects subject to BCWMC review and erosion and sediment control standards, the BCWMC requires that member cities perform regular erosion and sediment control inspections

Wetlands	16	Encouragement for cities to complete comprehensive wetland management plans as part of their local water management plans and encouragement to pursue wetland restoration projects, as opportunities allow
Studies	17	Cooperate with BCWMC, the MPCA and other partners to develop water quality studies (e.g., total maximum daily load (TMDL) studies)) and/or perform subwatershed assessments for degraded priority waterbodies and those listed on the MPCA's impaired waters 303(d) list.
Data submission	19	Upon request (typically annually), member cities shall provide the BCWMC with information on development, redevelopment, and BMPs constructed within their city such that the BCWMC can appropriately update the models
AIS	20	The BCWMC requires that member cities annually inspect wetlands classified as Preserve (or equivalent) for terrestrial and emergent aquatic invasive vegetation, such as buckthorn and purple loosestrife, and attempt to control or treat invasive species, where feasible
Flood Control Project	25	Member cities must formally notify the Commission Engineer regarding their completed maintenance and repair actions on any of the FCP project features
Flood Control Project	25	Member cities are responsible for routine maintenance and repair of FCP features as outlined in Table 4.2

4.5 Plan Updates and Amendments

This Plan remains in effect for ten (10) years from the date it was approved and adopted, unless it is superseded by adoption and approval of a succeeding Plan. In the event a succeeding Plan has not been adopted within ten years, the existing plan, authorities, and official controls of the WMO remain in full force and effect until a revision is approved, consistent with Minnesota Statutes 103B.231, Subd. 3a. Minnesota Statutes 103B.231 provides more detail about the schedule for WMO plan revisions.

All amendments to this Plan must follow the procedures set forth in this section, or as required by revised laws and rules. Plan amendments may be proposed by any person to the BCWMC, but only the BCWMC may initiate the amendment process. The BCWMC may amend its Plan in the interim if changes are required or if problems arise that are not addressed in the Plan, or if new projects need to be added to the CIP.

Minnesota Rules 8410 provide additional information regarding plan amendments. Minnesota Rules 8410 requires WMOs to evaluate the implementation actions periodically. The BCWMC will review its implementation program annually. A plan amendment is required to add a project to the CIP (Table 4.6). A plan amendment is not required if projects listed in the CIP are implemented on a different schedule or with a different cost estimate than shown in the table.

Amendment Procedure

The BCWMC will follow the plan amendment process described in Minnesota Statutes 103B.231, Subd. 11 unless the proposed amendment is considered a minor amendment according to the following criteria described in Minnesota Rules 8410.0140:.

1. BWSR has either agreed that the amendments are minor or failed to act within five working days of the end of the required 30-day comment period (unless an extension is mutually agreed to);
2. the BCWMC has sent copies of the amendments to the plan review authorities for review and comment allowing at least 30 days for receipt of comments, has identified the minor amendment procedure is being followed, and directed that comments be sent to the BCWMC and BWSR;
3. Hennepin County has not filed an objection to the amendments within the 30-day comment period (or mutually agreed to extension);
4. the BCWMC has held a public meeting to explain the amendments and published a legal notice of the meeting twice, at least seven days and 14 days before the date of the meeting; and
5. the amendments are not necessary to make the plan consistent with an approved and adopted county groundwater plan.

If the above criteria are not met, the amendment shall follow the process defined in Minnesota Statutes 103B.231, Subd. 11. This process is the same as the Plan review process, and is as follows:

1. The BCWMC must submit the amendment to the member cities, Hennepin County, the state review agencies (Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency, Minnesota Department of Agriculture, and the Minnesota Department of Health), the Metropolitan Council, and the Minnesota Board of Water and Soil Resources, for a 60-day review.
2. The BCWMC must respond in writing to any concerns raised by the reviewers.
3. The BCWMC must hold a public hearing on the proposed amendment.
4. The BCWMC must submit the final revised amendment and response to comments to the BWSR for a 90-day review and approval.

The BCWMC will consider sending drafts of proposed amendments to all plan review authorities to receive input before establishing a hearing date or beginning the formal review process.

The BCWMC may update its Monitoring Plan (Appendix B) and Education and Engagement Plan (see Appendix C) without performing a plan amendment.