

12.0 Administration and Implementation Program

12.1 Responsibilities

12.1.1. BCWMC Responsibilities

The BCWMC will work closely with its nine member cities to assign responsibility for water resource issues, seeking to efficiently and effectively use the cities' and the Commission's planning and implementation resources. In an effort to enhance past and current initiatives, the BCWMC will assist citizens and cities with the management of water resources, in the following areas:

- Partner with member communities in the management of surface and groundwater for the benefit of citizens within the watershed and region.
- Work with citizens, citizen advisory groups and member communities to establish goals and prioritize and implement initiatives that will preserve and improve water resources within the watershed.
- Collect, develop, and distribute information regarding surface water and groundwater in the watershed to assist citizens and member cities in the preparation of local plans for the management of water resources.

The trunk system is the responsibility of the BCWMC. The BCWMC defines the trunk system as:

- The main channel from Medicine Lake to the Mississippi River and the box culvert/tunnel.
- The North Branch from upstream of County Road 9 to its junction with the Main Stem near T.H. 100.
- The Sweeney Lake Branch, from its source in Section 5, T117N, R21W to its junction with the Main Stem downstream of Sweeney Lake.
- Plymouth Creek, from the point where it intersects with Highway 55 in Section 17, T118N, R22W, to Medicine Lake, including the lake.

- The designated water quantity and water quality storage facilities (the flood storage areas shown on Figure 15).
- All other parts of the stormwater system designated as part of the trunk system by the BCWMC.

12.1.1.1 Review of Improvements, Development Proposals, and Other Agency Permits

Cooperation between the BCWMC, the member municipalities, and concerned citizens is important to effectively facilitate the management of the watershed's water resources. Consistent with BCWMC policies and the joint powers agreement, the BCWMC desires to be informed of improvements or land development proposals that may affect the water and related resources of the watershed. The BCWMC will provide information and assistance in the preliminary planning stages of these improvements or land development proposals; however, because of the large number of developments requiring review, a review procedure is necessary. Prior to BCWMC conducting their formal review, the city staff must first complete their review and establish that the improvement or development proposal conforms to their local municipal ordinances and regulations. The BCWMC will then review the proposals 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.

The BCWMC set criteria for the types of projects that require BCWMC review. Certain types of projects must also meet the BCWMC's water quality design criteria. The BCWMC's review procedure, submittal requirements, guidelines, design criteria, etc. are provided in the BCWMC's document *Requirements for Improvements and Development Proposals* (BCWMC, November 1998, as revised) (Appendix F).

In 1989, a permit program was required for appropriations from small watercourses under MS 103B.211, Subd. 4. The BCWMC developed a policy establishing standards and criteria defining when water could be appropriated from public water courses and wetlands and included a draft permit application form. Permit applications are evaluated by the cities and permits are issued by the cities.

The BCWMC also reviews applications to the DNR for public waters work permits.

12.1.1.2 Intercommunity Planning and Design

The BCWMC will look to member communities for primary management of runoff and water management issues. The BCWMC will provide leadership and assist member communities with certain water management issues. The BCWMC will coordinate intercommunity stormwater runoff planning and design. This means the BCWMC will:

- Review city water resource management plans for consistency with BCWMC goals and intercommunity consistency, and
- Assist in calculating or calculate when necessary, the apportionment of costs between adjoining communities for water resource projects with intercommunity participation. This role applies to both water quantity and water quality issues.

12.1.1.3 Dispute Resolution Process

If watershed management disputes should arise between the BCWMC member cities, these disputes may be referred to the BCWMC for resolution. Although the BCWMC's joint powers agreement does not specifically give the BCWMC the power to decide such disputes, 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 would not be binding unless the parties to the dispute wish to make a prior agreement to that effect. The BCWMC has established the following policies regarding the procedures for the hearing of such disputes:

1. The BCWMC will mediate inter-community disputes relating to watershed management problems within the Bassett Creek watershed.
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 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.

12.1.2. City Responsibilities

The BCWMC has been a successful organization due to its leadership and the cooperation of the nine member cities. Following are several responsibilities of the cities, as set by either the policies stated in other parts of this Plan, the joint powers agreement, or BCWMC board actions:

1. **Technical Advisory Committee:** The BCWMC amended its bylaws in July 2001 to allow each member city to appoint a technical advisor to the BCWMC. This will help maintain continuity as the BCWMC transitions to citizen leadership, and will provide an important opportunity for continuous communication between the member cities and the BCWMC. The technical advisors are allowed to ask questions and express opinions, but are not allowed to vote. It is the responsibility of each member city to appoint a technical advisor and encourage the technical advisor to attend the BCWMC meetings.
2. **Project Review & Permitting:** Each member city is responsible for informing developers and other project applicants regarding the BCWMC policies. City staff is responsible for providing applicants with the BCWMC development requirements or directing applicants to the BCWMC website at www.bassettcreekwmo.org. Questions or comments regarding the BCWMC policies or development requirements may be directed to the appropriate commissioner or to the BCWMC staff. The BCWMC will review developer's submittals and other proposed projects only after the applicant demonstrates that the project has received preliminary approval from the member city, indicating compliance with its existing local plan. Once the proposed project has received preliminary approval from the city, the BCWMC Application Form shall be signed by city staff and submitted to the BCWMC for its review. The signed application form authorizes the BCWMC or its staff to commence its review.
3. **Permitting:** The BCWMC does not issue formal permits. Instead, the member cities must implement the BCWMC's development policies (Section 5.2.2.2, policy B of this Plan). The BCWMC or its staff will send a letter of approval to each member city, stating the proposed project meets the requirements of the BCWMC Plan, prior to the city issuing its construction permit or other approval.

4. **Commissioner and Alternate Commissioner appointment:** Each member city is entitled to appoint one commissioner and one alternate commissioner to the BCWMC board of commissioners. See Section 2.2 for information about commissioner appointments and terms.
5. **Local watershed plan:** Each member city is required to prepare a management plan that conforms with the BCWMC Plan. The BCWMC is required to review and approve each municipal plan. See Section 12.4 for more information about local watershed planning and requirements.
6. **Implement water quality improvement projects:** Member cities will be required to implement the water quality improvement projects listed in Table 12-2, upon order by the BCWMC board (from Section 4.2.2.1, policy D of this Plan).
7. **Land Acquisition:** Each member city is required to acquire the necessary easements or right-of-way or interest in land upon order of the BCWMC board of commissioners.
8. **Pollution Control and Water Quality:** Each member city shall refuse to allow the drainage of sanitary sewage or industrial wastes onto any land or into any watercourse or storm sewer discharging into Bassett Creek.
9. **Finances:** Each member city is required to contribute each year to the BCWMC general fund (see Section 12.2.2.1).
10. **Bassett Creek Flood Control Project:** The Operation and Maintenance Manual for the Bassett Creek Flood Control Project requires an annual inspection to review the condition of the flood control features. The flood control project was turned over to the local sponsor (BCWMC) during 2002, which means BCWMC is now responsible for inspecting the flood control features. The routine maintenance, including debris and vegetation removal and other miscellaneous maintenance tasks, is the responsibility of the city the structure is located in (from Section 5.2.2.1, policy F of this Plan). The BCWMC will fund larger structural maintenance work.

The cities must submit any proposed changes to the flood control project system to the BCWMC for review and approval before any changes can be made (from Section 5.2.2.1, policy J of this Plan).

11. **Other Proposed Flood Control Projects:** The cities must submit all proposed changes to either existing control structures, structures along the BCWMC trunk system, or structures between the BCWMC storage sites and the designated trunk, to BCWMC for review and approval before any changes can be made (from Section 5.2.2.1, policy K of this Plan).
12. **Rate Control:** The member cities must require rate control in conformance with the flood control project system and this Plan (from Section 5.2.2.2, policy E of this Plan).
13. **City Ordinances:** The member cities' ordinances must include the requirement that the lowest floor of all permanent structures must be at least 2 feet above the established 100-year floodplain elevation for new development and at least 1 foot above the established 100-year floodplain elevation for additions to existing structures (from Section 5.2.2.2, policy J of this Plan).

Member cities must adopt, administer, implement, and enforce ordinances addressing erosion and sediment control, including permitting, and inspecting of controls, and erosion and sediment control at individual building sites (from Section 6.2.2, policy E of this Plan). City ordinances must also include the requirements and procedures for reviewing, approving and enforcing erosion control plans (from Section 6.2.2, policy F of this Plan).

14. **Stream Restoration:** The member cities are to complete and update their inventories of significant erosion and sedimentation areas along the Bassett Creek trunk system and share this information with the BCWMC (from Section 7.2.2, policy F of this Plan).

Member cities are responsible for funding stream maintenance and repairs that are primarily aesthetic improvements (from Section 7.2.2, policy J).

15. **Wetlands Management:** Member cities are encouraged to complete wetland inventories (from Section 8.2.2, policy A) and develop wetland protection ordinances (from Section 8.2.2, policy B).

The member cities are required to manage wetlands in accordance with the WCA (from Section 8.2.2, policy F). The cities of Crystal, Golden Valley, Minneapolis, Minnetonka, New Hope, and Plymouth are the LGUs responsible for administering the WCA.

16. **Groundwater:** The member cities are encouraged to adopt wellhead protection programs (from Section 9.2.2, policy C).

12.1.3. Other Agencies' Responsibilities

Various units of government are involved in regulating water resource related activities, as described in the following paragraphs and summarized in Table 12-1.

Minnesota Department of Natural Resources (DNR). The DNR administers the Public Waters Work Permit Program, the water appropriation permit program, the dam safety permit program, and the riprap shore protection permit. The DNR is involved in enforcement of the WCA and is responsible for identifying, protecting and managing calcareous fens. The DNR also has model shoreland ordinances that cities and counties can adopt.

The DNR's Public Waters Work Permit Program (Minnesota Statutes 103G) requires a DNR protected waters permit for any work below the Ordinary High Water elevation (OHW) or any work that will alter or diminish the course, current, or cross-section of any protected water, including lakes, wetlands and streams. For lakes and wetlands, the DNR's jurisdiction extends to designated U.S. Fish and Wildlife Service Circular #39 Types 3, 4, and 5 wetlands which are 10 acres or more in size in unincorporated areas, or 2.5 acres or more in size in incorporated areas. The program prohibits most filling of protected waters and wetlands for the purpose of creating upland areas. The Public Waters Work Permit program was amended in 2000 to minimize overlapping jurisdiction with the WCA (see Section 8.3 for more information).

Questions concerning the DNR's role in water resource management should be directed to the DNR Division of Waters, Metro Region, 1200 Warner Road, St. Paul, MN 55106 (651-772-7910).

Minnesota Board of Water and Soil Resources (BWSR). BWSR oversees the state's watershed management organizations (both joint powers and watershed district organizations), oversees the state's Soil and Water Conservation Districts, and administers the rules for the WCA and metropolitan area watershed management. Questions concerning BWSR's role in water resource management should be directed to the Minnesota Board of Water and Soil Resources, One West Water Street, Suite 200, St. Paul, MN 55107 (651-296-3767).

Minnesota Pollution Control Agency (MPCA). The MPCA administers the State Discharge System/National Pollutant Discharge Elimination System (NPDES) Permit program (point source discharges of wastewater), the NPDES General Construction Stormwater Permit program, the NPDES General Industrial Stormwater Permit program, the NPDES Phase I and Phase II Storm Water Permit program, Section 401 of the Clean Water Act Water Quality Certification program, and the individual sewage treatment system regulations (7080 Rules). The MPCA also reports the state's "impaired waters" to the U.S. Environmental Protection Agency. Spills should be reported directly to the MPCA. Questions concerning MPCA's role in water resource management should be directed to the Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, MN 55155-4194 (651-296-6300).

Minnesota Department of Health (MDH). The MDH administers the Well Management Program, the Wellhead Protection Program, and the Safe Drinking Water Act rules. See the Background part of the Groundwater section for more information about these programs. Questions concerning the MDH's role in water resource management should be directed to the Minnesota Department of Health, P.O. Box 64975, St. Paul, MN (651-215-5800).

Minnesota Environmental Quality Board (EQB). The EQB administers the state's environmental review program, including Environmental Assessment Worksheets (EAW) and Environmental Impact Statements (EIS). Questions concerning the EQB's role in water resource management should be directed to the Minnesota Environmental Quality Board, 658 Cedar Street, St. Paul, MN 55155 (651-296-3985).

U.S. Army Corps of Engineers (COE). The COE administers the Section 10 of the Rivers and Harbors Act permit program, and the Section 404 permit program. See Section 8.3 for more information about these programs. Questions concerning the COE's role in water resource management should be directed to the U.S. Army Corps of Engineers, St. Paul District, Army Corps of Engineers Centre, 190 East 5th Street, St. Paul, MN 55101-1638 (651-290-5200).

The Metropolitan Council. The Metropolitan Council provides regional planning and wastewater services (collection and treatment) for the seven county metropolitan area. Questions concerning the Metropolitan Council's role in water resource management should be directed to the Metropolitan Council, Mears Park Center, 230 East 5th Street, St. Paul, MN 55101 (651-602-1000).

12.2 Implementation Program

12.2.1. Implementation Program Components

Tables 12-2, 12-3, and 12-4 are a comprehensive list of the projects, programs and official controls that comprise the BCWMC implementation (and potential future implementation) program. Table 12-2 is the BCWMC's 10-year capital improvement program (10-year CIP). All but one of the capital projects listed in Table 12-2 are water quality improvement projects. The one remaining capital project in Table 12-2 is a flood control improvement project. Table 12-3 lists potential future water quality improvement projects. The projects listed in Table 12-3 are not included in the BCWMC's 10-year CIP since it is unlikely these water quality improvement projects will be implemented in the 10 years following adoption of the Plan. A minor plan amendment will be required to move a project from Table 12-3 to Table 12-2. Table 12-4 lists the BCWMC's annual water quality and flood control programs. As part of the annual BCWMC budgeting process, the BCWMC and the member cities will review Table 12-2 (the 10-year CIP). The BCWMC will revise Table 12-2 as necessary. As part of the annual CIP review process, the BCWMC will address any issues regarding reimbursement of project costs, including the timing of reimbursements. The annual BCWMC budgeting process includes a public hearing.

12.2.2. Financial Considerations and Funding Sources

This section provides a brief summary of the funding sources available to the BCWMC, followed by a discussion of the BCWMC proposed method(s) of funding the various items in its implementation program (Tables 12-1 and 12-3).

12.2.2.1 Joint Powers Watershed Management Organizations Funding Mechanisms

Ad Valorem Tax. Minnesota law (Minnesota Statutes 103B.231) requires watershed districts and joint powers WMOs within the metropolitan area to prepare a watershed management plan. The statute requires that a capital improvement plan be part of the watershed management plan. Another statute (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. 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).

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).

BCWMC General Fund. Through the BCWMC joint powers agreement, each member city contributes annually to the BCWMC general fund. The general fund is to be used for administrative purposes and certain operating expenses. 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 general BCWMC administrative expenses, although it 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.

BCWMC Improvement Fund. The BCWMC joint powers agreement calls for the establishment of an improvement fund for each improvement project ordered by the Commission. In accordance with the current joint powers agreement, 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.

12.2.2.2 Municipal Funding Mechanisms

This section discusses the various funding mechanisms available to the member cities.

City General Fund. City general funds are used to pay for various tasks, which may include maintenance of the stormwater system and occasional projects.

Special Assessments. Special assessments are used to finance special services ranging from maintenance to construction of improvement projects and are levied against properties benefiting from the special services. The philosophy of this method is that the benefited properties pay in relation to the benefits received. The disadvantages of using special assessments include the difficulty in determining and proving benefits; the inability to assess runoff contributions; and the rigid procedural requirements.

Ad Valorem Taxes. Special taxing authorities, such as special taxing districts (Minnesota Statutes 444.16-444.21) are available to cities to pay for projects. Other special taxing authorities are available, such as Minnesota Statutes 103B.241, which allows the city to levy a tax to pay for projects identified in the city's local water management plan. MN Statutes 103B.245 allows the city to establish a watershed management tax district in the city to pay for water management facilities described in the plan (including maintenance). The tax district must be established by ordinance and must be included in the city's plan. Similar to Minnesota Statutes 103B.241, this statute allows the city to either accumulate funds or issue bonds to pay for the projects.

Stormwater Utility. Minnesota law allows cities to establish and implement stormwater utilities (Minnesota Statute 444.075). A stormwater utility is set up similar to sanitary sewer and water utilities. Under a utility system, a stormwater utility fee (typically billed quarterly) is charged against all parcels within the city. The fees are usually proportionate to the amount of runoff each parcel of land contributes to a drainage system. The fees can be used to finance drainage system projects, surface water quality improvements, infrastructure replacement, studies, operations and maintenance. The fees can be accumulated to pay for such activities, or they can be the revenue stream to pay for bonds sold to initially pay for such activities. Although the utility system is sometimes viewed as another form of taxation, it provides cities with a surface water management financing method that costs far less than many of the other possible methods available to cities. Also, it is typically easier for residents and businesses to pay small monthly fees than large special assessments. Many cities in Minnesota currently use this funding mechanism, including all of the BCWMC member cities (except Medicine Lake).

Development Fees. Many cities impose development fees such as area charges, building permit fees, etc. to pay for the costs of providing stormwater management services to newly developing areas.

Tax Increment Financing. Cities may have tax increment financing (TIF) monies available for payment of stormwater management projects. Typically, TIF monies are targeted for redevelopment in the TIF district and are directly tied to the increasing property taxes that a specific development is expected to generate in the future. Recent legislative changes are increasingly limiting this option.

12.2.2.3 State, Local and Private Funding Sources

In addition to stormwater utility fees, taxes, assessments, and the other funding sources discussed above, the cities and/or the BCWMC could obtain funding from various state sources, such as grant and loan programs. The city could use loans for projects instead of city-issued bonds. The following paragraphs list various state-funded sources, grouped according to the state agency that administers the various funding programs.

The **Board of Water and Soil Resources** administers several grant programs. WMOs with approved watershed management plans are eligible for the local water management challenge grant program (Minnesota Statutes 103B.3369).

The **Minnesota Pollution Control Agency** administers the Clean Water Partnership (CWP) grant and loan program, Watershed Resource Restoration grants (EPA funded Section 319 program), and the Minnesota Water Pollution Control Revolving Loan Fund.

The **Minnesota Department of Natural Resources** (DNR) administers many grant programs that could be appropriate for the cities or WMOs, including the Flood Hazard Mitigation Grant Assistance program, local grants program, Metro Greenways Planning Grants program, trail grants program, cooperative water recreation program, and dam safety program. Funding for many of these programs changes after each legislative session. The DNR prepares individual fact sheets for each of the grant programs.

Other state funding programs include the Legislative Commission on Minnesota Resources' funds for non-urgent demonstration and research projects, the Minnesota Department of Trade and Economic Development's Contaminant Cleanup Development Grant Program, the Minnesota Department of Transportation State Aid Funds, and ISTEA funds. The Metropolitan Council's MetroEnvironment Partnership Grant Program for implementation projects completed its final year in 2003.

In addition to state and federal funding sources, some private funding sources may be available. Examples include (but are not limited to):

- Ducks Unlimited and Pheasants Forever funds are available for projects that enhance, create, or protect waterfowl or pheasant habitat,
- Individual entities needing to provide wetland mitigation in compliance with the WCA may have funds and/or technical resources available to restore or create wetland function and values lost or intended to be destroyed as part of a project.
- Service organizations (i.e., Lions Club and Elks), youth groups (i.e., Boy/Girl Scouts), Adopt-a-Highway/River cleanup groups, and sportsman clubs.

12.2.2.4 Federal Funding Sources

The BCWMC and member cities could also receive funding from various federal sources, a few of which are discussed in the following paragraphs.

The **U.S. Environmental Protection Agency** (EPA) has discretionary funds available through each division and program area of the EPA and administers the Clean Lakes Program (CLP) established by Section 314 of the Clean Water Act; the CLP is similar to the MPCA's Clean Water Partnership program. The EPA also administers the 604b Grant Program that targets water quality improvements in urban areas, and the Environmental Education Grant that finances local environmental education initiatives.

The **U.S. Army Corps of Engineers** administers the Planning Assistance to States (Section 22) program, the Project Cooperation Agreement (PCA) program, also known as the LCA (Local Cooperation Agreement) program for construction of flood control projects, the Section 14 bank protection program, the Flood Plain Management Services Program, and the Aquatic Plant Control Program and provides many GIS products through its GIS Center.

The **U.S. Fish and Wildlife Service** administers the North American Wetlands Conservation Fund, as part of the North American Wetlands Conservation Act (NAWCA), and the Partners for Wildlife Grant Program.

The **Natural Resource Conservation Service** (NRCS) has funds available for technical assistance on various surface water projects, operations and maintenance, inspections and repairs. The NRCS also administers the Environmental Quality Incentives Program (EQIP), which was established through the 1996 Farm Bill Program.

The **Federal Emergency Management Agency** (FEMA) has funds available to restore areas (including water resources) damaged or destroyed by a disaster.

12.2.3. BCWMC Past and Proposed Funding Mechanisms

The BCWMC has financed its past administrative costs (including studies) through the BCWMC general fund. The BCWMC's Bassett Creek Flood Control Project was financed through a combination of state and federal grants and member city contributions (see Section 5.3.2).

The implementation program of this Plan includes both capital (structural) projects and nonstructural activities. The capital projects will be funded in accordance with the joint powers agreement, as described in Section 12.2.2.1. In particular, the BCWMC proposes to finance all of the capital water quality improvement projects listed in Table 12-2 through an ad valorem tax levied by Hennepin County (per Minnesota Statutes 103B.251). The only other capital project is a flood control (floodproofing) project, which will be funded from remaining funds from the Bassett Creek Flood Control Project. The BCWMC will also seek grants, partnerships, etc. to reduce the BCWMC's share of the project costs.

If individual cities wish to fund their share of the project costs using a different funding source than the proposed ad valorem tax levy, Hennepin County would need to set up taxing districts based on city boundaries. The BCWMC will explore this possibility in discussions with Hennepin County. If Hennepin County is willing to set up these separate taxing districts, the BCWMC will allow the cities to use this funding option.

The process for a proposed capital improvement project is outlined in the joint powers agreement, and begins with the preparation of a feasibility study and report on the proposed project. Following receipt of the feasibility report, 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. The order designates the city responsible for constructing the project, directs the preparation of plans and specifications, and allocates the project costs among the member cities.

Since the BCWMC proposes to finance the capital projects using Minnesota Statutes 103B.251 (an ad valorem tax levied by Hennepin County), BCWMC and the county will follow the process outlined in the statute. This process includes BCWMC forwarding a copy of the improvement plan to the county board prior to the BCWMC's public hearing on the project. If the funding mechanism changes for any of the projects listed in Table 12-2, the BCWMC will follow the minor plan amendment process before implementing the projects (see Section 12.6 for more information about plan amendments).

Following the BCWMC's issuance of the improvement order, the BCWMC orders the advertisement for bids for the project. The city assigned responsibility for the project constructs the project.

The nonstructural activities listed in Table 12-4 will be financed through the BCWMC general fund, as described in Section 12.2.2.1. In accordance with the joint powers agreement, the BCWMC must adopt a budget before July 1st of each year and decide upon the total amount needed for the general fund. Budget approval requires a two-thirds vote (six Commissioners). The cities have until August 1st to register any objections to the budget. The BCWMC may adjust the budget after a hearing, which is typically held in August (if needed).

The capital costs in Table 12-2, expressed in 2003 dollars, will be adjusted annually in accordance with an inflation index (i.e., the Engineering News Record's Construction Cost Index). The BCWMC will deem any increases in estimated project costs that are within 20 percent of this annually adjusted cost to be consistent with the Plan and not require a minor or general plan amendment. If the cost of a project in Table 12-2 increases more than 20 percent of the annually adjusted cost, the BCWMC will follow the minor plan amendment process before implementing the project (see Section 12.6 for more information regarding plan amendments).

Similarly, the BCWMC may implement the projects listed in Table 12-2 at a different time than shown in the table (e.g., year 2005 rather than 2007), 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 time schedule to also be consistent with the Plan and not require a minor or general plan amendment.

12.3 Impact on Local Governments

This section discusses how the BCWMC's implementation program will affect local government in terms of cost and administrative issues.

The BCWMC's intention is to limit additional requirements imposed upon local units of government as much as possible while still accomplishing the BCWMC's purposes and implementing the Plan. The BCWMC Plan's capital improvements (listed in Table 12-2) will be implemented by the member cities, but will be funded through a Hennepin County tax levy. These improvements would not affect the member cities' finances directly since the tax levy would not apply towards the cities' levy limits. However, there would be a financial impact to the residents of the member cities that reside in the BCWMC watershed.

As in the past, the BCWMC's implementation of its annual water quality and flood control programs will be funded through the BCWMC's general fund. Since the member cities contribute funds directly to the BCWMC general fund, this has a direct financial impact on the member cities.

Some of the implementation program elements reflect the goals, policies and requirements of state and regional units of government that local units of government would need to address regardless.

Some of the member cities already have ordinances in place that address many of the BCWMC requirements. Applicable ordinances address shorelands, floodplains, wetland protection, stormwater management, erosion control, and stormwater system maintenance. Local governments must adopt the DNR's shoreland regulations, if required by the DNR.

The BCWMC is not increasing the wetland regulation burden for the member cities since those cities that are already acting as the LGU for the WCA will continue to do so (no change). The BCWMC Plan does encourage the cities to inventory wetlands.

12.4 Local Planning

According to MN Rules 8410.0160, local units of government (the BCWMC member cities) must adopt local watershed management plans within two years of the BWSR's approval of the last WMO plan that affects the unit of government. BWSR approved this Plan on August 25, 2004, and the BCWMC board formally adopted its Plan on September 16, 2004. The member cities must therefore adopt local watershed plans by September 2006, or two years from the date of approval of the last WMO plan in the city, whichever is later.

It is anticipated that most of the cities will need to revise their local plans to bring them into conformance with the BCWMC's revised Plan, Minnesota law (Minnesota Statutes 103B), and

Minnesota Rules (Minnesota Rules 8410). The following table shows the status of the watershed management planning for each municipality:

Municipality	Local Plan Status	Comments
Crystal	Preliminary planning started	Final planning will be performed after completion of the BCWMC 2nd Generation Plan.
Golden Valley	Completed	Local plan approved by the BCWMC in August 1999. Resolution 99-6.
Medicine Lake	Not started	Plan will not be prepared. Medicine Lake will adopt Plymouth local plan after completion.
Minneapolis	First internal review completed	BWSR scheduled to review the local plan during the spring 2004.
Minnetonka	Completed	Local plan was approved by the BCWMC in October 1997. Resolution 97-8.
New Hope	Completed	Local plan was approved by the BCWMC in August 1996; reconfirmed in April 1997. Resolution 97-4.
Plymouth	Completed	Local plan conditionally approved by the BCWMC in February 1999. Resolution 99-3.
Robbinsdale	Completed	Local plan was approved by the BCWMC in October 1996; reconfirmed in April 1997. Resolution 97-5.
St. Louis Park	Completed	Local plan was approved by the BCWMC in March 2000; Resolution 00-2.

Within 30 days of the BCWMC's adoption of the BCWMC Plan, the BCWMC will notify each local governmental unit of these requirements regarding local plan revision and adoption.

A member city can assume as much management control as it wishes through its approved local watershed management plan. The BCWMC assumes that the member cities will continue to be the permitting authority for all land alteration activities. 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 BCWMC may appeal the local government's approval of a project if the BCWMC believes the project is not consistent with the local plan.

The BCWMC will review proposed changes to an intercommunity stormwater system that are inconsistent with a city's approved plan, and/or changes to an approved city plan that would cause the plan to be inconsistent with the BCWMC Plan.

12.4.1. Requirements for Local Watershed Management Plans

Local watershed management plans are required to conform to Minnesota law (Minnesota Statutes 103B.235), Minnesota rules (Minnesota Rules 8410.0160 and 8410.0170), and the BCWMC Plan. The rules (Minnesota Rules 8410.0160) require (in part) that:

“Each local plan must include sections containing a table of contents; executive summary; land and water resource inventory; establishment of goals and policies; relation of goals and policies to local, regional, state, and federal plans, goals, and programs; assessment of problems; corrective actions; financial considerations; implementation priorities; amendment procedures; implementation program; and an appendix. Each community should consider including its local plan as a chapter of its local comprehensive plan.”

The rules (Minnesota Rules 8410.0170) also explain in more detail the general requirements given above.

The policies and goals established in each city’s watershed 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. The corrective action proposed must be limited to those actions that can be carried out at the local government level and must be consistent with the BCWMC Plan. A city may use all or part of the BCWMC Plan when developing its local plan.

Local units of government are to maintain stormwater systems (storm sewers, ponding areas, ditches, water level control structures, etc.) under their jurisdiction in good working order to prevent flooding and water quality problems. In accordance with Minnesota rules (Minnesota Rules 8410.0100, Subp. 6), the BCWMC requires that local plans “...assess the need for periodic maintenance of public works, facilities and natural conveyance systems and specify any new programs or revisions to existing programs needed to accomplish its goals and objectives.” The local plans must also assess, at a minimum, the following maintenance issues, also taken from Minnesota rules (Minnesota Rules 8410.0100, Subp. 6):

- The need and frequency for street sweeping of public and private streets and parking lots.
- The need and frequency for inspecting stormwater outfalls, skimmers, sumps, and ponds.

- The adequacy of maintenance programs for stormwater facilities and water level control structures owned by both the city and private parties.
- The need for other maintenance programs as considered necessary.

Besides the above maintenance issues, local water management plans will be required to assess the following (taken from MN Rules 8410.0100, Subp. 6):

- The need to establish a water body classification system. If a different classification system than the BCWMC classification system is used, it must be correlated to the BCWMC system and approved by the BCWMC.
- The need to establish local spill containment cleanup plans.
- The need for any other necessary management programs.

Local watershed management plans must clearly identify when the management programs will go into effect. All local plan controls and programs must be developed and in effect within 2 years of adoption of the last WMO plan in the local governmental unit.

The BCWMC's general standards for local water management plans are as follows (taken from Minnesota Statutes 103B.235, Subd. 2):

- Describe existing and proposed physical environment and land use.
- Define drainage areas and the volume rates and paths of stormwater runoff.
- Identify areas and elevations for stormwater storage adequate to meet performance standards established in the BCWMC Plan.
- Define water quality and water quality protection methods adequate to meet performance standards established in the BCWMC Plan.
- Identify regulated areas.
- Set forth an implementation program, including a description of official controls and, as appropriate, a capital improvement program.

The BCWMC reserves the right to recommend to a member city that a project the BCWMC considers to be inconsistent with the local management plan be denied.

Previous sections of this Plan describe other requirements for local watershed management plans (local plans), including:

- Section 4.2.2.1, policy B—classify water bodies into one of four BCWMC management categories (Level I – IV) based on water quality goals and recreational uses of the water bodies.
- Section 5.2.2.2, policy N—comply with the BCWMC Plan’s goals and policies regarding flooding and rate control (contained in Section 5.0 of the Plan).
- Section 6.2.2, policy G—describe existing and proposed city ordinances, permits, and procedures addressing erosion and sediment control and preparation of erosion control plans.
- Section 6.2.2, policy H—comply with the BCWMC Plan’s goals and policies regarding erosion and sediment control (contained in Section 6.0 of the Plan).
- Section 7.2.2, policy N—comply with the BCWMC Plan’s goals and policies regarding stream restoration (contained in Section 7.0 of the Plan).
- Section 8.2.2, policy H—comply with the BCWMC Plan’s goals and policies regarding wetland management (contained in Section 8.0 of the Plan).

12.4.2. BCWMC Review of Local Watershed Management Plans

Before a member city adopts its local watershed management plan, the plan must be submitted to all of the affected watershed management organizations for review. The city must also submit its plan to the Metropolitan Council, and to any counties with adopted groundwater plans, for a 45-day 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 counties. The BCWMC will approve or disapprove all or part of 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 (Minnesota Rules 8410.0170, Subp. 12 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 is the same as for the original local plan.

12.5 BCWMC Plan Review, Approval and Adoption

This Plan was submitted to the member cities, the BWSR, the MPCA, the DNR, the Minnesota Department of Agriculture, the MDH, the Metropolitan Council, Hennepin County, and the Hennepin Conservation District for review, in accordance with Minnesota statutes. The BCWMC held a public hearing on the Plan, BWSR approved the Plan on August 25, 2004, and the BCWMC board formally adopted its Plan on September 16, 2004.

Prior to its submittal for formal review, draft versions of the Plan or sections of the Plan were reviewed by the BCWMC Steering Committee, the BCWMC board of commissioners and alternates, the BCWMC Technical Advisory Committee, the Policy Advisory Group, and others.

Comments received during the formal review periods and on the preliminary review draft can be found on the BCWMC website (www.bassettcreekwmo.org).

12.6 Plan Revision and Amendments

This Plan remains in effect for ten (10) years from the year it was approved and adopted, unless it is superseded by adoption and approval of a succeeding Plan. 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 board, but only the BCWMC may initiate the amendment process. The BCWMC may amend its Plan in the interim (interim Plan amendment) if either minor changes are required or if problems arise that are not addressed in the Plan.

In accordance with Minnesota Statutes 103B.231, Subd. 3a, BWSR may develop a priority schedule for the revision of water management plans. BWSR uses the schedule to inform WMOs of when they will be required to revise their plans. If BWSR does not notify a WMO that a plan revision is

required and the plan expires, Minnesota Statutes 103B.231, Subd. 3a states that the existing plan, authorities, and official controls of the WMO remain in full force and effect until a revision is approved. The same statute also allows a WMO to submit a draft plan revision for review prior to BWSR's scheduled date. If BWSR fails to adjust its priority review schedule and begin review of the submitted plan within 45 days of plan submittal, the WMO may adopt and implement their plan without formal BWSR approval.

12.6.1. General Plan Amendments

The BCWMC will follow the general plan amendment process if BWSR determines that a proposed plan amendment is not a minor plan amendment. In accordance with rules (Minnesota Rules 8410.0140, Subp. 2) and law (Minnesota Statutes 103B.231, Subd. 11), the general plan amendment process is as follows (and is the same as the Plan review process):

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, the Minnesota Board of Water and Soil Resources, and the Hennepin Conservation District 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 revised amendment to the Metropolitan Council, the state review agencies and the BWSR for a 45-day review.
5. The BCWMC must submit the final revised amendment to the BWSR for 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.

12.6.2. Minor Plan Amendments

The BCWMC will follow the following review process for minor plan amendments, provided that the BWSR either agrees that the proposed amendments are minor or fails to act within 45 days of receipt of the proposed amendments:

1. The BCWMC will send copies of the proposed minor plan amendment to the affected local cities, the Metropolitan Council, Hennepin County (if the amendment is a minor amendment to the BCWMC capital improvement program), and the state review agencies for review and comment.
2. The BCWMC will hold a public meeting to explain the amendments and publish a legal notice of the meeting twice, at least 7 days and 14 days before the date of the meeting. The BCWMC will also provide mailed notice of the public meeting to the city clerk of each member city. The notice will be mailed not less than 45 days before the public meeting.
3. If the proposed amendment is a minor amendment to the BCWMC capital improvement program, Hennepin County must approve the minor amendment.
4. For proposed amendments with a project cost greater than \$500,000, the County review period will be 75 days. The BCWMC will submit detailed feasibility reports for these projects to the County along with the request for a minor plan amendment.

The minor plan amendment process is more streamlined than the general plan amendment process, since it requires only one (45-day) review.

The BCWMC will consider certain changes to its approved capital improvement program (Table 12-2) to be minor plan amendments if the following conditions are met (Minnesota Rules 8410.0140, Subp. 3):

1. The original Plan set forth the capital improvements but not to the degree needed to meet the definition of “capital improvement program” as provided in Minnesota law (Minnesota Statutes, Section 103B.205, subdivision 3).
2. The affected county or counties approve the capital improvement in its revised, more detailed form.

A minor plan amendment will be required for any project listed in Table 12-2 with a project cost greater than \$500,000. As noted in Section 12.2.3, minor plan amendments will be required for a project listed in Table 12-2 if the proposed funding mechanism changes or if the estimated project cost increases by more than 20 percent of the annually adjusted project cost.

As noted in Section 12.2.1, a minor plan amendment will be required to move a project from Table 12-3 (Potential Future CIP) to Table 12-2 (10-year CIP).

Neither a minor nor a general plan amendment will be required if projects listed in Table 12-2 are implemented at a different time than shown in the table or if the estimated project costs are within 20 percent of the annually adjusted project cost.

The following examples of other minor plan amendments are given in Minnesota Rules 8410.0020, Subp. 10:

“...recodification of the Plan, revision of a procedure meant to streamline administration of the Plan, clarification of the intent of a policy, the inclusion of additional data not requiring interpretation, or any other action that will not adversely affect a local unit of government or diminish a water management organization's ability to achieve its Plan’s goals or implementation program.”

The BCWMC will prepare plan amendments in a format consistent with Minnesota Rules 8410.0140, Subp. 4. The rule requires that, unless the entire document is reprinted, all amendments adopted must be printed in the form of replacement pages for the Plan, each page of which must:

1. Show deleted text as stricken and new text as underlined (for draft amendments under consideration).
2. Be renumbered as appropriate.
3. Include the effective date of the amendment.

The BCWMC will maintain a distribution list of everyone who receives a copy of the Plan. Within 30 days of adopting an amendment, the BCWMC will distribute copies of the amendment to everyone on the distribution list.

Table 12-1. Regulatory Framework

Agency	Type of Approval	Description
<i>Federal</i>		
U.S. Army Corps of Engineers	Section 10 of the Rivers and Harbors Act	Applies to placement of structures and/or work in, or affecting, navigable waters of the United States.
	Section 404 Permit	Applies to the discharge of dredged or fill material into waters of the United States. There are two types of Section 404 permits: regional and nationwide general permits, and individual permits.
<i>State</i>		
Minnesota Department of Natural Resources	Protected Waters and Wetlands Permit	Applies to any work that will alter the course, current or cross-section of any DNR-protected lake, wetland or watercourse; also applies to any work below the ordinary high water mark of DNR-protected waters.
	Water Appropriation Permit	Applies to suppliers of domestic water to more than 25 people or for any use that exceeds 10,000 gallons per day or 1,000,000 gallons per year.
	Dam Safety Permit	Applies to impoundments that pose a potential threat to public safety or property. Dams 6 feet high or less and dams that impound 15 acre-feet of water or less are exempt from the rules. Dams less than 25 feet high that impound less than 50 acre-feet of water are also exempt unless there is a potential for loss of life.
	Riprap Shore Protection Permit	Applies to the placement of riprap shore protection or placement of fill to recover shoreland lost to erosion.
Minnesota Environmental Quality Board	Environmental Assessment Worksheet	Broad environmental assessment required for certain proposed developments and other activities.
Minnesota Department of Health	Well Management Program	Applies to drilling of new water wells and sealing of abandoned water wells.
	Safe Drinking Water Act	Applies to construction of new water wells and other public water supply systems

Table 12-1. Regulatory Framework

Agency	Type of Approval	Description
Minnesota Pollution Control Agency	State Discharge System/National Pollutant Discharge Elimination System (NPDES) Permit	Applies to all discrete sources of wastewater discharge to surface waters, including sanitary wastewater, process wastewater, etc.
	NPDES Phase I General Construction Stormwater Permit	Applies to construction activities that disturb 5 or more acres of land.
	NPDES Phase II General Construction Stormwater Permit	Applies to construction activities that disturb 1 to 5 acres of land.
	NPDES General Industrial Stormwater Permit	Applies to certain industrial/commercial activities that come into contact with stormwater. Requires preparation of stormwater pollution prevention plan.
	NPDES Phase II Storm Water Permit	Applies to municipal storm sewer systems serving populations under 100,000 located in urbanized areas. Requires cities to implement public education programs, detect and eliminate illicit discharges, control construction site and post-construction stormwater runoff on sites one acre or larger, and address pollution prevention at municipal operations.
	Section 401 of the Clean Water Act Water Quality Certification	Applies to activities that require either a Corps of Engineers Section 10, Corps of Engineers Section 404 or Federal Energy Regulatory Commission permit. These activities must first obtain Section 401 water quality certification.

Table 12-2. Water Quality Management and Flood Control 10-Year Capital Improvements Program

Map ID #	Water Quality Improvement Option ¹	Capital Cost ²	Year										NOTES:
			2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Medicine Lake													<p>1. Other potential projects that the cities may implement will be evaluated at the time the projects become more definite</p> <p>2. Capital Cost does not include land acquisition costs, but does include legal, administration, and 25% additional for contingencies. All costs are in 2003 dollars.</p> <p>3. Already constructed.</p> <p>4. This project includes dredging of accumulated sediment, as recommended by the City of Plymouth's <i>Medicine Lake Watershed Implementation and Management Plan</i> and will be constructed in 2004. The total project cost is estimated to be \$880,100.</p> <p>5. MnDOT sound wall construction in New Hope will require relocation & resizing of storm sewer in this watershed, which could lead to City of New Hope participation in this project.</p> <p>6. The BCWMC will consider including repair of the existing control structure as part of the feasibility study for this project.</p> <p>7. Project costs may be offset by \$150,000 LCMR grant.</p> <p>8. The City of St. Louis Park supports a scaled-down, less costly project that includes park and playground improvements. The city staff agrees with the BCWMC's proposed schedule, but suggests re-evaluation of the BCWMC's water quality goal for Westwood Lake.</p> <p>9. The City of New Hope has constructed NB-35A, B, C, but not to the same degree as proposed in the lake and watershed management plan. NB-29A & B have not been constructed. These improvements will need to be re-evaluated as part of the feasibility study. Costs shown are for NB-29A & B only. Costs will be added to the CIP to upgrade these ponds if the feasibility study indicates that they should be upgraded.</p> <p>10. The City of New Hope has already constructed NB- 28A & B. The city will be constructing ponds NB-37A & NB-38A in the next year. Pond NB-36A may be constructed in conjunction with a church expansion project. These improvements will need to be re-evaluated as part of the feasibility study. Costs shown are for NB-36A, NB-37A & NB-38A only. If the city cannot wait until approval and adoption of the BCWMC Plan, immediate construction of the final phase of project NL-4 (NB-36A) will be in 2004. Reimbursement using the assessment process in the Joint Powers Agreement is being considered by the BCWMC.</p> <p>11. This project to be completed as part of the Boone Avenue and Brookview Golf Course improvement projects in 2004. Because the city has indicated that it cannot wait until approval and adoption of the BCWMC Plan, immediate construction of project BC-1 will be in 2004. Reimbursement using the assessment process in the Joint Powers Agreement is being considered by the BCWMC.</p> <p>12. This project should be feasible as part of the City of Robbinsdale's street reconstruction project taking place in the near future.</p> <p>13. Funding is from remaining flood control project construction funds (\$700,000). The floodproofing funds are proposed to be allocated as follows: 2003 - \$100,000, 2004 - \$200,000, 2005 - \$300,000 and 2006 - \$100,000. These amounts are the BCWMC costs, assuming the BCWMC funds 72.5% of the floodproofing costs. See Table 5-2.</p>
ML-1 ³	Construct wet detention pond for subwatershed BC94B1 (Option 8 in Medicine Lake Plan)	\$0											
ML-2	Reduce Goose Loadings by 75% (Option 17 in Medicine Lake Plan)	\$102,500		\$34,170	\$34,170	\$34,160							
ML-3 ⁴	Reroute flows from subwatershed BC94 to a larger wet detention pond for BC92 (Option 9a in Medicine Lake Plan) & dredging of accumulated sediment	\$104,100				\$90,200							
ML-4 ⁴	Medicine Lake East Beach wet detention pond for subwatershed BC107 (Option 11 in Medicine Lake Plan) & dredging of accumulated sediment	\$0				\$13,900							
ML-5 ^{4,5}	Construct wet detention pond for subwatersheds BC98, BC98A and BC98B (Option 10a in Medicine Lake Plan) & dredging of accumulated sediment	\$0											
ML-6	Construct wet detention pond for subwatershed BC94B2 (Option 6 in Medicine Lake Plan)	\$10,800					\$10,800						
ML-7	In-Lake Herbicide Treatment (Option 18 in Medicine Lake Plan)	\$195,000			\$90,000	\$105,000							
Parkers Lake													
PL-6	Improvements to stormwater basin in PL-A13 near Circle Park (from the City of Plymouth's <i>Parkers Lake Implementation Plan</i>)	\$42,000	\$42,000										
Wirth Lake													
WTH-1 ^{6,7}	Dredging subwatershed FR-5 detention pond (Option 2 in Wirth Lake Plan)	\$40,000	\$40,000										
WTH-2 ⁷	Highway 55 detention pond (Option 3 in Wirth Lake Plan)	\$151,200	\$75,600	\$75,600									
WTH-3 ⁷	In-lake alum treatment (Option 1 in Wirth Lake Plan)	\$45,600	\$45,600										
Sweeney Lake													
--	None - see Table 2. Potential Future Water Quality Capital Improvement Projects												
Twin Lake													
TW-1	Pond Expansion (Option 1 in Twin Lake Plan)	\$52,700	\$52,700										
Westwood Lake													
WST-1 ⁸	Flag Avenue detention/skimming facility (Option 1 in Westwood Lake Plan)	\$463,800		\$231,900	\$231,900								
Bassett Creek Park Pond													
--	None - see Table 2. Potential Future Water Quality Capital Improvement Projects							\$0					
Northwood Lake													
NL-1 ⁹	Construct ponds NB-35A,B,C AND NB-29A,B (Option 4 in Northwood Lake Plan)	\$74,300										\$74,300	
NL-2	Dredge pond NB-07 (Option 2 in Northwood Lake Plan)	\$725,700					\$241,900	\$241,900	\$241,900				
NL-3	Divert Lancaster Lane storm sewer (Option 3 in Northwood Lake Plan)	\$45,200								\$45,200			
NL-4 ¹⁰	Construct ponds NB-36A, NB-37A, NB-38A, & NB-28A, B (Option 5 in Northwood Lake Plan)	\$141,100	\$141,100										
Bassett Creek Main Stem													
BC-1 ¹¹	Pond BC-10-3 (Option 4 in Bassett Creek Main Stem Plan)	\$215,300	\$215,300										
Grimes, North, & South Rice Ponds													
GR-2 ¹²	Grimes Pond wet detention pond (Option 4 in Rice and Grimes Ponds Plan)	\$80,000				\$80,000							
Crane Lake													
CL-1	Ramada Inn detention/skimming facility (Option 1 in Crane Lake Plan)	\$89,100										\$89,100	
CL-2	Joy Lane Wet Detention Pond (Alt. #2)	\$85,100										\$85,100	
Turtle Lake													
--	None - see Table 2. Potential Future Water Quality Capital Improvement Projects												
Lost Lake													
--	None - see Table 2. Potential Future Water Quality Capital Improvement Projects												
Map ID #	Flood Control Improvement Option	Capital Cost ²	Year										
			2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
--	Flood proofing of homes along trunk system ¹³	\$400,000	\$0	\$0	\$0	\$0							
TOTAL ESTIMATED PROJECT COST		\$3,063,500	\$612,300	\$341,670	\$356,070	\$323,260	\$252,700	\$241,900	\$241,900	\$45,200	\$0	\$248,500	

Table 12-3. Potential Future Water Quality Capital Improvement Projects

Map ID #	Improvement Option ¹	NOTES:
Medicine Lake		¹ - Other potential projects that the cities may implement will be evaluated at the time the projects become more definite.
ML-8 ²	Construct Plymouth Creek stormwater alum treatment plant (20 cfs) (Option 14 In Medicine Lake Plan)	
ML-9 ²	In-lake alum treatment (Option 16 in Medicine Lake Plan)	
-- ²	Annual O&M cost for alum treatment plant	
Implementation of water quality improvement projects recommended in the Medicine Lake and Plymouth Creek TMDL studies		² - Alum treatment projects will be considered "future projects" - the BCWMC will move ahead with alum treatment only after sufficient time has passed to evaluate the effectiveness of less costly BMPs.
Parkers Lake		
PL-1 ³	21st Avenue diversion (Option 3 in Parkers Lake Plan)	
PL-2 ³	Alum treatment plant (Option 4 in Parkers Lake Plan)	
PL-3 ³	Route South Niagara watershed to south pond (Option 1 in Parkers Lake Plan)	
PL-4 ³	Parkers North detention/skimming facility (Option 6 in Parkers Lake Plan)	³ - Since completion of the lake and watershed management plan, Parkers Lake water quality has improved and is now meeting the Commission's water quality goals. As long as the lake's water quality continues to meet the Commission's goals, these projects will be considered "future projects."
PL-5 ³	Workhouse pond improvements in PL-A16.2 (from the city of Plymouth's <i>Parkers Lake Implementation Plan</i>)	
-- ³	Annual O&M cost for alum treatment plant	
Sweeney Lake		⁴ - Need to re-evaluate water quality goal for Bassett Creek Park Pond prior to project
SL-2	Alum treatment plant (Option 3 in Sweeney Lake Plan)	
--	Annual O&M cost for alum treatment plant	
Implementation of water quality improvement projects recommended in the Sweeney Lake TMDL study		
Wirth Lake		⁵ - Project is not included in the city of Golden Valley's CIP
Implementation of water quality improvement projects recommended in the Wirth Lake TMDL study		
Bassett Creek Park Pond		⁶ - In-lake alum treatment of North & South Rice Ponds may have already been completed by local residents.
BCP-1 ⁴	Flow Diversion Alum Treatment Facility (Option 9 in Bassett Creek Park Pond Plan)	
--	Annual O&M cost for alum treatment plant	
Implementation of water quality improvement projects recommended in the Bassett Creek TMDL study that pertains to the North Fork of Bassett Creek		
Northwood Lake		
NL-5	Dredge ponds NB-19, NB-21, and NB-23 (Option 6 in Northwood Lake Plan)	
NL-6	Construction of alum treatment plant at NB-07 (Option 10 in Northwood Lake Plan)	
--	Annual O&M cost for alum treatment plant	
Implementation of water quality improvement projects recommended in the Northwood Lake TMDL study		
Bassett Creek Main Stem		
BC-2 ⁵	Pond HH1111-1 (Option 2 in Bassett Creek Main Stem Plan)	
BC-3 ⁵	Pond BC-111152 (Option 8 in Bassett Creek Main Stem Plan)	
BC-4 ⁵	Retrofit pond HH-11 (Option 1 in Bassett Creek Main Stem Plan)	
BC-5 ⁵	Pond BC-11112-12 (Option 7 in Bassett Creek Main Stem Plan)	
BC-6 ⁵	Pond BC-91-5 (Option 5 in Bassett Creek Main Stem Plan)	
BC-7 ⁵	Pond BC-72-2 (Option 6 in Bassett Creek Main Stem Plan)	
BC-8 ⁵	Pond HH11-0 (Option 3 in Bassett Creek Main Stem Plan)	
Implementation of water quality improvement projects recommended in the Bassett Creek TMDL study		
Grimes, North, & South Rice Ponds		
GR-3 ⁶	In-Lake Alum Treatment of North and South Rice Ponds (Option 3 in Rice and Grimes Ponds Plan)	
Turtle Lake		
TU-1	Dredge North Wetland (Option 4 in Turtle Lake Plan)	
TU-2	Extensive Dredging of Turtle Lake (Option 6 in Turtle Lake Plan)	
Lost Lake		
LL-1	In-lake alum treatment (Option 1 in Lost Lake Plan)	

Table 12-4. Annual Water Quality and Flood Control Programs¹

Implementation Program Item	Level of BCWMC Funding	Year										
		2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Water Quality												
Education program	100%	\$5,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Water quality improvement demonstration projects	100%	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
Water quality monitoring of major water bodies	100%	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000
Construction erosion control inspection program	100%	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
BCWMC review of improvement projects and development proposals for compliance with BCWMC requirements	100%	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000
Public relations (operation of WOMP station ² on Bassett Creek, CAMP, River Watch Program, Annual Report, and publications)	100%	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Erosion control and sediment removal along Main Stem	100%	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
Completion of TMDL studies for Medicine Lake, Sweeney Lake, Wirth Lake, and Northwood Lake	N.D. ⁵	\$50,000	\$100,000	\$100,000	\$100,000							
Completion of TMDL studies for future impaired waters listings	N.D. ⁵					\$100,000	\$100,000					
Completion of TMDL studies for Bassett Creek and Plymouth Creek	N.D. ⁵											
Water quality study to evaluate sedimentation issues in the Lost Lake watershed	100%	\$10,000										
Water quality study to evaluate sedimentation issues in the Turtle Lake watershed	100%	\$10,000										
Flood Control												
Inspection and short term maintenance of flood control project	100%	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Long term maintenance of flood control project ³	100%	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
Lake and stream gauging program (water level readings)	100%	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000	\$7,000
BCWMC review of improvement projects and development proposals for compliance with BCWMC requirements ⁴	100%	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL ESTIMATED PROGRAM COST		\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000	\$42,000

Notes: ¹ All of the items in this table are funded under the BCWMC's Administration Budget (General Fund)

² Cost-sharing provided by the Metropolitan Council for operation of WOMP station. Costs shown include only the BCWMC share of the costs.

³ Funds to be used as needed for long-term maintenance of flood control project system. Funding is from remaining flood control project construction funds (\$335,000) plus \$25,000 annual assessment. The fund balance is to be maintained at (but not exceed) \$1 million.

⁴ Cost/funding of this activity is included in the "Water Quality" portion of this table.

⁵ Level of BCWMC funding not determined.