

Second Generation Plan TAG Meeting Minutes

Bassett Creek Water Management Commission

April 23, 2001

A. Attendance: Ken Gothberg, Pat Wrase, Jeff Oliver, Ed Silberman, Carlton Moore, Fred Moore, Shane Missaghi, Don Maxwell, Terrie Christian, Ali Durgunogln, John Barton, Guy Johnson, Tom Mathisen, Connie Fortin, Jason Westbrook, Len Kremer

B. Agenda

1. Review March 26th Meeting Minutes
2. Q & A
3. Discuss procedure for addressing new issues
4. Review prioritized list of issues
5. Review existing flood control goals, policies and issues
6. Discuss existing water quality goals, policies, and issues
7. Preview next meeting

C. Meeting Handouts

1. Barriers to Canoeing the Main Stem of Bassett Creek
2. Memorandum: Second Generation Plan – Stream Classification

D. Welcome and Introduction

Fred moore started the meeting with a welcome statement and a review of the evening's agenda.

E. Review of March 26th Meeting Minutes

Terrie Christian corrected a statement she made about water quality. The statement read "Things that are already in place are not being implemented, for example the Met Council Best Management Practices." However, the BMP's she was referring to was published by the State of Minnesota through the extension service. The members of the group were unfamiliar with the publication. Terrie agreed to bring a copy to the next meeting.

F. Q&A

There were no questions asked during this segment of the meeting.

G. Procedure for Addressing New Issues

Fred informed the TAG of the procedure that will be followed when new issues are introduced at one of the advisory group meetings. The issue will be brought to the next steering committee meeting where they will decide which advisory group to assign the issue.

Three new issues were introduced at the last meeting. These new issues were introduced to the steering committee, but were not assigned to an advisory group yet as the Citizen Advisory Group has not yet had a chance to fully discuss the major issues.

H. Issue Prioritization

A breakdown of the issue prioritization exercise was sent to the members prior to the meeting. There were 32 issues that did not receive a vote. Fred commented that the exercise only tells where to place the emphasis and that all of the issues will be addressed in the Plan.

The top three issue categories identified by the TAG non-agency members were erosion and sediment control, wetlands and funding.

John Barton thought that some of the issues may not have received a vote because certain issues such as B13 covered many topics and voters may have thought a vote for B13 under one topic would cover B13 for all topics.

Ed Silberman analyzed the data by major issue topic rather than on an issue by issue basis. He passed out the results of his analysis to members of the group.

Connie Fortin was concerned that there were no action or implementation items listed for the major issues. Had there been, she may have voted differently. She feels that the issues should include concrete things that can be done to improve things such as water quality.

Don Maxwell compared the results to a survey saying that careful preparation goes into the wording of surveys since a slight rewording may result in different voting patterns. He would like to see implementation words placed used with the issues rather than the non-action words such as define and assess that were used. Len Kremer responded by saying that the issues were listed as they were received in letters and comments from the different agencies involved in water management.

Don Maxwell wanted to know where the implementation and time schedule gets addressed and which committee will address implementation. Fred responded by saying that the plan will have a capital improvement program and capital improvement policies. Len added that the TAG will assist in developing the capital improvement program and policies.

Tom Mathison said that there are two main driving forces behind the issues -- the Board of Water and Soil Resources (BWSR) requiring certain issues to be addressed and citizens in the watershed that want to see the improvement projects. He thinks the citizens feel this way because they are aware of the ordinances and BMP requirements already in place. So then the question becomes how and when do the forces merge?

Len's response was that cities and the Commission must assess what can be corrected by non-structural means and those that will require a project. The Plan will list what rules, regulations and ordinances that need to change to meet the goals of the Plan. Tom said it then comes down to a matter of enforcement and cited the Grimes Pond example where he found that things get spread out over so many entities that nothing gets done. Len then

responded by saying that prioritization of implementation projects will be part of the Plan as will identifying who will be the responsible party.

Ed Silberman said that a lot of the issues are already incorporated into the current policies. He feels we should find which issues are not currently being regulated. And then addressing if those issues are being adequately addressed. Fred feels that this may be another reason why some of the issues did not receive any votes – there are already policies and ordinances regulating them.

Fred asked the group if they were surprised by the results of the issue prioritization exercise.

Connie Fortin was surprised to see that the citizen members of the TAG found the water quality portion of issue A13 to be very important while no agency members voted for it.

Terrie Christian commented that the citizen members thought funding to be more important than the agency members did. She thinks that again speaks of the citizen concern for implementation measures.

Joel Settles was surprised to see that erosion and sediment control received the most votes. He feels that indicates the knowledge of the group and that they are connecting the ramifications of erosion and sediment control to water quality. He also feels that this indicates that people may not be satisfied with the way the issue is currently being addressed and enforced. Len thought this may be the result of specific problems since this issue is very visible to everyone.

Don Maxwell has observed construction site silt fences that are not performing properly and that there should be more emphasis on enforcement.

Terrie Christian added that sediment deltas are forming in Medicine Lake from sand placed on Highway 169 being washed into the Lake. She also said that the Wesley Commons development removed a nice tree buffer and consequently didn't observe the state BMP's and is therefore further contributing to lake sedimentation. Jeff Oliver defended the Wesley Commons development saying that a lot of thought and design went into the project. The trees may be gone, but a lot of engineering went into the stabilization of the bank and a planting program was implemented that will put native vegetation along the stream. Also, as part of the development a water treatment pond was constructed that will treat runoff from upstream of the development. In his opinion, the stream is better off because of the development. He went on to talk about the balancing act the cities go through to preserve natural beauty and the environment while making profitable use of the limited amount of land available.

Jeff Oliver was surprised and a little disappointed that flooding and rate control was not a higher priority to the group. The 3-4" of rain that fell over the week-end has threatened many homes in Golden Valley and pointed out that the original reason the Commission

was formed was for the express purpose of flood control. He would like to see the protection of structures in the flood plain a high priority.

Ed Silberman commented on the statement. He feels that flooding is already addressed in the current policies. He thinks the Commission should look at which issues are addressed in the policies and to what extent.

Terrie Christian has noticed that the Medicine Lake water level bounces a lot faster it has historically. As a result of this, she bought flood insurance last year despite not living in the flood plain. Her feeling is that this is the result of wetlands continuously being filled despite the watershed being “fully developed.”

Fred mentioned that when the original flood control policy was written, the Commission identified approximately 50 homes that were consciously excluded from protection from the 100-year flood. That statement was reaffirmed by Ed Silberman.

Connie Fortin feels the Commission should attempt to reduce the amount of impervious surface in the watershed.

More discussion ensued regarding the protection of homes built in the flood plain before the flood plain was defined. Jeff Oliver would like to see this issue revisited by the Commission.

I. Flood Control Policies

According to Len Kremer, when the original flood control plan was written it identified potential sites to use for the storage of storm water runoff. All of the original sites identified have been developed.

Len also stated that the policies need to be rewritten with an emphasis on redevelopment since almost all of the watershed is fully developed.

Ed Silberman noted that the present flood control policies do address redevelopment, but questions whether the policies are stringent enough.

Ken Gothberg asked if there are structures that risk flooding other than the homes along the creek that were discussed earlier. According to Len there are homes adjacent to water bodies not under the jurisdiction of the BCWMC that are at risk. The Commission manages the larger water bodies and the main reaches of Bassett Creek.

Don Maxwell said that there are two theories to flood control. The first is to store the water as close to where it falls as possible and slowly release it. The second is to get the water downstream as quickly as possible. He said that the new outlet to Medicine Lake is designed to allow more flow out of the lake once the lake level reaches a certain elevation. He recommends looking at the cost/benefit of letting the lake bounce higher in an effort to reduce the flooding problems further downstream. He feels we need to look

at every possible way to store water as close to the point of contact as possible and slowly release it.

Len pointed out that only a small portion of Plymouth was developed when the Commission was formed. As part of the original plan, the Commission identified potential storm water storage sites such as the wetland behind city hall. In order to keep the storage areas, the Commission traded density credits with developers. He is also of the impression that the Commission can do more. He went on to say that as a result of current regulations such as the Wetland Conservation Act, very few wetlands are lost anymore. He also said that redevelopment projects may want to deviate from the planned drainage patterns. He cited an example in Minnetonka. When this occurs, the Commission requires additional storage for rate control and water quality.

Terrie Christian said that Jeff Lee and the City of Minneapolis is looking at alternatives to curb and gutter. They would like to do more with ditches and allow more water to infiltrate.

Connie Fortin suggested in being smarter about sizing culverts. She has an idea of making culverts that conform to the natural shape of the creek with a wide flat bottom that would expand wider at the top of the creek banks to simulate a wider flood plain. This would keep the creek more natural and avoid the constrictions and expansions that are the result of round culverts. Len mentioned that certain culverts have been downsized to take advantage of storage opportunities.

Jeff Oliver feels that the main flood control system works very well and cited the recent rainfall as a great example of how well it is working. But it does not solve all of the problems. He feels the Commission should go back and attempt to solve these problems.

Connie Fortin would like to see the creek kept in as natural of a state as possible.

Different communities have different regulations with respect to developments adjacent to flood plains. The Commission requires all structures to be one foot above the 100-year flood level. Crystal and Golden Valley both have the one-foot requirement. Plymouth requires two feet. St. Louis Park requires one foot on existing structures and two feet on new developments. Len asked the group if the Commission should looking at making a uniform policy requiring a two-foot clearance. All vocal responses were affirmative.

Don Maxwell asked about the implications of using the 150-year or 200-year events as the design storms. He stated that 100 years of history in the United States is a large portion of our history, but 100 years in Europe is a small portion of their history. Len drew a plot of flood level with respect to the return interval of a runoff event. The curve flattens out as it approaches the less frequent events. Therefore the difference in flood level is small between the 100-year and the 200-year events.

Len went on to say that there will not be any new natural storage sites in the watershed. But, as the area redevelops, there will be new artificial storage sites constructed for storage.

Jeff Oliver wanted to note that skimmers are now a part of outlet designs.

Joel Settles pointed to the need to revise the water quality pond construction requirements to closer represent the requirements of the cities. The new requirements should include a safety bench and promote aquatic vegetation.

Connie Fortin asked who is responsible for the maintenance of flood control structures built in the watershed. According to Len it is the responsibility of the city that the structure resides in. He went on to say that the Commission occasionally inspects the structures to see if proper maintenance is being done and has historically found that 95% of the facilities are being properly maintained.

When intercommunity drainage disputes arise, the Commission will act as a mediator to the dispute. Len doesn't see disputes coming this happening very often as adjacent communities typically review development plans occurring upstream and have the opportunity to express their comments.

Current cost allocation policies are based on flood control. Len gave the example of the City of Golden Valley having to pay for an easement to store flood water on the Golden Valley Country Club. The Policy Advisory Group will look into using a similar policy for water quality projects.

Terrie Christian asked the hypothetical question "if a new, large storage site was built in Plymouth, would the cost be shared by all of the communities?". Len's response was that since all downstream communities would benefit, all would share in the cost. The cost of obtaining the easement would also be included in the project cost.

No questions were asked about outflow conveyors.

The Commission has an existing policy that it will support projects that attempt to improve the aesthetics of Bassett Creek as long as the projects are consistent with the public use of the creek.

Connie Fortin asked about the definition of an "improvement." Some people consider reestablishing native vegetation an improvement while others see having sod all the way to the creek bank an improvement.

John Barton added that a natural buffer strip along the creek could serve as a safety barrier to keep children away during times of high water.

Len thinks that the new issue introduced last month concerning public access to the creek could be included in this discussion. City staff also took this opportunity to express their desire for more public access to the creek, especially to address maintenance issues.

Jeff Oliver would support a buffer requirement but cited the rights of private property owners.

Don Maxwell asked if most people prefer to have a buffer or have their lawn extend all the way to the creek. Jeff Oliver said that at first most people prefer to have their lawn extend all the way to the water. Golden Valley began a public education initiative to educate the adjacent land owners of the benefits of a buffer strip and could think of five land owners that will be planting a buffer when the high water goes down this year.

Joel Settles added that most people living along the creek enjoy looking at it and a buffer strip would likely impede their view.

A question was asked about who pays for land owners to add a natural buffer strip. Jeff Oliver said Golden Valley has a policy to provide the technical expertise, but it is the responsibility of the land owner to pay for the project. Shand Missaghi said Plymouth offers a \$500 grant for land owners to convert a portion of their lawn to native vegetation. Last year Plymouth had seven land owners take advantage of the program.

Connie Fortin asked if the Commission should require a buffer for any properties that are sold along the creek. The consensus among the group was that this would be difficult to uphold legally.

The BCWMC regulates any projects that would change the drainage patterns from what has been planned. Len cited a proposal in St. Louis Park that would have diverted water into Bassett Creek.

The BCWMC regulations for developments in and adjacent to flood plains are more stringent than the State regulations because of the potential for damage to property.

J. Next Meeting

The next meeting will be Monday, May 21. Water quality, groundwater and wetlands will be discussed at this meeting. Len introduced a memorandum that was provided as a handout that details an alternative method for classifying streams.

The meeting adjourned at 6:15 p.m.