

# Bassett Creek Watershed Management Commission

## Minutes of the Meeting of January 15, 2009

### 1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:35 a.m., Thursday, January 18, 2009, at Golden Valley City Hall by Vice Chair Black. Ms. Herbert conducted roll call.

#### Roll Call

<i>Crystal</i>	Commissioner Pauline Langsdorf, Secretary	<i>Counsel</i>	Charlie LeFevere
<i>Golden Valley</i>	Commissioner Linda Loomis, Treasurer	<i>Engineer</i>	Len Kremer
<i>Medicine Lake</i>	<i>Not represented</i>	<i>Recorder</i>	Amy Herbert
<i>Minneapolis</i>	Alternate Commissioner Lisa Goddard		
<i>Minnetonka</i>	<i>Not represented</i>		
<i>New Hope</i>	Commissioner Daniel Stauner		
<i>Plymouth</i>	Commissioner Ginny Black, Vice Chair		
<i>Robbinsdale</i>	<i>Not represented</i>		
<i>St. Louis Park</i>	Commissioner Manuel Jordan		

*Note: Commissioner Cheri Templeman & Alternate Commissioner Wayne Sicora arrived after roll call*

Also present: Laura Adler, BCWMC Technical Advisory Committee, City of St. Louis Park  
Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth  
Mary Gwin-Lenth, City of New Hope  
Dave Hanson, Alternate Commissioner, City of Golden Valley  
Mayor Kathi Hemken, City of New Hope  
Randy Lehr, Three Rivers Park District  
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal  
Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale  
Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley  
Stu Stockhaus, Alternate Commissioner, City of Crystal  
Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka  
Elizabeth Thornton, Alternate Commissioner, City of Plymouth

### 2. Approval of Agenda and Consent Agenda

Acting Chair Black announced the addition of agenda item 4Cx – Invoice from the City of Golden Valley for the 2008 financial management fee and the addition of agenda item 6cii – Wirth Lake TMDL Study update. Ms. Loomis moved the agenda as amended. Mr. Stauner seconded the motion. The motion carried unanimously [Cities of Medicine Lake, Minnetonka, and Robbinsdale absent from the vote]. Ms. Loomis moved to approve the Consent Agenda. Ms. Langsdorf seconded the motion. The motion carried unanimously [Cities of Medicine Lake, Minnetonka, and Robbinsdale absent from the vote].

### 3. Citizen Input on Non-Agenda Items

No citizen input.

#249161 v1

## 4. Administration

- A. Presentation of the December 18, 2008, BCWMC meeting minutes. Minutes were approved as part of the Consent Agenda.
- B. Presentation of the Financial Statement.

The general and construction account balances reported in the January 2009 Financial Report are as follows:

<u>Checking Account Balance</u>	448,223.74
<u>TOTAL GENERAL FUND BALANCE</u>	448,223.74
Construction Account Balance (cash)	2,986,984.31
Investment Balance	0.00
<u>TOTAL CONSTRUCTION ACCOUNT BALANCE</u>	<u>2,986,984.31</u>
<u>-Less: Reserved for CIP projects</u>	<u>3,761,618.14</u>
<i>Construction cash/ investments available for projects</i>	<i>(774,633.83)</i>

- C. Presentation of Invoices for Payment Approval.

Invoices:

- i. Kennedy & Graven – Legal Services through November 30, 2008 - invoice for the amount of \$858.22.
- ii. Barr Engineering Company – Engineering Services through December 26, 2008 - invoice for the amount of \$20,351.84.
- iii. Barr Engineering Company – Sweeney Lake TMDL Services November 29 – December 26, 2008 - invoice for the amount of \$132.50.
- iv. Amy Herbert – December Recording Administrator Services - invoice for the amount of \$3,857.27.
- v. SEH, Inc. – Sweeney Lake TMDL Study Phase 2 Services through November 30, 2008 – invoice for the amount of \$6,313.08.
- vi. JASS – Joint Education and Public Outreach Administrative Services – invoice for the amount of \$402.78.
- vii. Pauline Langsdorf – Education Exhibit Expenses (hand truck) – invoice in the amount of \$42.62.
- viii. State Register – Notice and affidavit for Letters of Interest – invoice in the amount of \$67.60.
- ix. Three Rivers Park District – 2008 Monitoring Expenses for Sweeney Lake TMDL – invoice in the amount of \$5,482.00.

- x. City of Golden Valley – 2008 Financial Management Fee – invoice in the amount of \$3,000.

Ms. Langsdorf moved to approve all invoices. Ms. Loomis seconded the motion. By call of roll, the motion carried unanimously [Cities of Medicine Lake, Minnetonka, and Robbinsdale absent from the vote].

- D. Resolution 09-01 Approving the Reimbursement to the Bassett Creek Watershed management Commission 2.5% of the 2008 Tax Levy, for Administrative Expenses for Capital Improvement Program (CIP) Projects and Approving the Transfer of the Funds from the CIP Account to the Administrative Account. Ms. Loomis moved to approve Resolution 09-01. Ms. Langsdorf seconded the motion. The motion carried unanimously [Cities of Medicine Lake, Minnetonka, and Robbinsdale absent from the vote].
- E. Resolution 09-02 Designating Depositories for Bassett Creek Watershed Management Commission Funds. Ms. Goddard moved to approve Resolution 09-02. Ms. Loomis seconded the motion. The motion carried unanimously [Cities of Medicine Lake, Minnetonka, and Robbinsdale absent from the vote].

## 5. New Business

No New Business

## 6. Old Business

### A. TAC Recommendations

- i. BCWMC Capital Improvement Projects Plan (CIP) Plan Review. Mr. Kremer said the TAC reviewed the CIP and had recommendations for the BCWMC for projects to be completed in 2010. Mr. Kremer said the CIP document reviewed by the TAC and the member-cities is just a version of the table included in the 2004 *Watershed Management Plan* that has been added to and is more of a status report of the projects than it is a plan for future improvements. He said the TAC recommends that the Plymouth Creek project from 26<sup>th</sup> Avenue to Medicine Lake, which is now scheduled to be completed in 2010, be completed by the Commission and an assessment be made for the balance of the cost of that project. Mr. Kremer said the BCWMC included the project in the 2009 CIP and requested that Hennepin County assess an ad valorem tax for \$600,000 of the project cost in 2009 [Note: This information was corrected by the Commission at its February 19, 2009, meeting. The Commission did not include the \$600,000 in its ad valorem tax request for collection by Hennepin County and the Commission will need to include the full cost of the project in its request to the County in 2009 for collection in 2010].

Mr. Kremer reported that the TAC's second recommendation is that the Bassett Creek Main Stem restoration project from Highway 100 to Regent Avenue be initiated in 2010. He said the estimated project cost is approximately \$750,000.

Mr. Kremer said the TAC also recommended the BCWMC update the current CIP table and maintain it as a project status report and to create another table that includes only proposed future CIP projects.

Ms. Langsdorf asked if the BCWMC would need to increase the amount it requests for its CIP

budget for 2010 if it were to approve going ahead with the two projects. Mr. Kremer said no, the CIP cost for 2010 would still be within the annual \$1 million target for the CIP that the BCWMC had set. Ms. Herbert said she would send out a copy of the CIP table to the commissioners and alternate commissioners.

Ms. Loomis asked if the two projects are included in the current CIP and if the BCWMC would need to do a plan amendment. Mr. Kremer responded that the two projects are included in the proposed CIP but the BCWMC would need to do a minor plan amendment before construction could begin.

Ms. Goddard asked when the public process would occur. Mr. Kremer said the BCWMC could hold the public hearing on the projects at its March meeting. Mr. Asche said the City of Plymouth will hold a public meeting in February for businesses and residents along the creek.

Mr. Oliver reported that the TAC would like to spend twenty minutes of time at one of its future meetings to look closely at the format of the table of proposed future CIP projects. Mr. Stauner said he was the Commission's liaison at the last TAC meeting and said his sense of the discussion is that the issue was flow of information and how good is the information that the Commission and the member-cities are getting on the proposed projects. He said the projects fall into three categories: 1. completed projects – so the information is of historical interest; 2. pending projects – projects such as Twin Lake with its outstanding issues; 3. future projects – projects that haven't been undertaken. Mr. Stauner said if the proposed new CIP table categorizes the information in this way, it will be more useful to the Commission.

Ms. Loomis moved to approve both TAC's recommendations as detailed in the January 9, 2009, memo and TAC's request to review the format of the CIP table:

- Include the completion of the Plymouth Creek restoration project and the Main Stem Bassett Creek restoration project in the 2010 Bassett Creek CIP. Request that Hennepin County assess the balance of the cost of the Plymouth Creek project from 26<sup>th</sup> Avenue to Medicine Lake in 2010 and approximately \$750,000 of the Main Stem Bassett project, from Highway 100 to Regent Avenue, in 2010.
- Revise future versions of the Bassett Creek Capital Improvements Plan to only include proposed future projects. Revise the current version of the CIP table to a project status report.

Mr. Stauner seconded the motion. The motion carried unanimously [Cities of Medicine Lake, Minnetonka, and Robbinsdale absent from vote].

[Alternate Commissioner Sicora arrives]

- ii. **Plymouth Creek Restoration Project.** Mr. Kremer reported that the TAC reviewed the August 2008 draft of the *Plymouth Creek Restoration Project* feasibility report. The project described was a little different than the original project proposal in that it would relocate the lower reach of Plymouth Creek from its existing location to a location where it was naturally and through a wetland just upstream of the proposed Medicine Park Pond project. Mr. Kremer said the project change increased the project cost from \$600,000 to \$850,000. Mr. Kremer said the feasibility report describes the project and cost taking into consideration the stream relocation as part of the project. However, Mr. Kremer explained, the final decision on whether or not to relocate the channel has not been made yet by the City of Plymouth. He said the City will hold public meetings to get public input on the relocation proposal and then the City will make a final decision.

Mr. Asche said the public participation process for the creek channel project is dovetailing on the water quality ponds project. The projects are adjacent to each other but are two separate projects and processes. He said some of the details for relocating the creek channel and some of the specifics for that project depend on the water quality project.

Mr. Kremer said if after the public participation process the City of Plymouth decides to go ahead with the channel relocation, then the City recommends that the Environmental Assessment Worksheet (EAW) be done for the Plymouth Creek Restoration project. Mr. Kremer reported that the TAC's recommendations are:

- If the City goes ahead with the channel relocation, then the EAW should be done and the cost estimate for the project should include the EAW and since there is a possibility that wetland mitigation would need to be done as part of the channel relocation, although Mr. Kremer said he didn't think wetland mitigation would be necessary, the TAC recommends the mitigation cost also be included in the plan.
- The TAC recommends that the feasibility report and a request for a minor plan amendment be submitted to the Minnesota Board of Water and Soil Resources and Hennepin County and Mr. Kremer said this action could be done now and then after the March public meeting the approval of the minor plan amendment process for the project would be done.
- The TAC recommends a feasibility report be completed for the Bassett Creek Main Stem Restoration project and submitted to BWSR and Hennepin County with a request for a minor plan amendment. He said the request would follow the resource management plan that is currently being prepared.

Mr. Stauner asked if some of these actions are premature because of where the City of Plymouth is with its public participation process. Mr. Kremer said the feasibility report outlines the most extensive scope of the project and said he doesn't think that sending the report on with a request for a minor plan amendment would have any adverse effect on the process. Mr. Stauner commented he would be worried that the Commission would have to go back and redo something and then resubmit the report and request, which would bring additional costs. Mr. Kremer said no, if the Commission eliminates something out of the project included in the original plan, the Commission would not have to go back and submit a new request.

Ms. Loomis moved the recommendations as detailed in the January 9, 2009, TAC Memo:

- Revise the project cost estimate after the City completes the public participation process and the project scope has been decided. After the public hearing, prepare and submit a request that BWSR approve a minor plan amendment for Plymouth Creek.
- Complete a Feasibility Report for the Main Stem Bassett Creek Restoration project after the resource management plan is completed.

Ms. Goddard seconded the motion. The motion carried unanimously [Cities of Medicine Lake and Robbinsdale absent from the vote].

**iii. Review of Historic Information Regarding the Streambank Maintenance, Repair, and Sediment Removal Fund. Mr. Kremer said there are two different ways to complete sediment**

removal or channel maintenance projects with Commission participation: One way is through the Streambank Maintenance, Repair and Sediment Removal Fund and the other way is through channel restoration projects included as part of the Capital Improvement Program. He said the projects completed through the Fund are typically small projects because there isn't a lot of money available in that Fund. Mr. Kremer said that is why the BCWMC decided to include channel restoration projects in the CIP because those projects are much larger and couldn't be completed with the funds available in the Streambank Maintenance, Repair, and Sediment Removal Fund.

Mr. Kremer reminded the Commission that the TAC requested to review the information that led up to the creation of those two different methods of completing projects. He said Ms. Herbert pulled the information together and the TAC reviewed it. Mr. Kremer stated that the TAC decided that in the future it would like to see general information about the various funds included in the packet of information put together about the BCWMC's budget so that people reviewing the Commission's budget understand the origin of the fund and the limitations of the fund. He said the information is included in the Commission's *Watershed Management Plan* and can be extracted and included in the budget report.

The Commission directed staff to prepare the information and to include it in the annual budget information in May.

- B. **2008 Bassett Creek E. Coli Monitoring Data.** Mr. Kremer said the December 11, 2008, Memo "Bassett Creek E. Coli Bacteria Monitoring 2008" from Barr Engineering summarizes the data collection project the Commission undertook in 2008 in cooperation with the Minnesota Pollution Control Agency. He said the Creek is listed as impaired for E. Coli and the intent of the sampling program was to do more extensive monitoring to see if there were areas within the watershed that were more problematic than others or if the sampling could identify a source of the E. Coli. He said the idea of the sampling program was to work with the MPCA for two years to see if impairment exists and so there is another season of sampling with the MPCA proposed.

Mr. Kremer said the data shows that whenever there is a runoff event there is a potential impairment. He said obvious sources are pet waste, ducks and geese, and wildlife. He said another potential source is sanitary sewer overflows although he thinks those would be very rare. Mr. Kremer said he looked at data from Minnehaha Creek and that during runoff events the creek also has impairments. He said he also looked at data from Vermillion River. He said that River has a fecal coliform impairment and a group studied the upstream tributaries that are urban as part of that TMDL study. Mr. Kremer said that in 2007 the group did an extensive study including 14 monitoring sites on two streams in Lakeville that are impaired both during runoff event flows and during base flows to try to identify a source of the fecal coliform impairment. He said that the study could not determine the sources of the impairment.

Mr. Kremer directed the Commission's attention to a handout passed out today prepared by the MPCA on Best Management Practices (BMPS) that lists the BMPs that would be typically considered to be implemented to deal with a fecal coliform impairment in an urban area. He said the BMPs include city ordinances against pet waste, public involvement regarding pet waste, illicit discharge detection and elimination, which all cities have in their stormwater pollution prevention plans, construction and sediment control BMPs and post construction such as goose management, wet detention basins, filtration basins, constructed wetlands, detention systems, soil filters, and other similar BMPs.

Mr. Kremer said if a TMDL is done on Bassett Creek, those BMPs are things the Commission will

come up with of as part of the implementation plan. He stated that he spoke with Barb Piechel of the MPCA, who is the manager of the Mississippi TMDL study, whether or not she could extend her boundary to include Bassett Creek in that boundary. She said it is something the MPCA can consider. Mr. Kremer said that perhaps Ms. Loomis can bring the idea up at the next Mississippi TMDL stakeholder meeting and then the Commission could discuss the topic at the next BCWMC meeting after the next Mississippi TMDL meeting.

Mr. Kremer said that DNA fingerprinting of E. Coli samples is still in the experimental stage and would not be a viable option for the Commission to pursue at this time.

Mr. Kremer said he thinks it makes sense to collect the second year of data but based on the data the Commission has now he doesn't think the Commission can identify any area of the Creek that has a significantly greater problem than any other area. Ms. Loomis directed staff to bring this topic back in front of the Commission after the discussion at the next Mississippi TMDL Study meeting.

- C. i. **Medicine Lake TMDL Study Update and Select Representative for Medicine Lake Steering Committee.** Ms. Black reminded the Commission of the Medicine Lake Steering Committee meeting update e-mailed out from Michael Welch. Ms. Black added a brief update about the meeting. Ms. Black said the first half of the meeting was a discussion and three themes seemed to dominate the discussion including an equitable distribution of the load, the cost, and preserving or enhancing habitat where opportunities present themselves. She said the second half of the meeting focused on models.

Ms. Black said that the BCWMC needs to select a Commission representative for the Medicine Lake TMDL Study Steering Committee. Mr. Jordan responded that he would be able to attend some of the meetings and would be willing to share the role of representative with another commissioner but would not be able to attend each meeting. Ms. Black asked Mr. Jordan to touch base with Mr. Welch about alternating the meetings.

- ii. **Wirth Lake Steering Committee Representative.** Mr. Kremer said the BCWMC is looking for a commissioner that can represent the BCWMC on the Wirth Lake TMDL Study steering committee. He said the steering committee will hold approximately four meetings. Mr. Kremer reminded the Commission that Minneapolis, Golden Valley, Mn/DOT, and Hennepin County are MS-4s for the TMDL. Mr. Stauner said he could probably be the Commission's representative and asked Ms. Herbert to contact him regarding the date of the first meeting. Ms. Black said she could be the alternate representative. The Commission directed Ms. Herbert to add Mr. Stauner as the representative and Ms. Black as the alternate representative to the Wirth Lake Stakeholder list.

D. **Education and Public Outreach Committee**

- i. **Grant Reimbursement Request from St. David's Child Development & Family Services.** Ms. Langsdorf reported that the Education and Public Outreach Committee recommends payment of the invoice from St. David's in the amount of \$366.68 out of the 2008 demonstration/ grants budget item. Ms. Langsdorf noted that the BCWMC previously approved up to \$1,000 in education grant funds for this grant. [See following motion for approval.]

- ii. **Grant Application from Crystal Environmental Quality Committee.** Ms. Langsdorf said the BCWMC received an education grant application from the City of Crystal's Environmental Quality Committee. She said the grant would help support a city program

called "Score One for Mother Nature and the storm drains in the Bassett Creek watershed – Storm Drain Baseball." Ms. Langsdorf said the Education and Public Outreach Committee recommends the BCWMC fund the grant in the amount of \$700 from the 2008 demonstration/ grants budget for payment in 2009. Mr. Stauner moved to approve both the grant reimbursement request from St. David's in the amount of \$366.68 and the funding of the grant application from Crystal's Environmental Quality Committee in the amount of \$700. Mr. Jordan seconded the motion. The motion carried unanimously [Cities of Medicine Lake and Minnetonka absent from the vote].

iii. **Proposal to Carry-over 2008 Budgeted Funds to 2009 Budget.** Ms. Langsdorf stated that in 2008 the BCWMC approved a \$1,000 grant from the Commission's demonstration/ education grant budget line for the Blake School's rain garden project. Ms. Langsdorf said the Education and Public Outreach Committee would like \$1,000 carried over from the BCWMC's 2008 demonstration/ education grant budget to its 2009 demonstration/ education grant budget. She said the Committee also recommends carrying-over \$700 from the 2008 demonstration/ education grant budget to the 2009 demonstration/ education grant budget for payment of the Crystal Environmental Quality Committee education grant. Ms. Langsdorf moved that the BCWMC carry-over \$1,700 from the 2008 demonstration/ education grant budget to the 2009 demonstration/ education grant budget. Mr. Stauner seconded the motion. The motion carried unanimously [Cities of Medicine Lake and Minnetonka absent from the vote].

iv. **Proposed 2009 Watershed Education Partnership with Metro Blooms – Rain Garden Workshops.** Ms. Langsdorf stated that in the spring of 2008 the Education and Public Outreach Committee budgeted \$1,000 to support the Metro Blooms Rain Garden Workshops in 2009. She reported that the Committee recommends that the Commission increase its level of support of the Metro Blooms Rain Garden Workshops by \$1,000 for a total of \$2,000 in 2009. She said the Committee recommends the BCWMC move \$1,000 out of the 2009 CAMP budget and into the 2009 Watershed Education Partnerships budget.

Ms. Langsdorf moved to approve funding the 2009 Metro Blooms Rain Garden Workshop program at \$2,000 instead of the previously approved \$1,000 and to move \$1,000 out of the 2009 CAMP budget into the 2009 Watershed Education Partnerships in order to fund the \$1,000 increase in support for the Metro Blooms program. Ms. Loomis seconded the motion. The motion carried unanimously [Cities of Medicine Lake and Minnetonka absent from the vote].

[Commissioner Templeman arrives].

Ms. Langsdorf said if cities are interested in hosting a workshop they can contact Metro Blooms and that the cities do need to be aware that there is a cost of \$750 to host a workshop.

Ms. Thornton noted that in page 2 of the Education and Public Outreach Committee meeting minutes the reference to St. Joseph should be a reference to St. David's.

v. **Proposal to Amend 2009 Budget – Deferred to February BCWMC meeting.**

E. **2008 Water Quality Monitoring Program.** Mr. Kremer stated that the annual report for Bassett Creek on water quality monitoring is being prepared by Barr Engineering. He said the

person preparing the report brought to his attention the change in the water quality for Twin Lake in 2008. Mr. Kremer said that Twin Lake is adjacent to Sweeney Lake and that there is actually a connection between the two lakes. He said that data show that since 1992 Twin Lake has had excellent water quality with phosphorus levels in the 20s parts per billion (ppb) and has been one of the best lakes in terms of water quality in the metropolitan area. Mr. Kremer said the change in water quality in 2008 is a concern. He said the change in average phosphorus concentration went from the 20s ppb to over 40 ppb, which is a very significant change. Mr. Kremer said that change is either due to a flow coming from Sweeney Lake in the spring, since phosphorus concentrations in Sweeney Lake is very high, or due to an internal load from bottom sediments in Twin Lake, or a combination of those two factors. Mr. Kremer said he is recommending the BCWMC conduct additional sampling on Twin Lake and on Sweeney Lake in 2009 to figure out the source of the change in water quality. He said his recommendation is that both Twin Lake and Sweeney Lake be sampled although to a lesser extent than last year. He said the intent behind the additional sampling is to figure out whether Sweeney Lake is the source of the phosphorus or whether the bottom sediments in Twin Lake are the source.

Mr. Kremer explained that the sampling and the analysis of the samples would cost approximately \$5,000. He said there should be a sample taken before ice out and then samples should be taken between May and September. Mr. Kremer stated that phosphorus concentrations are typically very high under the ice and if the sample taken prior to ice out shows that phosphorus concentrations are very high it may indicate that the Twin Lake bottom sediments are the source of the increased phosphorus level in the lake.

Ms. Black asked if the additional \$5,000 would fit in the 2009 monitoring budget. Mr. Kremer said it should fit and if not, the cost could go under the surveys and studies budget. Mr. Kremer said that in the discussion in the next agenda item Barr will ask for Commission direction regarding the 2009 Water Quality Monitoring program. Ms. Black said no action needs to be taken regarding the 2008 water quality budget at this time.

- F. **2009 Water Quality Monitoring Program.** Mr. Kremer stated that every three years the BCWMC has sampled seven different locations in the creek for macroinvertebrates and has tracked what is happening with water quality in the creek based on the populations of those invertebrates. He said that in addition to the creek sampling, the BCWMC has sampled two or three lakes every year. Mr. Kremer explained that in 2009 the sampling is slated for Northwood Lake and North and South Rice and probably the last time they were sampled by the BCWMC was approximately four years ago. Mr. Kremer said if the Commission wants to go ahead with the proposed 2009 water quality program, he recommends the Commission direct Barr to prepare for the Commission's February meeting a more detailed cost estimate of the 2009 monitoring costs and to see whether or not the additional sampling on Twin and Sweeney Lakes would fit into the Commission's 2009 budget. Ms. Goddard moved for the Commission Engineer to do a more detailed cost estimate of the 2009 water quality monitoring program and to present the information at the February Commission meeting.

## 7. Communications

A. Chair:

- i. Acting Chair Black reminded the Commission that it will be discussing its mission and goals at the February meeting and asked the Commission to review the goals listed in the Commission's *Watershed Management Plan*.

B. Commissioners:

- i. Mr. Stauner stated that he thought it would be wise for the Commission to bring up the topic of 9209 40 ½ Avenue North in New Hope at least every 90 days and requested the topic be added to the February agenda.

**C. Committees:**

- i. **Administrative Services.** Acting Chair Black said the Administrative Services Committee will have its next meeting on February 5<sup>th</sup> at 4:30 p.m. at Golden Valley City Hall in the Council Conference Room.
- ii. **Education and Public Outreach Committee:** Ms. Langsdorf announced that there will be a discussion group meeting on Wednesday, February 4<sup>th</sup> from 1:00 to 3:30 pm in St. Paul regarding the state plan for environmental education and that she will forward the e-mail to Ms. Herbert to send to the Commission.

Ms. Langsdorf announced that the next Education Committee meeting is February 4<sup>th</sup> at 9:00 a.m. in the Council Conference Room at Golden Valley City Hall and the next Joint Education and Public Outreach meeting is February 10<sup>th</sup> at 8:30 a.m. in the Medicine Lake Room at Plymouth City Hall.

**D. Counsel\***

**E. Engineer:**

- i. Mr. Kremer stated that there is supposed to be a summary of the four meetings conducted by BWSR regarding the use of the Clean Water Legacy money available on the BWSR Web site early next week. He said Ms. Herbert can send the link to that summary once it is available. Mr. Kremer said he heard from BWSR staff that it expects to have some type of grants program with applications available in fall of 2009. He said he thinks the Commission has several projects that could qualify for the program such as Twin Lake, Parkers Lake, Plymouth Creek, and the Bassett Creek Main Stem.
- ii. Mr. Kremer said he received a call from Brooke Asleson of the MPCA who said the MPCA is in the process of developing a scope of work for a watershed TMDL study for Elm Creek that would deal with all the remaining impairments in Elm Creek and she is suggesting the Commission consider the possibility of creating a watershed TMDL for Bassett Creek for 2010. Mr. Kremer said Northwood Lake is impaired and the stream is impaired for biota, E. Coli and fisheries. Mr. Kremer said this topic should be put on a future Commission agenda for discussion and it should probably be put on the agenda prior to the budget discussions since the MPCA said it would like Commission participation in the cost of the TMDL.
- iii. Mr. Kremer stated that the City of Crystal is putting together a request for proposals for preparing the technical details on a study of Memory Lane Pond and the options for an outlet. Mr. Kremer asked the Commission if it is a conflict of interest for Barr to submit a proposal to supply the technical details. Mr. Mathisen said the City of Crystal is looking at an ok from the Commission to receive a proposal from Barr. Mr. Kremer said someday the City of Crystal could come to the BCWMC and present the technical information and the BCWMC would be in a position of needing to review that technical information. Mr. Stauner said he does see a potential conflict of interest. Ms. Black said the Commission could use a different engineer to review the technical details. Mr. Stauner said that is a viable option and a reasonable solution.

## 8. Adjournment

Ms. Black adjourned the meeting at 1:20 p.m.

---

Michael Welch, Chair

Date

---

Amy Herbert, Recorder

Date

---

Pauline Langsdorf, Secretary

Date