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Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Agenda Item 6B – City of Crystal Local Surface Water Management Plan Approval
Date: January 14, 2010
Project: 23/27 051 2009 071

6B. City of Crystal Local Surface Water Management Plan Approval

Recommended/requested Commission actions:

1. Adopt Resolution 10-02 approving City of Crystal's Local Surface Water Management Plan

City of Crystal Local Surface Water Management Plan (LSWMP) Approval

The Commission sent its comments on the draft City of Crystal LSWMP in late October 2009 (memo dated October 16, 2009). The city's response to the comments are contained in a letter dated December 23, 2009 (letter is attached to this memo), along with a revised draft of the LSWMP.

Upon review of the responses, Commission staff found all of the responses and related LSWMP revisions to be satisfactory, with the exception of two items—one regarding the city's response to Comment 11 and the other regarding the city's response to Comment 19. The Commission's Comment 11 included a recommendation that a policy in the LSWMP be expanded to include all of the types of projects that are subject to Commission review. In response, the city developed a table (Appendix D) that compares the regulatory standards of the city and the WMOs in the city. The table should be a useful tool for the city, but it was missing a listing of the types of projects that require Commission review, and there were other clarifications that were needed regarding Commission requirements. The city agreed to add the additional information to the table and make other revisions; staff expects to receive the revised table before the January 21, 2009 Commission meeting. The Commission's Comment 19 recommended that the city's minimum building elevation policy be revised to include waterbodies not categorized as "basins" or "facilities." In the city's response, they indicated that no change was necessary. After discussing with the city's consultant our concern that the policy would not apply to structures adjacent to the creek, the city

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agreed to revise the policy to cover structures adjacent to a “waterbody or watercourse.” Staff received revised text from the city that confirms this change has been made.

With the above revisions, and assuming we receive the revised table before the Commission meeting, staff recommends that the Commission adopt Resolution 10-02 approving the City of Crystal LSWMP.

December 23, 2009



Mr. Michael Welch
Bassett Creek WMO
c/o Barr Engineering Company
4700 West 77th Street
Minneapolis, MN 55435

Re: Response to Comments on Crystal's Local Surface Water Management Plan

Dear Mr. Welch:

Thank you for taking the time to review and provide comments on Crystal's draft Local Surface Water Management Plan (LSWMP). The reference to your comments received by the City is provided, along with the responses to each of those comments.

Comment 1: Table 6.3 and 6.4 was modified to include Bassett Creek Park Pond and the North Branch of Bassett Creek, which includes providing the standards identified in the BCWMC WMP. Policy 11.1 was revised to state the following: The City of Crystal adopts the waterbody classifications, goals and subsequent water quality management standards developed by the BCWMC and SCWMC. Within the BCWMC, the North Branch of Bassett Creek and Bassett Creek Park Pond are identified as Level III waterbodies. Consistent with BCWMC WMP requirements, all regulated stormwater activities within the jurisdiction of the BCWMC must be treated to Level I water quality standards. Meeting these requirements is done using the document: Requirements for Improvements and Development Proposals, July 17, 2008 as revised.

Comment 2: In Table 8.2, CIP Item 8 was broadened to include a BCWMC-funded channel restoration project at an estimated project cost of \$660,000, proposed to be completed in 2013-2014, and indicated that BCWMC will be the funding source.

Comment 3: Table 6.5 was revised to include the list of waterbodies identified in your comment.

Comment 10: The development of a shoreland ordinance was added to Table 8.2, CIP Item OC-6.

Comment 11: A Table providing the comparison of regulatory standards was added as Appendix D. The nondegradation requirements were included with this table.

Permissible floodplain land uses are described in City Code Section 515.61, Subd. 4 and these uses are consistent with those that are described in BCWMC WMP Section 5.2.2.2, Policy G.

Comment 12: A more detailed description has been provided in Section 6.5 and states the following: Development and redevelopment within Crystal is subject to review from the City and one of the two watershed management organizations having jurisdiction in the City. The City recognizes that compliance with the BCWMC and SCWMC requirements is their responsibility as LGU, and they will continue to take this responsibility. The City will see that projects that fall within watershed review authority have obtained watershed comments and approval prior to Crystal issuing permits for the project. In addition a table has been provided in Appendix D that provides a comparison of regulatory standards.

Comment 14: A statement was added at the end of Policy 14.6 that clarifies that the City will be responsible for maintaining any future water quality features.

The wording in Table 5.1 was modified to specify Highway 100 control structure rather than Highway 100 embankment.

Comment 15: The City acknowledges the comment to provide a similar policy in the water quantity section for volume management, but feel that Policy 2.1, 4.1, and 4.2 adequately address this issue.

Comment 17: Table 2.6 has been added, which summarizes the 100-year flood elevations from Table 5-3 of the BCWMC WMP.

Comment 18: This item has been addressed as stated in Comment 11.

Comment 19: The City acknowledges this comment but feels that the language is clear and that no change is necessary.

Comment 23: Clarification of the partnership between the City of Crystal and BCWMC to do channel restoration projects was added to Section 8.1.4; paragraphs 3, 4, and 5.

Comment 24: City Code Section 530.15 Subd. 8.f. includes a requirement to include 16.5 foot buffers for detention ponds.

Comment 25: Section 2.6.3 was clarified to state that the City of Crystal is the LGU for the enforcement of the WCA. Policy 10.1 was also revised to state that the City of Crystal is responsible for enforcing the WCA and retains the right to defer the enforcement of the WCA when the situation warrants watershed assistance.

Comment 31: Section 8.1.4 was modified to indicate that the City will develop cost estimates on a reach-by-reach basis, partnered with the BCWMC on the channel restoration project scheduled for 2013 and 2014, and that projects are funded by ad valorem taxes collected by Hennepin County on behalf of the BCWMC.

Comment 34: The flood profiles are provided in Table 2.6 for the North Branch of Bassett Creek. The FEMA FIRM maps provide the regulatory floodplain information in Appendix A, and Figure 2.4 was modified to include flow arrows.

Please contact Tom Mathisen at 763-531-1160 or myself at 651-967-4643 if you have any questions. We trust these responses will adequately address the comments presented in your letter of November 5, 2009. Again, thank you for your efforts in reviewing the City's Local Surface Water Management Plan.

Sincerely,

BONESTROO



Jesse Carlson

cc: Tom Mathisen, Crystal City Engineer
Karen Chandler, Barr Engineering Company
Jack Frost, Metropolitan Council