



Bassett Creek Watershed Management Commission

A g e n d a

11:30 a.m., Thursday, February 18, 2010

Golden Valley City Hall – 7800 Golden Valley Road, Golden Valley 55427

1. CALL TO ORDER
2. APPROVAL OF AGENDA AND CONSENT AGENDA - Items marked with an asterisk (*) will be acted on by one motion. There will be no discussion of these items unless a BCWMC commissioner so requests in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.
3. CITIZEN INPUT ON NON-AGENDA ITEMS
4. ADMINISTRATION
 - A. Presentation of January 21, 2010, Meeting Minutes *
 - B. Presentation of Financial Statements *
 - C. Presentation of Invoices for Payment Approval
 - i. Kennedy & Graven – Legal Services through December 31, 2009
 - ii. Barr Engineering – Engineering Services through January 29, 2010
 - iii. Amy Herbert – January Administrative Services
 - iv. Liz Thornton – Education / Public Outreach – teacher focus group catering
 - v. Pauline Langsdorf – Education/ Public Outreach – teacher focus group supplies
 - vi. Springsted, Inc. – Professional Services
 - vii. D'amico Catering – January 2010 meeting catering
 - viii. D'amico Catering - February 2010 meeting catering
 - ix. Margie Vigoren – BWSR Education Workshop Meal
 - x. Metropolitan Council – 2009 CAMP participation
 - D. Review 2010 Engineering Budget (*see memo*)
 - E. Participation in 2010 CAMP (Citizen-Assisted Monitoring Program)
 - F. Review BCWMC's CIP Reserve Account Policy
 - G. Organizational Meeting
 - i. Appointment of Chair
 - ii. Appointment of Vice Chair
 - iii. Appointment of Secretary
 - iv. Appointment of Treasurer
 - v. Appointment of Budget Committee
5. NEW BUSINESS
 - A. South Shore Drive Bridge (DNR Permit Application) (*see memo*)
 - B. 2010 Golden Valley Pavement Management Plan (*see memo*)
 - C. Theodore Wirth Golf Course Bridge Replacement: Golden Valley
6. OLD BUSINESS
 - A. 2009 Water Quality Monitoring Activities
 - i. 2009 Lake Water Quality Study: Sweeney lake, Twin Lake, Northwood Lake, North Rice Pond and South Rice Pond (*see executive summary and memo on Twin Lake*)
 - ii. 2008-2009 Biotic Index Evaluation Of Bassett Creek and Plymouth Creek (*see memo*)
 - B. Review of Robbinsdale Local Surface Water Management Plan (*see review*)
 - C. Update on Cultural Resource Review Process for RMP (*see draft protocols*)
 - D. TMDL Updates
 - i. Wirth Lake TMDL (*verbal update*)
 - ii. Sweeney Lake TMDL (*verbal update*)
 - iii. Medicine Lake TMDL (*verbal update*)
 - E. BWSR Clean Water Fund Grant and BCWMC CIP Projects (*see memo*)
 - i. Grant Award and Future Process
 - ii. BCWMC CIP Project Schedule

- F. Admin Services Committee Update - Contractor Position (*verbal update*) (CONTINUED)**
- G. Meadowbrook Elementary Education Grant Reimbursement Request**

7. COMMUNICATIONS

- A. Chair**
- B. Commissioners**
- C. Committees**
- D. Counsel ***
- E. Engineer**

8. INFORMATION ONLY

- A. Administrative Reviews (*none*)**

9. ADJOURNMENT

Bassett Creek Watershed Management Commission

Minutes of the Meeting of January 21, 2010

1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:30 a.m., Thursday, January 21, 2010, at Golden Valley City Hall by Acting 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>	Karen Chandler
<i>Medicine Lake</i>	Alternate Commissioner Ted Hoshal	<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, Acting Chair		
<i>Robbinsdale</i>	Commissioner Wayne Sicora		
<i>St. Louis Park</i>	Commissioner Jim deLambert		

Also present:

- Laura Adler, BCWMC Technical Advisory Committee, City of St. Louis Park
- Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth
- Jeannine Clancy, BCWMC Technical Advisory Committee, City of Golden Valley
- Erick Francis, WSB & Associates
- Jack Frost, Metropolitan Council
- Lee Gustafson, BCWMC Technical Advisory Committee, City of Minnetonka
- Jupe Hale, WSB & Associates
- Dave Hanson, Alternate Commissioner, City of Golden Valley
- Kathi Hemken, Alternate Commissioner, City of New Hope
- 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
- Justin Riss, Alternate Commissioner, City of St. Louis Park
- Al Sarvi, Friends of Northwood Lake Association
- Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka
- Liz Thornton, Alternate Commissioner, City of Plymouth
- Alex Bole, City of Minneapolis Environmental Services
- Patrick Hanley, City of Minneapolis Environmental Services
- Cara Groans, City of Minneapolis, environmental inspector
- Dustin Maddy, City of Minneapolis, environmental inspector

2. Approval of Agenda and Consent Agenda

Commissioner Loomis requested the removal of the financial report and moved to approve the agenda as amended and to approve the Consent Agenda. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].

3. Citizen Input on Non-Agenda Items

Al Sarvi, Friends of Northwood Lake Association, introduced himself as the Association's representative

to the BCWMC and announced that the Association officially formed as a non-profit group two weeks ago.

4. Administration

- A. Presentation of the December 17, 2009, BCWMC meeting minutes. The minutes were approved under the consent agenda.
- B. Presentation of the Financial Statement. Commissioner Loomis reported that she handed out an updated financial report that reflected three voided checks due to three individuals not attending the BCWMC Education Committee's teacher focus group. Commissioner Langsdorf moved to approve the amended financial report. Commissioner Loomis seconded the motion. The motion carried unanimously [City of Minnetonka absent from vote].

The general and construction account balances reported in the January 2010 Financial Report are as follows:

Checking Account Balance	388,141.41
<i>TOTAL GENERAL FUND BALANCE</i>	<i>388,141.41</i>
Construction Account Cash Balance	3,075,539.84
Investment due 10/18/2010	533,957.50
<i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i>	<i>3,609,497.34</i>
-Less: Reserved for CIP projects	3,296,747.06
<i>Construction cash/ investments available for projects</i>	<i>312,750.28</i>

- C. Presentation of Invoices for Payment Approval.

Invoices:

- i. Kennedy & Graven – Legal Services through October 31, 2009 - invoice for the amount of \$2,766.65.
- ii. Barr Engineering Company – November Engineering Services - invoice for the amount of \$29,434.56.
- iii. Amy Herbert – November Recording Administrator Services - invoice for the amount of \$1,625.02.
- iv. Judy Arginteanu – Education Article – invoice for the amount of \$300.00
- v. City of Golden Valley – Annual Financial Management Services – invoice for the amount of \$3,000.00.
- vi. JASS – BCWMC's Portion of Administrative Services for the Joint Education and Public Outreach Committee – invoice for the amount of \$1,089.36.
- vii. CNA Surety – Annual Bond Premium – invoice for the amount of \$100.00.

Commissioner Loomis asked if the BCWMC will submit to the BallPark Authority (BPA) an invoice for reimbursement of the Commission's legal costs, reflected in Kennedy & Graven's invoice, for time spent on Twins Stadium issues. Acting Chair Black replied that it is the Commission's understanding that per the executed agreement between the Commission and the BPA, the BPA will reimburse the Commission's costs. Commissioner Loomis also asked Barr

Engineering to clarify whether the biota costs charged in Barr's invoice under water quality monitoring should be charged to the TMDL budget. Commissioner Loomis moved to approve the payment of the invoices including the invoice from the City of Golden Valley for the annual financial management fee of \$3,000, which was not included on the agenda. Commissioner deLambert seconded the motion. By call of roll, the motion carried unanimously with eight votes in favor [City of Minnetonka absent from the vote].

- D. **Resolution 10-01 to Reimburse the BCWMC 2.5% of the 2009 Annual Tax Levy for Administrative Expenses Charged to CIP Projects and to Transfer the Funds into the Administrative Account.** Commissioner Loomis moved to Approve Resolution 10-01. Commissioner Stauner seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].
- E. **Direct MMKR Certified Public Accountants to Prepare Audit Report for fiscal year 2009.** Alternate Commissioner Goddard moved to direct MMKR to prepare the audit. Commissioner Loomis seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].
- F. **BCWMC Liaison Schedule for Upcoming TAC Meetings.** Commissioners deLambert and Black volunteered to be contacted if a February TAC meeting is scheduled. Commissioner deLambert and Alternate Commissioner Goddard volunteered to attend the March 4th TAC meeting.

5. New Business

- A. **Golden Valley County Club Pond Dredging/ Creek Stabilization: Golden Valley.** Ms. Chandler stated that the proposed project is in front of the Commission because it is in the Bassett Creek floodplain. She said the project comprises pond dredging, which will include quite a bit of excavation, and some creek bank stabilization. Ms. Chandler said the City estimates 2, 800 cubic yards of sediment is anticipated to be removed. She said the plan includes approximately 100 feet of restoration of creek bank and stabilization of the berm that separates the pond from Bassett Creek. She said the plan the Commission Engineer received was more of a concept plan and more information will be available when the project goes to bid later in 2010. Ms. Chandler reported that the Commission Engineer wants to review the more detailed plans when they are available to make sure there is no net fill in the floodplain. She said the Commission Engineer recommends approval with the four conditions listed in the January 12th Engineer's Memo about the project and adding the conditions that fill in the floodplain will be balanced by cut or excavation so there is no net fill in the floodplain and also that the cross section of the creek must not be reduced.

Commissioner Loomis moved to approve the permit for the project with the conditions as discussed. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].

- B. **TruStone Financial Federal Credit Union: Golden Valley.** Ms. Chandler explained that this proposed project is in front of the Commission because it is in the floodplain. She said the Commission Engineer recommends unconditional approval of the project because the City of Golden Valley has already mitigated for the loss of storage on the site, which is the mitigation site on the General Mills property. She pointed out that even though they are not required, there are three bioretention sites proposed for the project, which will provide additional treatment, and the site also drains to a regional treatment facility. Commissioner Loomis moved to approve the project. Commissioner deLambert seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].

6. Old Business

- A. **City of Robbinsdale Local Surface Water Management Plan Submitted to BCWMC.** Ms. Chandler said there was a mix-up in the mailing of the Plan to the Commission and said the Commission asked the City of Robbinsdale for an extension of time for the plan review so the Commission would have 60-days from the actual date of receipt of the Plan. She reported that the City of Robbinsdale granted the extension. Commissioner Loomis moved that the Commission direct the Commission Engineer to review the Plan. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].
- B. **City of Crystal's Response to BCWMC's Comments on City's Local Surface Water Management Plan and Resolution 10-02 Approving Plan.** Ms. Chandler reminded the Commission that it reviewed the plan in the fall and sent comments back to the City of Crystal. She said the City responded and made changes to the plan and the Commission asked the City to look into a few additional items. Ms. Chandler said she has seen the final changes in response to those additional items and she recommends the Commission adopt the resolution approving the City of Crystal's Local Surface Water Management Plan. Commissioner Langsdorf moved to approve Resolution 10-02 with the change that the City of Crystal is named in number 4. Commissioner Loomis seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].
- C. **Update on Cultural Resources Review Process for Resource Management Plan.** Ms. Chandler reported that Commissioners Stauner, deLambert, and Welch attended a January 12th meeting with representatives of the U.S. Army Corps of Engineers (the Corps) including Brad Johnson, Melissa Jenny, and Joe Yanta, and with Len Kremer and Jeff Lee of Barr Engineering. She said the purpose of the meeting was for the Corps and the Commission to come to an agreement about the final approval process of the Resource Management Plan (RMP) and to develop a plan for addressing the cultural resource issues. Ms. Chandler said the result was a recommendation to the Commission that the RMP be revised to include protocols for the cultural resource review and how the final permitting will happen for the final projects. She said once the Corps approves the revised RMP the methodology will be in place for moving forward. Mr. Stauner added that an issue discussed at the meeting that he thought was still unresolved was what distance from the project sites would be within the reach of the cultural review. Ms. Chandler stated that she thinks that issue would be resolved as the protocols are developed. She said that the Commission Engineer's estimate is that it would cost \$1,500 to develop the protocols. Acting Chair Black asked if that amount is in addition to the previous budget for drafting the RMP. Ms. Chandler replied yes. Commissioner Sicora moved to approve the Commission Engineer to develop the draft protocols as discussed for a cost up to \$1,500 and to bring the draft in front of the Commission when it is prepared. Commissioner Loomis seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote].
- D. **TAC Recommendations**
 - i. **2010 Channel Maintenance Fund Requests.** Mr. Gustafson reported that the TAC reviewed both applications for channel maintenance funds – one from the City of New Hope for \$16,448 for the Northwood West Inlet Cleaning Project and one from the City of Golden Valley for up to \$100,000 for the Bassett Creek Channel Stabilization portion of the Golden Valley Country Club project. He said the TAC recommends that the Commission approve both applications for use of the channel maintenance funds. Ms. Chandler added that the funds for the City of Golden Valley project are for the channel maintenance portion of the Golden Valley Country Club project. Commissioner Loomis moved that the Commission approve the requests from the cities of New Hope and Golden Valley for the use of channel maintenance funds for the projects as described.

Commissioner Stauner seconded the motion. The motion carried unanimously [City of Minnetonka absent from vote].

Comments on Proposed Revisions to Capital Improvements Program and 2011 Capital Improvement Project. Mr. Gustafson said the TAC reviewed the CIP and discussed whether revisions were necessary. He stated that the TAC recommended that the CIP be revised and recommended specific changes to the next three years of projects listed in the CIP as reflected in the draft revised CIP table handed out at today's meeting and labeled "Revised January 8, 2010." He said the TAC recommends that the Commission adopt the revised CIP. Commissioner Loomis moved to adopt the revised CIP. Alternate Commissioner Goddard seconded the motion. The motion carried unanimously [City of Minnetonka absent from vote].

Mr. Gustafson said the TAC also discussed projects that may come out of the TMDL studies and other projects that could be requested by cities. He said that currently the TAC, per the Commission's direction, reviews the CIP once a year. He explained that going forward there may be projects brought to the Commission that are on the current CIP, are projects coming out of a TMDL study, or are other projects. Mr. Gustafson said the TAC discussed how would it evaluate and present recommendations to the Commission regarding those three general categories of projects. He said the TAC recognized that there could be some dilemmas for the TAC in evaluating proposed capital projects that are not on the current CIP. Mr. Gustafson announced that the TAC recommends that the Commission prepare and adopt a process to incorporate projects identified in the TMDL studies into the CIP and to prioritize them with respect to the other projects in the CIP and that this process should be developed before the end of 2010. Mr. Gustafson said the TAC would like to hear from the Commission on whether it wants all the projects prioritized against each other or does it want a different system set up that would set aside a certain amount of money for CIP projects and another amount of money for projects derived from the TMDL studies. He said an additional question for the Commission is if it wants to keep its current CIP budget of \$1,000,000 or if it wants to raise or lower it. Mr. Gustafson said the Commission's comments on those three questions would provide the TAC with the guidance it needs to continue its discussions.

Acting Chair Black directed the Commission Engineer to work with the TAC to prepare a memo outlining those three questions as an agenda item for a future BCWMC meeting such as the March meeting.

- ii. **Maintenance of BCWMC Projects.** Mr. Gustafson reported that the TAC did discuss maintenance of Commission projects but that the TAC did not have enough time to fully discuss the issue. He stated that the TAC recommends that the Commission ask the cities to provide comments back and Commission staff compile the different categories of responses and send the compiled information to the TAC so the TAC members can efficiently review the information. Ms. Chandler recommended the cities could also comment on the idea of using channel maintenance funds for maintaining the channel restoration CIP projects. Mr. Gustafson said the TAC is asking the Commission to approve the cost for staff to send out the questions to the cities and to compile the information and distribute to the TAC. Mr. Gustafson recommended a motion for Ms. Herbert to work with the Commission Engineer to send out the questions, receive the comments, tabulate them, and send the results out to the TAC. Alternate Commissioner Hoshal moved to approve the action described by Mr. Gustafson. Commissioner Langsdorf seconded the motion. The motion carried unanimously.

Mr. Stauner commented that Shingle Creek has proposed to the Minnesota Board of

Water and Soil Resources an alternative process for adding projects to its CIP that wouldn't require a major plan amendment. Mr. LeFevere said BWSR seems to be open to the Shingle Creek's proposed process, which would cut out the agency by agency review of adding projects to a CIP, but that it is still a work in progress. Mr. Stauner remarked that the Commission may want to consider the Shingle Creek proposal as it reviews its CIP process.

E. TMDL Updates

- i. **Wirth Lake TMDL.** Ms. Chandler reported that the draft TMDL should be done by the end of this week. She said the Minnesota Pollution Control Agency (MPCA) would then review it and then may send it on to the U.S. Environmental Protection Agency (EPA) for an informal review. Ms. Chandler said the TMDL also needs to go to the stakeholders and that a public meeting will need to be scheduled.
- ii. **Sweeney Lake TMDL.** Acting Chair Black reported that Ron Leaf of SEH, Inc. is reviewing comments received about the TMDL by the MPCA and the DNR. Ms. Chandler said the MPCA had one significant comment on the TMDL. She said the MPCA took issue with how much treatment is required by the TMDL for watershed reduction versus the in-lake reduction. She said the MPCA did not think it was justified that there was so much reduction placed on the in-lake load compared to the watershed load. She said one suggestion is that Ron Leaf meet with the MPCA and invite the MS4s and Hennepin County to attend the meeting to reach a resolution about what are reasonable reduction allocations. Acting Chair Black directed staff to coordinate with Ron Leaf to conduct such a meeting.
- iii. **Medicine Lake TMDL.** Acting Chair Black reported that the implementation plan is still with the consultant, who has not gotten it back to the MPCA, so the Commission is still waiting to see the TMDL.

- F. Bassett Creek E. Coli Monitoring 2009.** Ms. Chandler reported that sampling was done in June, July, August, and September 2009 and that one more sampling month will occur in June 2010. She reminded the Commission that the Commission is paying for the collection of the samples and the MPCA is paying for the laboratory costs. She said that all the samples taken had E. coli present. Ms. Chandler discussed the results and the color graph handed out at the meeting. She said there still needs to be a meeting with the Commission, staff, and MPCA to discuss how the Bassett Creek E. coli TMDL could be part of the Mississippi River Bacteria TMDL. Alternate Commissioner Hoshal asked Barr Engineering to add to the graph the MPCA's 1260 baseline onto the graph. Acting Commissioner Black asked if Barr would clarify whether sampling would need to be done after the June 2010 sampling.

G. Education and Public Outreach Committee

- i. **Education Grant Application for MinnAqua Teacher Training.** Acting Chair Black explained that the Commission received a grant application from Birchview Elementary in the Wayzata School District for grant funds of \$1,000 to fund MinnAqua Training for teachers in the Bassett Creek Watershed at a cost of \$150- \$175 per teacher. She said the BCWMC's Education and Public Outreach Committee reviewed the application and recommend approval. Commissioner Stauner moved to approve the education grant in the amount of \$1,000. Commissioner Langsdorf seconded the motion. The motion carried unanimously [City of Minnetonka absent from vote].
- ii. **BCWMC Participation in Plymouth's 2010 Yard and Garden Expo.** Commissioner Langsdorf announced that the cost to the Commission to participate by having a booth at

the Expo is \$60. Alternate Commissioner Goddard moved to approve the BCWMC's participation in the Expo at the cost of \$60. Commissioner Langsdorf seconded the motion. The motion carried unanimously [City of Minnetonka absent from vote].

- iii. **Education Grant Reimbursement Request from Crystal Environmental Quality Commission.** Acting Chair Black reported that the Crystal Environmental Quality Commission submitted their final report and are requesting the reimbursement in the amount of \$600. Commissioner Langsdorf moved approval of the reimbursement. Commissioner Stauner seconded the motion. The motion carried unanimously [City of Minnetonka absent from vote].
- iv. **Update on Teacher Focus Group.** Acting Chair Black reported that the focus group took place last week. Commissioner Langsdorf reported that seven teachers participated: three from high schools, two from middle schools, and two from elementary schools within the watershed and representing three school districts and one private school. She said the Committee was pleased with how involved the teachers were in the discussions and she presented the Committee's report on the focus group

- H. **Administrative Services Committee Update on Request for Proposals for Admin Services.** Acting Chair Black reported that the Commission received five proposals including one from the Mississippi Watershed, one from Barr Engineering, and three individuals. She said the Committee had a lengthy discussion on whether five were enough responses and if the Commission should try to get more responses but that the Committee decided that quantity doesn't mean quality and that the three individuals may be very high quality. She stated that the Committee decided to go forward to interview the three individuals. Ms. Black said although the Mississippi application was intriguing, the Committee was concerned about identity and getting lost in the Mississippi Watershed identity. She said the Committee decided not to go with the Barr proposal because one of the things the Committee is really looking for is independence so that whoever it is can oversee the consultants and not have any conflicts because if they actually work for the consultant they are overseeing it would present an awkward situation. Mr. LeFevere reminded the Commission that the information on the candidates is not public information and if anyone asks the Commission for information, direct the question to Ms. Herbert who can work with Mr. LeFevere.
- I. **Resolution 10-03 Designating Depositories for BCWMC Funds.** Commissioner Loomis moved to approve Resolution 10-03 naming the BCWMC's official depositories for 2010. Commissioner Stauner seconded the motion. The motion carried unanimously [City of Minnetonka absent from the vote.]

7. Communications

A. Chair: No Communications

B. Commissioners:

- i. **Commissioner Langsdorf** that Chair Welch received a request from BWSR regarding BWSR training workshops to help develop outreach and education programs. She recommended that the Commission approve Margie Vigoren and Karen Chandler to represent the BCWMC at the workshops. The Commission approved the recommendation and Acting Chair Black stated that she would contact Brad Wozney to let him know who will be representing the Commission.
- ii. **Commissioner Stauner** reported that he went to the Northern Green Expo put on by the Minnesota Landscape Nursery Association. He said the legislative forum was interesting and part of the discussion was the use of Clean Water Legacy Act money and whether the wildlife

monies would be available for things like habitat restoration. He said he also went to a program called “What’s in the Water” put on by the Department of Agriculture and he found out that Bassett Creek is monitored for pesticides. He said the most prevalent pesticide is 2-4D and that he would leave the handout with Ms. Herbert. Commissioner Stauner also announced that this would be his last meeting and that John Elder would take over as Commissioner next month.

- iii. Alternate Commissioner Hoshal brought an example of aerial photography by Irv Kruse and said it would be nice to have posted on the Commission’s Web site an aerial photograph of each of the lakes in the Bassett Creek watershed. Acting Chair Black asked him to forward the information to the Education and Public Outreach Committee.

C. Committees: No communications.

D. Counsel: No communications.

E. Engineer:

- i. Ms. Chandler reported that the meeting packet for next week’s BWSR board meeting indicates a BWSR staff recommendation for board approval of \$360,000 of the \$500,000 requested by the BCMWC from the Clean Water grant funds for the Plymouth Creek and Bassett Creek restoration projects. She said the BCWMC would find out for sure next Thursday.
- ii. Ms. Chandler said Hennepin County staff are recommending grant funds to the BCWMC of approximately \$130,000 for the Bassett Creek restoration project and approximately \$150,000 for the Plymouth Creek project.

9. Adjournment

Acting Chair Black adjourned the meeting at 1:50 p.m.

Michael Welch, Chair Date

Amy Herbert, Recorder Date

Pauline Langsdorf, Secretary Date

		CHECKING ACCOUNT 0100339		
BEGINNING BALANCE	13-Jan-10			\$388,141.41
ADD:				
General Fund Revenue:				
January Interest			33.73	
Assessments:		Crystal	22,131.00	
		Golden Valley	103,256.00	
		New Hope	22,605.00	
		Minnetonka	21,510.00	
		Plymouth	188,453.00	
		Medicine Lake	3,090.00	
		Minneapolis	30,216.00	
missing		ROBBINSDALE		
missing		ST LOUIS PARK		
Permits:		WSB	1,000.00	
		Mortenson	1,500.00	
		S E H	1,000.00	
Reimbursed Construction Costs				6,935.05
		Total Revenue and Transfers In		394,794.73
DEDUCT:				
Checks:				
2217 Barr Engineering	January Engineering	42,595.38		
2218 Amy Herbert	January Secretarial Ser	2,744.38		
2219 Hopkins ISD 270	Grant Expenses	992.08		
2220 D'Amico Catering	January Meeting	379.75		
2221 D'Amico Catering	February Meeting	370.74		2010-2011
2222 Kennedy & Graven	December Legal Service	2,456.45		
2223 Elizabeth Thorton	Education Outreach	120.16		
2224 Margie Vigoren	Education Outreach	14.22		
2225 Pauline Langsdorf	Education Outreach	41.88		
		Total Checks		49,715.04
Outstanding from previous month:				
2220 Judy Arginteanu	Road Salt Article	300.00		
2223 Jon Ong	Education/Outreach	100.00		
2216 Kent J Johnson	Education/Outreach	100.00		
		Total Expenses and Transfers Out		49,715.04
ENDING BALANCE	18-Feb-10			\$733,221.10

	2010/2011 BUDGET	CURRENT MONTH	YTD 2009/10	BALANCE
OTHER GENERAL FUND REVENUE				
ASSESSMENTS	449,875	0.00	449,874.00	1.00
PERMIT REVENUE	55,000	0.00	11,500.00	43,500.00
REVENUE TOTAL	504,875	0.00	461,374.00	43,501.00
EXPENDITURES				
ENGINEERING				
ADMINISTRATION	110,000	5,775.00	113,841.26	(3,841.26)
PLAT REVIEW	55,000	4,383.94	36,582.16	18,417.84
COMMISSION MEETINGS	13,000	764.50	12,706.45	293.55
SURVEYS & STUDIES	20,000	0.00	15,178.05	4,821.95
WATER QUALITY/MONITORING	49,000	23,123.50	54,613.35	(5,613.35)
WATER QUANTITY	11,000	1,002.10	7,271.45	3,728.55
WATERSHED INSPECTIONS	8,000	292.00	6,161.00	1,839.00
ANNUAL FLOOD CONTROL INSPECTIONS	10,000	0.00	11,871.00	(1,871.00)
REVIEW MUNICIPAL PLANS	6,000	1,698.50	6,160.50	(160.50)
ENGINEERING TOTAL	282,000	37,039.54	264,385.22	17,614.78
ADMINISTRATOR	35,000	0.00	0.00	35,000.00
LEGAL COSTS	18,500	750.40	15,675.58	2,824.42
AUDIT, INSURANCE & BONDING	13,000	0.00	13,745.00	(745.00)
FINANCIAL MANAGEMENT	3,000	0.00	3,000.00	0.00
MEETING EXPENSES	5,100	379.75	4,429.75	670.25
SECRETARIAL SERVICES	45,000	3,004.47	34,145.29	10,854.71
PUBLICATIONS/ANNUAL REPORT	4,000	0.00	1,696.50	2,303.50
WEBSITE	1,575	14.25	1,031.50	543.50
PUBLIC COMMUNICATIONS	3,000	0.00	1,706.25	1,293.75
WOMP	10,000	52.50	4,790.50	5,209.50
DEMONSTRATION/GRANTS/EDUCATION GRANTS	18,200	992.08	7,880.66	10,319.34
EDUCATION AND PUBLIC OUTREACH	8,200	176.26	7,286.52	913.48
EROSION/SEDIMENT (CHANNEL MAINT)	25,000	0.00	25,000.00	0.00
LONG TERM MAINTENANCE (moved to CF)	25,000	0.00	25,000.00	0.00
TMDL STUDIES (moved to CF)	10,000	0.00	10,000.00	0.00
GRAND TOTAL	506,575	42,409.25	419,772.77	86,802.23

Beginning Balance	13-Jan-10		3,075,539.84
ADD:	Interest:		
	January Interest	267.26	
	Market Value Homestead Credit		
	Tax Revenue	4179.94	
	Transfers from General Fund:		
	EROSION/SEDIMENT (CHANNEL MAINT)		
	LONG TERM MAINTENANCE		
	TMDL STUDIES		
			<u>4,447.20</u>
DEDUCT:			
	Investment -Dain	500,000.00	
	Construction Costs	6935.05	
			<u>506,935.05</u>
Ending Balance:	18-Feb-10		<u>2,573,051.99</u>

Investments	
Federal Home Loan Mtg Corp - Purchased 7/22/09 - Due 10/18/2010 - 0.55% (Current mkt value \$515,859.50)	533,957.50
Federal National Mtg Assoc-Purchased 01/21/2010-Due 01/21/2015-2% (Curent mkt value -\$500,000.00)	500,000.00
Total Investments	1,033,957.50
Construction Account - Cash Balance (detailed above)	2,573,051.99
Total: Construction Fund Cash/Investments	3,607,009.49
Less: Reserved for CIP Projects	3,291,191.22
Construction Cash/Investments Available for projects	315,818.27

Annual Flood Control Projects:					
Flood Control Emergency Maintenance	500,000	0.00	0.00	0.00	500,000.00
Flood Control Long-Term Maintenance	773,373	0.00	0.00	13,566.33	759,806.67

Project Reimbursements			
Twins Stadium	0.00	0.00	20,261.74
Sweeney Lake TMDL	0.00	33,693.00	154,123.94

Tax Levy Revenues								
	County Levy	Abatements / Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception to Date Received	Balance	BCWMO Levy
2009 Tax Levy	800,000.00		800,000.00	3,743.97	788,720.28	788,720.28	11,279.72	800,000
2008 Tax Levy	908,128.08	(850.59)	907,277.49	435.67	7,730.31	901,483.61	5,793.88	907,250
2007 Tax Levy	190,601.74	(200.27)	190,401.47		90.75	189,794.47	607.00	190,000
2006 Tax Levy	531,095.47	(1,134.64)	529,960.83		(145.28)	528,646.69	1,314.14	519,000
2005 Tax Levy	450,401.40	(1,429.91)	448,971.49		68.27	448,704.78	266.71	438,000
2004 Tax Levy	1,000,790.48	(6,332.23)	994,458.25		61.95	995,220.43	(762.18)	
							<u>18,499.77</u>	

	2010/2011 BUDGET	CURRENT MONTH	YTD 2009/10	BALANCE
<u>OTHER GENERAL FUND REVENUE</u>				
ASSESSMENTS	449,875	0.00	0.00	449,875.00
PERMIT REVENUE	55,000	3,500.00	3,500.00	51,500.00
REVENUE TOTAL	504,875	3,500.00	3,500.00	501,375.00
<u>EXPENDITURES</u>				
ENGINEERING				
ADMINISTRATION	110,000	0.00	0.00	110,000.00
PLAT REVIEW	60,000	0.00	0.00	60,000.00
COMMISSION MEETINGS	13,000	0.00	0.00	13,000.00
SURVEYS & STUDIES	20,000	0.00	0.00	20,000.00
WATER QUALITY/MONITORING	20,000	0.00	0.00	20,000.00
WATER QUANTITY	11,000	0.00	0.00	11,000.00
WATERSHED INSPECTIONS	8,000	0.00	0.00	8,000.00
ANNUAL FLOOD CONTROL INSPECTIONS	10,000	0.00	0.00	10,000.00
REVIEW MUNICIPAL PLANS	4,000	0.00	0.00	4,000.00
ENGINEERING TOTAL	256,000	0.00	0.00	256,000.00
ADMINISTRATOR	15,000	0.00	0.00	15,000.00
LEGAL COSTS	18,500	0.00	0.00	18,500.00
AUDIT, INSURANCE & BONDING	15,000	0.00	100.00	14,900.00
FINANCIAL MANAGEMENT	3,000	0.00	0.00	3,000.00
MEETING EXPENSES	5,100	370.74	370.74	4,729.26
SECRETARIAL SERVICES	45,000	0.00	0.00	45,000.00
PUBLICATIONS/ANNUAL REPORT	4,000	0.00	0.00	4,000.00
WEBSITE	4,500	0.00	0.00	4,500.00
PUBLIC COMMUNICATIONS	3,000	0.00	0.00	3,000.00
WOMP	10,000	0.00	0.00	10,000.00
DEMONSTRATION/EDUCATION GRANTS	5,000	0.00	0.00	5,000.00
EDUCATION AND PUBLIC OUTREACH	4,000	0.00	0.00	4,000.00
WATERSHED EDUCATION PARTNERSHIPS	15,000	0.00	0.00	15,000.00
EROSION/SEDIMENT (CHANNEL MAINT)	25,000	0.00	0.00	25,000.00
LONG TERM MAINTENANCE (moved to CF)	25,000	0.00	0.00	25,000.00
TMDL STUDIES (moved to CF)	10,000	0.00	0.00	10,000.00
GRAND TOTAL	463,100	370.74	470.74	462,629.26

Amy Herbert · Recording Administrator Services

733 Preakness Lane, Chanhassen, MN 55317

bcr@barr.com · 952-832-2652

February 4, 2010

Bassett Creek Watershed Management Commission (BCWMC)

Attn: Sue Virnig, Deputy Treasurer

7800 Golden Valley Road

Golden Valley, MN 55427

For contracted services January 1, 2010 through January 31, 2010

Administrative Services to BCWMC

- Created the January 21st BCWMC meeting agenda; organized packet materials for copying, copied and assembled meeting packets, stuffed and addressed meeting packet envelopes, delivered envelopes to Barr Engineering mail room for Barr to weigh, add postage, and mail; posted meeting packet on BCWMC's Web site and e-mailed link to Commission; e-mailed agenda to agenda list and e-mailed approved meeting minutes to distribution list.
 - Maintained BCWMC files; Communicated with BCWMC attorney, Chair, engineers, Deputy Treasurer, commissioners, and committee members.
 - Organized BCWMC monthly invoices; Distributed invoice payments;
 - Worked on minutes from January 21st BCWMC meeting; Contacted Administrative Coordinator candidates to arrange February 10th interviews and coordinated meeting room; Mailed to Crystal copy of signed Resolution approving its' LWMP; Mailed grant agreement to Birchview Elementary for signature; Called Met Council to discuss CAMP invoice.
 - Prepared meeting notice for January 20th Administrative Services Committee meeting
- | | |
|--------------------------------------|------------|
| 41.75 hours @ \$57.00 per hour | \$2,379.75 |
|--------------------------------------|------------|

Web Site Services to BCWMC

Updated meeting minute archive and calendar; Removed RFP information	
0.25 hours @ \$57.00 per hour	\$14.25

Coordination with BARR Engineering

Coordinated with Barr on: distribution of tasks assigned at BCWMC meeting;	
0.50 hours @ \$57.00 per hour	\$28.50

BCWMC Meetings

Coordinated and attended January 19 th conference call with Chair Welch, Karen Chandler, and Len Kremer; Set up and attended January 21 st BCWMC meeting (coordinated room reservation; ordered and received catering; prepared and provided handouts not provided in meeting packet; recorded meeting)	
5.50 hours @ \$57.00 per hour	\$313.50

Administrator Budget Charges

No Administrator Budget Charges for January

0.00 hours @ \$57.00 per hour..... \$0.00

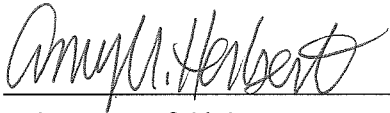
Expenses

No January expenses..... \$0.00

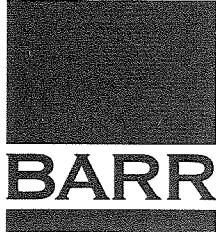
MileageMileage from Chanhassen to Golden Valley City Hall for January 21st meeting(16.76 miles x 0.50 = \$8.38); \$8.38

Subtotal Administrative Services	\$2,730.13
Subtotal Web Site Services	\$14.25
Subtotal Meeting Catering Expenses	\$0.00
Subtotal Administrator Budget Charges	\$0.00
Total Current Billing:	\$2,744.38

I declare, under penalty of law, that this
account, claim or demand is just and
correct and that no part of it has been paid.



Signature of Claimant



Bassett Creek WMO
7800 Golden Valley Road
Golden Valley, MN 55427

Page # 1
Invoice # 2327051-2009-12
Project # 23/27-051
Client # 59
February 8, 2010

Invoice of Account with
BARR ENGINEERING COMPANY

For professional services during the period of
December 26, 2010 through January 29, 2010

ENGINEERING

TECHNICAL SERVICES

Calls/emails to or from the Commissioners, watershed communities, developers in the watershed, Minneapolis Park and Recreation Board (MPRB), Three Rivers Park District (TRPD), Mississippi Watershed Management Organization, Minnesota Department of Transportation (Mn/DOT), Hennepin County, Minnesota Board of Water and Soil Resources (BWSR), Metropolitan Council Environmental Services (MCES), Minnesota Pollution Control Agency (MPCA), Corps of Engineers and interested citizens; prepared and revised draft CIP list; provided follow-up tunnel inspection summary to Xcel Energy staff based on FERC request; phone call from Mississippi River WMO regarding new building; reviewed new budgets for 2010; telephone call with Brad Wozney regarding Bassett grant and major vs. minor plan amendments for TMDL implementation projects; communications with Chair Welch regarding BWSR education and public outreach meeting.

James P. Herbert, Principal Engineer/Scientist	
4.4 hours @ \$140.00 per hour	\$ 616.00
Leonard J. Kremer, Principal Engineer/Scientist	
5.0 hours @ \$160.00 per hour	\$ 800.00
Karen L. Chandler, Senior Consultant	
2.0 hours @ \$140.00 per hour	\$ 280.00
Technicians/Administrative	\$ 160.00
Expenses (mileage)	\$ 3.00
Subtotal, Technical Services	\$ 1,859.00

PRELIMINARY SITE REVIEW/CORRESPONDENCE

Telephone conversations regarding proposed developments; provided watershed hydraulic information, flood profiles and BCWMC development requirements to applicants; coordination with INS Consultants regarding Plymouth site redevelopment; correspondence with Plymouth Staff regarding pond excavation project; conversation with HDR regarding proposed bridge across Bassett Creek in Wirth Park; meeting with Hennepin Co. staff regarding proposed LRT alignments.

Leonard J. Kremer, Principal Engineer/Scientist	
1.0 hours @ \$160.00 per hour	\$ 160.00
James P. Herbert, Principal Engineer/Scientist	
3.5 hours @ \$140.00 per hour	\$ 490.00
Subtotal, Preliminary Site/Corr	\$ 650.00

MONTHLY MEETING PREPARATION

Preparation of monthly memorandums for BCWMC meeting; reviewed draft BCWMC meeting minutes, agenda and packet materials and discussed comments with Bassett Creek Recording Administrator; conference call with BCWMC Chair regarding meeting agenda; communications with Bassett Creek Recording Administrator; internal meetings regarding agenda, to-do list and meeting packet and January 21, 2010 meeting; prepared permit figures; prepared email to MPCA regarding E. coli TMDL questions; email to Chair regarding E. Coli TMDL status; review BWSR education cohort workshop information and prepared email to Chair; reviewed CIP account balance.

James P. Herbert, Principal Engineer/Scientist	
6.7 hours @ \$140.00 per hour	\$ 938.00
Leonard J. Kremer, Principal Engineer/Scientist	
1.0 hours @ \$160.00 per hour	\$ 160.00
Karen L. Chandler, Senior Consultant	
7.2 hours @ \$140.00 per hour	\$ 1,008.00
Subtotal, Monthly Memorandums	\$ 2,106.00

TAC MEETING PREPARATION

Prepared draft TAC recommendations memorandum and agenda items.

Leonard J. Kremer, Principal Engineer/Scientist	
5.5 hours @ \$160.00 per hour	\$ 880.00
Karen L. Chandler, Senior Consultant	
2.0 hours @ \$140.00 per hour	\$ 280.00
Subtotal, TAC Meeting Preparation	\$ 1,160.00

Subtotal Technical Services \$ 5,775.00

PLAT REVIEW Note: Projects in **Bold** have provided review fees to offset review costs. Projects not in Bold are either in a preliminary stage or were submitted prior to implementation of the fee schedule.

Ballpark Authority

Coordination with Ballpark authority regarding easement issues.

Leonard J. Kremer, Principal Engineer/Scientist	
2.0 hours @ \$160.00 per hour	\$ 320.00
Technicians/Administrative	\$ 21.00

Subtotal, Ballpark Authority \$ 341.00

GVCC Dredging and Stabilization

Coordination with applicant's consultant and City of Golden Valley staff; reviewed concept drawings and provided comments to applicant; reviewed revised drawings and prepared memorandum and recommendations to the BCWMC; prepared letter of recommendation to City of Golden Valley.

James P. Herbert, Principal Engineer/Scientist
12.3 hours @ \$140.00 per hour \$ 1,722.00
Karen L. Chandler, Senior Consultant
1.4 hours @ \$140.00 per hour \$ 196.00
Michael B. Strong, Engineer/Scientist
0.4 hours @ \$70.00 per hour \$ 28.00

Technicians/Administrative \$ 31.50

Expenses (postage) \$ 0.44

Subtotal, GVCC Dredging and Stabilization \$ 1,977.94

Trustone Federal Credit Union

Coordination with applicant and City of Golden Valley staff; reviewed historical submittals for Golden Valley's floodplain improvement and mitigation project; reviewed final drawings and prepared memorandum and recommendations to the BCWMC; prepared letter of approval to City of Golden Valley.

James P. Herbert, Principal Engineer/Scientist
13.3 hours @ \$140.00 per hour \$ 1,862.00
Karen L. Chandler, Senior Consultant
1.3 hours @ \$140.00 per hour \$ 182.00
Michael B. Strong, Engineer/Scientist
0.3 hours @ \$70.00 per hour \$ 21.00

Subtotal, Trustone Federal Credit Union \$ 2,065.00

Subtotal Plat Review \$ 4,383.94

COMMISSION MEETINGS

Attended January 21, 2010 Commission meeting.

Leonard J. Kremer, Principal Engineer/Scientist
2.0 hours @ \$160.00 per hour \$ 320.00
Karen L. Chandler, Senior Consultant
3.1 hours @ \$140.00 per hour \$ 434.00

Expenses (mileage) \$ 10.50

Subtotal, Commission Meetings \$ 764.50

WATER QUALITY MONITORING

(Biotic Index Monitoring & Northwood / Rice Lake Monitoring / Sweeney/Twin Monitoring)

Coordination with MPCA, Three Rivers Park District, Plymouth, Golden Valley, and New Hope staff; coordination with Dean Hansen regarding invertebrate analyses; coordination regarding phytoplankton/zooplankton analyses; reviewed and summarized data for reports; data analyses; preparation of figures; obtained water quality data from Plymouth staff; internal meetings regarding water quality results and discuss causes and recommendations for Twin Lake; preparation and evaluation of internal loading issues with Twin Lake; prepared surfer plots of data; reviewed DNR wetland status for Rice Ponds; performed Northwood Lake and Rice Pond phytoplankton analyses; performed Sweeney Zooplankton analysis; prepared TP, Secchi, and Chlorophyll *a* data plots for Parkers Lake; prepared draft Water Quality Monitoring Report for Northwood Lake, South Rice Lake, Sweeney Lake and Twin Lake; prepared draft Biotic Index Report.

Leonard J. Kremer, Principal Engineer/Scientist
4.0 hours @ \$160.00 per hour \$ 640.00
James P. Herbert, Principal Engineer/Scientist
6.0 hours @ \$140.00 per hour \$ 840.00
Karen L. Chandler, Senior Consultant
6.7 hours @ \$140.00 per hour \$ 938.00
Margaret R Rattei, Senior Consultant
148.6 hours @ \$115.00 per hour \$ 17,089.00
Mark E. Wilson, Senior Consultant
13.0 hours @ \$100.00 per hour \$ 1,300.00
Keith M. Pilgram, Senior Consultant
2.0 hours @ \$125.00 per hour \$ 250.00
Evan G. Christianson, Senior Engineer/Scientist
15.4 hours @ \$95.00 per hour \$ 1,463.00
Aaron M. Mielke, Engineer/Scientist
0.5 hours @ \$85.00 per hour \$ 42.50
Leslie DellAngelo, Engineer/Scientist
5.1 hours @ \$85.00 per hour \$ 433.50
Jennette Pipp, Senior Technician
1.5 hours @ \$85.00 per hour \$ 127.50

Subtotal, Water Quality Monitoring \$ 23,123.50

WATER QUANTITY

Measured and reviewed lake level elevations as part of the lake-gauging program.

James P. Herbert, Principal Engineer/Scientist
2.0 hours @ \$140.00 per hour \$ 280.00
Technicians/Administrative \$ 640.00

Expenses (mileage/2WD vehicle) \$ 82.10

Subtotal, Water Quantity \$ 1,002.10

WATERSHED INSPECTION

Organized project plans for 2010 inspection program.

James P. Herbert, Principal Engineer/Scientist
1.0 hours @ \$140.00 per hour \$ 140.00

Technicians/Administrative \$ 152.00

Subtotal, Watershed Inspection \$ 292.00

REVIEW MUNICIPAL PLANS

Communications with city of Crystal regarding review of its Local Surface Water Management Plan (LSWMP); prepared review comments for BCWMC meeting; emails from/to Crystal's consultant regarding revisions to Appendix D of Crystal LSWMP. Provided BCWMC agreements to Minnetonka for its Local Plan. Coordination with Richard McCoy regarding extension to comment period for Robbinsdale Plan; provided review schedule for Robbinsdale Plan to Chair Welch.

James P. Herbert, Principal Engineer/Scientist
4.0 hours @ \$140.00 per hour \$ 560.00

Karen L. Chandler, Senior Consultant
6.3 hours @ \$140.00 per hour \$ 882.00

Sterling G. Williams, Senior Engineer/Scientist
2.7 hours @ \$95.00 per hour \$ 256.50

Subtotal, Municipal Plans \$ 1,698.50

TOTAL ENGINEERING \$ 37,039.54

SECRETARIAL SERVICES

SECRETARIAL SERVICES EXPENSES

Administrative expenses requested by Amy Herbert including: copies, color copies for meeting packet; postage, CD duplication, video digital capture/conversion and BCWMC meeting catering; packet assembly; report assembly,

Technicians/Administrative \$ 36.00

Expenses (B&W/color copies/postage)	\$ 238.34
Catering (BCWMC meeting date)	\$ -0-
TOTAL SECRETARIAL SERVICES EXPENSES	\$ 274.34

WATERSHED OUTLET MONITORING PROGRAM (WOMP)

WOMP

Coordination with Met Council regarding rating curve at WOMP station.

Christopher Bonick, Senior Engineer/Scientist 0.5 hours @ \$105.00 per hour	\$ 52.50
Subtotal, Public Relations/WOMP	\$ 52.50

TOTAL WOMP \$ 52.50

CAPITAL IMPROVEMENT PROJECTS

RESOURCE MANAGEMENT PLAN (RMP)

Coordination with Corps of Engineers (COE) regarding final RMP report; attended meeting with COE; prepared memorandum for BCWMC.

Leonard J. Kremer, Principal Engineer/Scientist 6.3 hours @ \$160.00 per hour	\$ 1,008.00
Karen L. Chandler, Senior Consultant 1.2 hours @ \$140.00 per hour	\$ 168.00
Jeffrey T. Lee, Senior Consultant 6.1 hours @ \$130.00 per hour	\$ 793.00
Expenses (mileage)	\$ 19.50
Subtotal, Resource Management Plan	\$ 1,988.50

TOTAL CAPITAL IMPROVEMENT PROJECTS \$ 1,988.50

TMDL STUDIES

MEDICINE LAKE TMDL

Coordination regarding Medicine Lake TMDL.

Leonard J. Kremer, Principal Engineer/Scientist	
0.5 hours @ \$160.00 per hour	\$ 208.00
Subtotal, Medicine Lake TMDL	\$ 208.00

SWEENEY LAKE TMDL

Coordination regarding Sweeney Lake TMDL; reviewed MPCA comments on draft TMDL; communication with Ron Leaf; preparation for meeting with MPCA.

Leonard J. Kremer, Principal Engineer/Scientist	
3.5 hours @ \$160.00 per hour	\$ 560.00
Karen L. Chandler, Senior Consultant	
1.8 hours @ \$140.00 per hour	\$ 252.00
Keith M. Pilgram, Senior Engineer/Scientist	
1.0 hours @ \$125.00 per hour	\$ 125.00
Subtotal, Sweeney Lake TMDL	\$ 937.00

WIRTH LAKE TMDL

Coordination regarding Wirth Lake TMDL schedule.

Karen L. Chandler, Senior Consultant	
0.5 hours @ \$140.00 per hour	\$ 70.00
Subtotal, Wirth Lake TMDL	\$ 70.00

E-COLI SAMPLING

Coordination regarding E-Coli sampling and laboratory analysis; summarized data and prepared graphs and memorandum; prepared revised technical memorandum regarding 2009 sampling program and results.

Leonard J. Kremer, Principal Engineer/Scientist	
1.5 hours @ \$160.00 per hour	\$ 240.00
Karen L. Chandler, Senior Consultant	
5.8 hours @ \$140.00 per hour	\$ 812.00
Margaret R Rattei, Senior Consultant	
8.1 hours @ \$115.00 per hour	\$ 931.50
Michael B. Strong, Engineer/Scientist	
0.6 hours @ \$70.00 per hour	\$ 42.00

Subtotal, E-coli Sampling \$ 2,025.50

TOTAL TMDL STUDIES \$ 3,240.50

SUMMARY TOTALS

Total Engineering \$ 37,039.54

Total Secretarial Services Expenses \$ 274.34

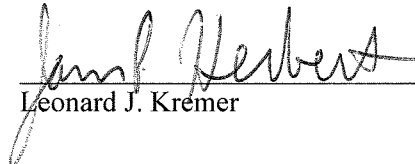
Total Public Relations \$ 52.50

Total Capital Improvement Projects \$ 1,988.50

Total TMDL Studies \$ 3,240.50

TOTAL PAYABLE \$ 42,595.38

Barr declares under the penalties of law
that this account, claim or demand
is just and that no part of it has been
paid.



Leonard J. Kremer

ACE Drop-Off Catering

Invoice

VB Box 132
PO Box 9202
Minneapolis, MN 55480-9202
612/238-4016 ahoffer@damico.com

INVOICE #

45185

BILL TO

Barr Engineering
Amy Herbert
4700 W 77th Street
Edina, MN 55435-4803

SHIP TO

Golden Valley City Hall-2nd Fl-Council Rm
7800 Golden Valley Road
Site Contact: Judy N 763/593-3991
PO#23270512008300
952/832-2652 fax: 832-2601

P.O. NUMBER	TERMS		DELIVERY DATE	DAY	PPL	DELIVERY TIME	
see above	Due on receipt		1/21/2010	Thursday	18	10:45 AM (10:30-11:00)	
QUANTITY	DESCRIPTION					PRICE EACH	AMOUNT
18	Chicken Fajita Bar					12.95	233.10T
1	Southwest *****VEGGIE***** Wrap with Black Beans, Roasted Corn, Shredded Cheese, Onions, Lettuce, Salsa and Chipotle Ranch Sauce on the Side					3.00	3.00T
18	Chicken Strips, Peppers & Onions-2 Per Person					0.00	0.00T
18	Spanish Rice					0.00	0.00T
18	Taco Chips, Salsa & Sour Cream					0.00	0.00T
18	Shredded Cheese & Lettuce, Diced Tomatoes & Onions and Black Olives					0.00	0.00T
18	Soft Shell Tacos-2 Per Person					0.00	0.00T
1	Seasonal Fresh Fruit and Berry Platter - 12-15 PPL - Mark for BREAK and Set Aside					37.75	37.75T
18	Assorted Bars & Cookies					0.00	0.00T
1	DOZEN Assorted Bars & Cookies - Mark for BREAK and Set Aside					18.00	18.00T
2	Full Disposable Chafer-PU Old ones if can.					4.00	8.00T
7	Assorted Sodas- 2 Diet Coke, 2 Sprite & 3 Mineral Water					1.25	8.75T
18	Spring Water					1.25	22.50T
2	Lemonade					1.45	2.90T
	Subtotal						334.00
	Delivery Charge					20.00	20.00T
	Metro Sales Tax					7.275%	25.75
Disposable Papergoods & Serving Pieces Included					Total	\$379.75	

Please note NEW PO BOX as of July 2009

Please make checks payable to "D'Amico Catering".

Reference the invoice # and delivery date on your check, unless paid by credit card.

Thank you for your business.

Agreed to by (customer)_____

ACE Drop-Off Catering

Invoice

VB Box 132
PO Box 9202
Minneapolis, MN 55480-9202
612/238-4016 ahoffer@damico.com

INVOICE #

45343

BILL TO

Barr Engineering
Amy Herbert
4700 W 77th Street
Edina, MN 55435-4803

SHIP TO

Golden Valley City Hall-2nd Fl-Council Rm
7800 Golden Valley Road
Site Contact: Judy N 763/593-3991
PO#23270512008300
952/832-2652 fax: 832-2601

P.O. NUMBER	TERMS		DELIVERY DATE	DAY	PPL	DELIVERY TIME	
see above	Due on receipt		2/18/2010	Thursday	18	11 AM (10:45-11:15)	
QUANTITY	DESCRIPTION					PRICE EACH	AMOUNT
18	Hot Monthly Special Buffet					11.95	215.10T
1	Jumbo Stuffed Pasta Shells with Ricotta and Spinach in a Red Sauce (Vegetarian) - In TO Go Box					3.00	3.00T
18	Creamy Swedish Meatballs - ENTREE PORTION					0.00	0.00T
18	Mashed Baby Red Potatoes					0.00	0.00T
18	Herb Green Beans					0.00	0.00T
18	Seasonal Fresh Fruit					1.00	18.00T
18	House Salad with French and Ranch Dressing					0.00	0.00T
18	Artesian Breads, Rolls & Butter					0.00	0.00T
1	Fresh Seasonal Vegetables Platter with Lemon Dill Sauce - 12-15 PPL - Set Aside for Break					37.75	37.75T
18	Artesian Breads, Rolls & Butter					0.00	0.00T
18	Assorted Bars & Cookies					0.00	0.00T
1	DOZEN Assorted Bars & Cookies - Mark for BREAK and Set Aside					18.00	18.00T
2	Full Disposable Chafer-PU Old ones if can.					0.00	0.00T
7	Assorted Sodas-2 Diet Coke, 2 Sprite & 3 Mineral Water					1.25	8.75T
20	Spring Water					1.25	25.00T
	Subtotal						325.60
	Delivery Charge					20.00	20.00T
	Metro Sales Tax					7.275%	25.14
Disposable Papergoods & Serving Pieces Included					Total	\$370.74	

Please note NEW PO BOX as of July 2009

Please make checks payable to "D'Amico Catering".

Reference the invoice # and delivery date on your check, unless paid by credit card.

Thank you for your business.

Agreed to by (customer) _____

Kennedy & Graven, Chartered

200 South Sixth Street
Suite 470
Minneapolis, MN 55402

(612) 337-9300
Tax ID No. 41-1225694

January 22, 2010

Statement No. 93872

Bassett Creek Water Management Commission
Sue Virnig

7800 Golden Valley Road
Golden Valley, MN 55427

Through December 31, 2009

BA295-00001 General

750.40

BA295-00019 Twins Stadium

1,706.05

Total Current Billing: 2,456.45

I declare, under penalty of law, that this
account, claim or demand is just and correct
and that no part of it has been paid.



Signature of Claimant

Kennedy & Graven, Chartered

200 South Sixth Street

Suite 470

Minneapolis, MN 55402

Bassett Creek Water
Sue Virnig

December 31, 2009

BA295-00001 General

Through December 31, 2009

For All Legal Services As Follows:

			Hours	Amount
12/3/2009	CLL	Review RFP materials for administrative services; email to G. Black regarding same; exchange emails with M. Welch regarding same	0.25	47.75
12/4/2009	CLL	Review draft minutes	0.40	76.40
12/14/2009	CLL	Review agenda materials	0.35	66.85
12/17/2009	CLL	Attend commission meeting	2.90	553.90
Total Services:			\$	744.90

For All Disbursements As Follows:

12/17/2009	Charles L. LeFevere; Mileage expense	5.50
Total Disbursements:		\$ 5.50

Total Services and Disbursements:\$	750.40
--	---------------

Kennedy & Graven, Chartered

200 South Sixth Street
Suite 470
Minneapolis, MN 55402

Bassett Creek Water
Sue Virnig

December 31, 2009

BA295-00019 Twins Stadium

Through December 31, 2009

For All Legal Services As Follows:

			Hours	Amount
12/1/2009	CAH	Conference with C LeFevere regarding previous condemnation	0.20	38.20
12/1/2009	CLL	Intraoffice conference regarding condemnation of tunnel easement and information needed relating to the requirements of the Corps of Engineers	0.15	28.65
12/8/2009	CAH	Review prior project files and retrieve documents regarding easements	1.20	229.20
12/8/2009	CLL	Intraoffice conference regarding documents relating to original acquisition of easement	0.65	124.15
12/11/2009	CLL	Work on review of original tunnel easements	1.20	229.20
12/14/2009	CLL	Continue review of easements; exchange emails with C. Connor and L. Kremer regarding same	0.80	152.80
12/14/2009	CBR	Obtain easements from Hennepin County; scan and e-mail	0.70	77.00
12/15/2009	CLL	Exchange emails with M. Welsch regarding Ballpark easements	0.25	47.75
12/16/2009	CLL	Phone calls to L. Kremer and C. Conover regarding Ballpark easement; attend meeting regarding same with Ballpark Authority	2.30	439.30
12/29/2009	CLL	Review revised tunnel easement; phone call to C. Conover regarding same; email to C. Pederson regarding same; message to L. Kremer regarding same	1.35	257.85
12/31/2009	CLL	Review C. Conover comments on amended easement	0.25	47.75
Total Services:			\$	1,671.85

Kennedy & Graven, Chartered

200 South Sixth Street

Suite 470

Minneapolis, MN 55402

Bassett Creek Water
Sue Virnig

December 31, 2009

For All Disbursements As Follows:

	Photocopies	13.20
12/14/2009	Hennepin County Recorder	21.00
	Total Disbursements:	\$ 34.20
	Total Services and Disbursements:\$	1,706.05

DELIVERY

Jimmy John's #302
8008 Olson Memorial HWY
(763)544-3671

01/14/10 Chk#4 Open 07:09AM
Tkr 0 Reg# 1 07:09AM

5	#1 Pepe (Box)	5.60
5	Jimmy Chips	
5	Choc Chip Cook	
5	w/pickle	
6	#4 Turkey Tom (Bo	47.52
6	Jimmy Chips	
6	Choc Chip Cookie	
6	w/pickle	
6	#6 Vegetarian (Box	7.92
	Jimmy Chips	
	Choc Chip Cookie	
	w/pickle	
	ASSORTED CHIPS COO	101.95 <-

Subtotal 95.04
Del Fee 5.00
Sales Tax (7.275%) 7.13

Total 105.17

Tendered 105.17 CredCard + 10.00
Tip

GV CITY HALL
763-509-0784

2ND FLOOR COUNCIL CONFERENCE R
Elizabeth Thornton

Trx: 87 Oper 222 Term: 22 Store: 2009
01/14/10 15:38:07

Thank You!
For great recipes visit
LundsandByerlys.com

----- FSA Total \$0.00 -----

DELI	
CHEF SALAD	1816966427
SUBTOTAL	4.99 FS
TOTAL TAX	.00
TOTAL	4.99
Cash TENDER	20.00
Cash CHANGE	15.01
NUMBER OF ITEMS	1

Cashier: SCOT 22
01/14/10 15:37:30

Plymouth
Gen. Manager Christopher Gibbons
763-268-1624
Open 6am - midnight



Teacher Focus Group Meeting
1/14/10

Receipts for food.

Jimmy John's

12 Box lunches *105.17

Tip \$10.00

Total \$115.17

Lunds

1 Salad \$4.99

(Teacher w/ special dietary need)

Total Expense

\$120.16

Elizabeth Thornton

220 CARLSON PARKWAY
PLYMOUTH, MN 55447
763-476-1011

Server: Cynthia

DOB: 01/27/2010

09:43 AM

01/27/2010

Table 81/8

3/30010

AMEX

5242682

Card #XXXXXXXXXX1008

Magnetic card present: VIGOREN MARJORIE E

Approval: 543484

Amount: \$ 12.20

+ Included Gratuity: \$ 2.02

+ Additional Tip _____

= Total: _____

X

GIFT CARD PROMOTION
\$20 FREE WITH \$100 PURCHASED
CAN NOT BE USED THE SAME DAY
THANK YOU

CUSTOMER COPY!

220 CARLSON PARKWAY
PLYMOUTH, MN 55447
763-476-1011

Server: Cynthia

01/27/2010

Table 81/8

9:18 AM

Guests: 13

30010

TOUCH OF GREECE

8.99

WHEAT

COFFEE

2.25

Subtotal

11.24

Tax

0.96

Total

12.20

Gratuity 18.00%

2.02

Total

14.22

Balance Due 14.22

GIFT CARD PROMOTION
\$20 FREE WITH \$100 PURCHASED
CAN NOT BE USED THE SAME DAY
THANK YOU

Committed to Equity & Excellence

Hopkins Public Schools

1001 Highway 7

Hopkins, MN 55305-4723

952.988.4000

HOPKINS
PUBLIC SCHOOLS



Meadowbrook Elementary School

5430 Glenwood Avenue

Golden Valley, MN 55422-5120

Greta Evans-Becker, Ed.D.

Principal

(952) 988-5100 • (952) 988-5115 fax

greta_evans-becker@hopkins.k12.mn.us

January 29, 2010

Bassett Creek Watershed Management Commission
C/O Barr Engineering Company
4700 West 77th Street
Minneapolis, MN 55435-4803

Attention: Ginny

Re: Bassett Creek Watershed Management Grant

Dear Ginny,

We are requesting reimbursement, \$992.08, payable to Hopkins ISD 270, for expenses from above grant. The expenses are as follows:

\$130.00	Rain barrels
\$200.00	dirt and compost
\$192.08	wood for raised garden beds
\$60.00	course taken by two employees at the MN Landscape Arboretum
\$410.00	plants
\$992.08	Total expenses

Documentation is attached. Please send check, payable to Hopkins ISD 270, to Meadowbrook Elementary School, 5430 Glenwood Ave, Golden Valley, MN 55422.

Thank you for providing this important learning experience for our students.

Sincerely,

Joan C. Bursack
Administrative Assistant

Bassett Creek Watershed Management Commission (BCWMC)
Water Quality Education Grant -- \$1,000
Meadowbrook Elementary

Final Report

In late July 2009, Meadowbrook Elementary School received a grant award from the Bassett Creek Watershed Management Commission (BCWMC)'s education small-grant program totaling \$1,000. This is the final report describing the use of the grant funds.

Meadowbrook Elementary used the grant funds to support the ongoing development of its Outdoor Classroom project. Started in late 2008, the Outdoor Classroom project has grown to include the development of new raised vegetable garden beds, a new prairie plants area including seating for students, the inclusion of water conservation efforts in the school's fall festival, and a regular column promoting connections between children and nature in the school newsletter.

These efforts have touched the lives of students, staff, families and even our surrounding community. Students were involved in the planting of the vegetable garden in the spring of 2009. Families volunteered to adopt the garden by the week over the summer – watering, weeding and harvesting. Staff led Kids & Company kids in numerous projects involving the garden including harvesting vegetables for healthy snacks, and even incorporating some of the produce into creative art projects. Staff helped with the ongoing care and maintenance of the garden, and the school's principal made salsa for the back-to-school open house using produce from the garden. Students and parents from Meadowbrook also delivered fresh produce from the vegetable garden to PRISM, the local food shelf. Staff, students, parents and community members are involved with the ongoing development and expansion of Meadowbrook's Outdoor Classroom.

Excitingly, this BCWMC grant has helped the Meadowbrook community leverage over \$1,800 in cash grants from other sources (the school's PTO, and the University of Minnesota's School Ecology Exploration grant program) as well as \$2,000 in new trees through a recent award with TreeTrust. Additionally, numerous hours of in-kind donations have been donated by parents and staff to the development of the outdoor classroom.

The following is an overview of how the BCWMC grant funds were used:

- **Two rain barrels purchased (\$130).** These rain barrels will be used to help water the raised vegetable garden and prairie planting areas. This is the first time Meadowbrook has taken advantage of rain barrels.
- **Raised vegetable garden beds developed and filled with dirt (\$392.08).** Parents designed and built 4 new raised garden beds as a result of this grant. The new beds are located in a highly visible spot right outside the main corridor of the building and will provide new space to expand the garden in 2010.

- **Staff attend a Children and Nature training (\$60).** In October 2009, 2 staff from Meadowbrook attended a Children and Nature symposium at the University of Minnesota's Arboretum.
- **Plants were purchased for the native prairie planting area (\$350).** These plants will be used to develop a new component to the Outdoor Classroom – a prairie planting areas. This area will include seating so that classrooms can have lessons in this area. The prairie planting area is on the school's playground, so will be easily accessed informally by students as well over their recess.

In addition to the cash grant, Meadowbrook is very appreciative of the educational support by BCWNC volunteers. Three BCWMC volunteers participated in the Meadowbrook Fall Festival on October 24, 2009. Information was shared about water conservation and preventing run-off, including a hands-on activity for kids and their parents to try. Meadowbrook families appreciated including this level of involvement and would welcome future opportunities to share information in festivals held at the school.

INVOICE

Please Remit To:

Metropolitan Council
Environmental Services
SDS 12-1064
P.O. Box 86
Minneapolis MN 55486-1064

Page: 1
Invoice No: 0000915565
Invoice Date: 12/03/2009
Customer Number: 7172
Payment Terms: Due 30 dys
Due Date: 01/02/2010

Bill To:

BASSETT CREEK WMO
Attn: Amy Herbert
c/o Barr Engineering
4700 77th St, Suite 200
Minneapolis MN 55435

AMOUNT DUE: 1,390.00

PAST DUE

\$ _____
Amount Remitted



Please detach top portion of invoice and remit with payment. Please include invoice number on check.

For billing questions, please call (651) 602-1189

Line	Adj	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
1		MSC	Miscellaneous	1.00	EA	1,390.00	1,390.00

2009 Citizen-Assisted Monitoring Program

Costs: 3 at \$550. 1 at \$280.

Credits: 2 at \$270 (South Rice, Westwood)

For questions about this bill, please contact Brian Johnson at 651-602-8743.

ANY UNPAID BALANCE OVER 30 DAYS FROM DATE OF INVOICE WILL BE SUBJECT TO A
FINANCE CHARGE AT THE RATE OF 1.5% PER MONTH (18% PER YEAR)

SUBTOTAL:

1,390.00

TOTAL AMOUNT DUE :

\$ 1,390.00

To: Bassett Creek Watershed Management Commission Date: January 20, 2010

From: Pauline Langsdorf Re: Reimbursement Request for Printing Costs for Teacher Focus Group

Pauline Langsdorf

FedEx Kinko's

FedEx Kinko's
13601 Ridgedale Dr
Minnetonka, MN 55305-1766
(952) 593-1200


FedEx Office
FedEx Kinko's is now FedEx Office

1/12/2010 3:02:57 PM CST
Trans.: 0998 Branch: 0615
Register: 005 Till: 0J13253
Team Member: James M.
Customer: Pauline Langsdorf

January 12, 2010 14:45 Page: 1
Receipt #: 426118
MasterCard #: 54XXXXXXXXXX4128
2010/01/12 14:34

Qty	Description	Amount
70	ES B&W S/S White 8.5 x11	7.00
SubTotal		7.00
Taxes		0.51
Total		7.51



Color Prints 32.04
18 @ 1.7800
FS C SS 11x17 32.04 T
0197 18.00 @ 1.7800

Sub-Total 32.04
Deposit 0.00
Tax 2.33
Total 34.37
Master Card (S) 34.37
Account: 4126
Auth: 09469Z (A)
Total Tender 34.37
Change Due 0.00

13601 RIDGEDALE DRIV
MINNETONKA, MN 55305
(952) 593-1200
www.fedexkinkos.com
Please recycle this receipt.

The Cardholder agrees to pay the Issuer of the charge card in accordance with the agreement between the Issuer and the Cardholder.

Pauline Langsdorf



Springsted Incorporated
380 Jackson Street, Suite 300
Saint Paul, MN 55101-4705

Tel: 651-223-3000
Fax: 651-223-3002
www.springsted.com

January 5, 2010

Mr. Michael Welch
Chairman
Bassett Creek Watershed Management Commission
217 South Cedar Lake Road
Minneapolis, MN 55405

Project No: 010259.102
Invoice No: 1

For Professional Services from November 11, 2009 to December 11, 2009
RE: Bassett Creek Watershed Management Commission (WMO) RFP (Final Billing)

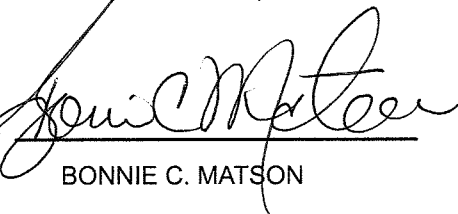
Basic Fee: 1,500.00

Billing Limits	Current	Prior	To-date
Fees	1,500.00	0.00	1,500.00
Limit			1,500.00
		Total this Invoice	\$1,500.00

I declare under penalty of law that this account is just and correct and that no part of it has been paid.

SPRINGSTED Incorporated

BY:


BONNIE C. MATSON

Payment is due on receipt of this billing. After 30 days interest will be charged on any balance at a rate of 1% per month.



Barr Engineering Company
4700 West 77th Street • Minneapolis, MN 55435-4803
Phone: 952-832-2600 • Fax: 952-832-2601 • www.barr.com *An EEO Employer*

4D

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO • Bismarck, ND

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 4D – Review 2010 Engineering Budget
BCWMC February 18, 2010 Meeting Agenda
Date: February 11, 2010
Project: 23/27 051 2009 003

4D. Review 2010 Engineering Budget

Recommendations:

- a. Approve the 2010 engineering budget.
- b. Authorize engineering staff to work with recording administrator to prepare 2009 annual report and perform WOMP support tasks as requested by Metropolitan Council and Minneapolis Parks and Recreation Board.

Background

The proposed 2010 budget of \$463,000 was adopted by the BCWMC at its May 21, 2009 meeting. Specific engineering items in the budget are discussed below.

1. **Engineering** services are budgeted at \$256,000 in 2010. Many of the individual items have remained the same from the 2009 budget. The following paragraphs summarize each of the Engineering budget items.
 - **Technical Services**—this item covers the day-to-day technical operations, such as preparing for the Commission and TAC meetings, performing preliminary site reviews and correspondence, and communications with the Commissioners, watershed communities, developers, agencies, and other entities. The proposed 2010 budget is \$110,000, which is the same as the 2009 budget.
 - **Plat Reviews**—The proposed 2010 budget for plat reviews is \$60,000, which are largely funded by permit fees. These expected permit fees are shown in the 2010 budget under “2010 Assessments and Fees;” it is estimated that the BCWMC will receive \$44,780 in permit fees in 2010.
 - **Commission and TAC Meetings**— this item covers the cost for the engineer to attend 12 monthly Commission meetings and six bimonthly TAC meetings. The proposed budget for 2010 is \$13,000, the same as 2009.
 - **Surveys and Studies**—the proposed budget for 2010 is \$20,000. The intent of this budget item is to cover the costs of conducting special studies, and addressing unanticipated issues, questions, etc. that can arise during the year.
 - **Water Quality/Monitoring**—for 2010, this \$20,000 budget item includes detailed lake monitoring of Medicine Lake, as part of the four-year monitoring cycle.

- Water Quantity—this item covers the work associated with the BCWMC’s lake and stream gauging program. The proposed budget for 2010 is \$11,000 (the same as 2009). The program also includes periodic surveys of benchmarks to ensure consistency with past readings.
 - Inspections—there are two separate budget items under this task:
 - Watershed Inspections—this item covers the BCWMC’s construction site erosion control inspection program. The proposed budget for 2010 is \$8,000; permit fees offset a portion of the watershed inspection cost.
 - Project Inspections—this item covers the BCWMC’s annual inspection of the flood control project system. The proposed budget for 2010 is \$10,000.
 - Municipal Plan Review—this item covers the cost to review the member cities local water management plans for conformance with the BCWMC Watershed Management Plan. The proposed budget for 2010 is \$4,000, which will cover the costs for reviewing up to two local plans.
2. The budget for the spring 2009 preparation of the 2008 annual report (\$4,000) and for the Watershed Outlet Monitoring Program (WOMP) (\$10,000) are itemized separately under **Public Relations and Outreach**.
 3. Budgets for TMDL Studies and Capital Projects are also tracked separately.

4E.
2009 CAMP partnership
2010 = same 4 lakes

Contract No. 09R010

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE
METROPOLITAN COUNCIL AND THE
BASSETT CREEK WATERSHED MANAGEMENT ORGANIZATION**

THIS AGREEMENT is made and entered into by and between the Metropolitan Council (the "Council") and the Bassett Creek Watershed Management Organization (the "Watershed"), each acting by and through its duly authorized officers.

THE ABOVE-NAMED PARTIES hereby agree as follows:

I. GENERAL SCOPE OF AGREEMENT

The Council and the Watershed agree to undertake a volunteer lake sampling study in order to provide an economical method of broadening the water quality database on lakes in the Twin Cities Metropolitan Area.

II. SPECIFIC SCOPE OF SERVICES

2.01 Lake Monitoring Program. The Watershed and the Council agree to jointly undertake a volunteer lake monitoring program as specified below:

- a. **General Purposes of Program.** The volunteer lake monitoring program involves the use of citizen volunteers (recruited by local watershed management organizations) to collect in-lake samples from lakes in the Twin Cities Metropolitan Area. The volunteers will collect surface water samples to be analyzed for total phosphorus (TP), total Kjeldahl nitrogen (TKN), and chlorophyll-a (CLA). In addition, the volunteers will measure surface water temperature, water transparency, and fill out a lake sampling form to help describe the lake and weather conditions at the time of the sampling event. Lakes will be visited biweekly from April through October of 2009 (the "Monitoring Period") for the number of times and at the approximate intervals specified in paragraph (b) below. Each lake will be sampled over the deepest open water location. After each sampling date, the Council will arrange for chemical analysis of the samples either through its own laboratory or an outside laboratory.
- b. **Specific Lakes Involved.** The following lakes and specific lake site(s) listed below, within the Watershed, will be involved in the Council's Citizen-Assisted Lake Monitoring Program (CAMP) in 2009.

Lake name	DNR ID#	Maximum # of sampling dates	Approximate sampling interval	Quantity of new kits
Northwood	27-0627	14	Biweekly	0
Parkers	27-0107	14	Biweekly	0
Sweeney (South)	27-0035	14	Biweekly	0
Westwood	27-0711	14	Biweekly	0

2.02 Watershed Responsibilities. The Watershed agrees that it will have sole responsibility for:

- a. Recruiting volunteers (who have access to a boat) to monitor the lakes the Watershed wishes to involve in the program as listed in section 2.01(b) above.
- b. Providing the Council and/or volunteers with needed lake information such as lake bathymetric maps and access locations.
- c. Paying for the laboratory analysis cost of the samples collected by volunteers which cost is included in the amounts specified in Article III below.
- d. Ensuring that the volunteers participate in the training program.
- e. Ensuring that the volunteers fill out sampling forms during each sampling event, and collect and store samples until picked up by a Council representative.

2.03 Council Responsibilities. The Council agrees that it will:

- a. Organize the survey and train volunteers, pick up and deliver samples to the laboratory, and analyze the results of the lake and watershed data collection program.
- b. Prepare a final report containing the physical, chemical, and biological data obtained during the Monitoring Period and a brief analysis of the data.
- c. Provide quality control by collecting lake samples from random lakes involved in the volunteer program. The resulting parameter values will then be compared to determine if any problems exist involving the volunteer's sampling methods and what should be done to correct the problem.

- d. Provide the sample bottles and labels, and filters for chlorophyll filtration.

III. COMPENSATION; METHOD OF PAYMENT

For all labor performed and reimbursable expenses incurred by the Council under this agreement during the Monitoring Period, the Watershed agrees to pay the Council the following amounts per lake site listed in section 2.01(b).

For lake sites NOT requiring sampling equipment:

Number of Sampling Dates	Payment amount
14	\$550
7	\$280
5	\$200

For lake sites requiring sampling equipment:

Number of Sampling Dates	Payment amount
14	\$700

Payment of the total amount owing to the Council by the watershed shall be made within 10 days following the execution of this agreement. An invoice specifying the amount owed by the Watershed will be sent under separate cover.

The total amount specified in the previous paragraph does not include the cost of any additional analyses requested by the Watershed, such as analysis of bottom samples. The Council will carry out any such additional analyses at the request of the Watershed and subject to the availability of Council resources for carrying out such analyses. The Council will bill the Watershed after the end of the Monitoring Period for any such additional analyses at the Council's actual cost, and the Watershed will promptly reimburse the Council for any such costs billed.

IV. GENERAL CONDITIONS

4.01 Period of Performance. The services of the Council will commence on April 1, 2009, and will terminate on December 31, 2009, or following work completion and payment, whichever occurs first.

4.02 Amendments. The terms of this agreement may be changed only by mutual agreement of the parties. Such changes will be effective only on the execution of written amendment(s) signed by duly authorized officers of the parties to this agreement.

4.03 Watershed Personnel. Jim Herbert, or such other person as may be designated in writing by the Watershed, will serve as the Watershed's representative and will assume primary responsibility for coordinating all services with the Council.

4.04 Council's Contract Manager. The Council's Contract Manager for purposes of administration of this agreement is Kent Johnson, or such other person as may be designated in writing by the Council's Regional Administrator. The Council's Contract Manager will be responsible for coordinating services under this agreement. However, nothing in this agreement will be deemed to authorize the Contract Manager to execute amendments to this agreement on behalf of the Council.

4.05 Equal Employment Opportunity; Affirmative Action. The Council and the Watershed agree to comply with all applicable laws relating to nondiscrimination and affirmative action. In particular, the Council and the Watershed agree not to discriminate against any employee, applicant for employment, or participant in this study because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age; and further agree to take action to assure that applicants and employees are treated equally with respect to all aspects of employment, including rates of pay, selection for training, and other forms of compensation.

4.06 Liability. Each party to this agreement shall be liable for the acts and omissions of itself and its officers, employees, and agents, to the extent authorized by law. Neither party shall be liable for the acts or omissions of the other party or the other party's officers, employees or agents. Nothing in this agreement shall be deemed to be a waiver by either party of any applicable immunities or limits of liability including, without limitation, Minnesota Statutes, sections 3.736 (State Tort Claims) and chapter 466 (Municipal Tort Claims).

4.07 Copyright. No reports or documents produced in whole or in part under this agreement will be the subject of an application for copyright by or on behalf of the Council or Watershed.

4.08 Termination of Agreement. The Council and the Watershed will both have the right to terminate this agreement at any time and for any reason by submitting written notice of the intention to do so to the other party at least thirty (30) days prior to the specified effective date of such termination. In the event of such termination, the Council shall retain a pro-rata portion of the amounts provided for in Article III, based on the number of sampling events occurring for each lake before termination versus the total sampling events specified for each lake. The balance of the amounts will be refunded by the Council to the watershed.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their duly authorized representatives on the dates set forth below. This agreement is effective upon final execution by, and delivery to, both parties.

BASSETT CREEK WATERSHED MANAGEMENT COMMISSION

CAPITAL IMPROVEMENT PROGRAM CLOSED PROJECT ACCOUNT POLICY

I. PURPOSE

The Commission's Capital Improvement Program (CIP) includes projects that are proposed to be funded by a County ad valorem tax levy on property in the watershed pursuant to Minn. Stat. §103B.251. Tax settlements from Hennepin County to the Commission for these projects are deposited in a construction account established for each such project. There will be times when tax settlements to the Commission will exceed the costs incurred for these projects. The purpose of this policy is to establish procedures and guidelines for collection, accounting and use of such accounts.

II. ESTABLISHMENT OF ACCOUNT

The Commission hereby establishes the CIP Closed Project Account (the "Account"). Upon completion of CIP projects funded in whole or in part by a County tax levy, reimbursement of Commission expenses and administrative charges, and final payment to the City with responsibility for construction of the project, the construction account for that project will be closed and remaining funds will be transferred to the Account. Interest earned on money in the Account will be credited to the Account.

III. USE OF THE CIP CLOSED PROJECT ACCOUNT

As a general guiding principle, the Account will be used for expenses incurred for other projects in the Commission's CIP that are proposed to be funded with a County tax levy. Such expenses include:

- A. The administrative and construction costs of CIP projects. Monies from the Account may be used to reduce or eliminate a tax levy for capital projects in the CIP by transferring monies to the construction accounts for those projects.
- B. Reimbursement to the Commission's General Fund of expenses or administrative fees incurred in connection with a project if the tax settlement for that project is not sufficient to cover such expenses.
- C. Reimbursement to cities that construct projects for administrative or construction costs if tax settlements received from the County are not sufficient to cover such costs. These costs might include cost overruns on projects, change orders, corrective follow-up work or repairs, or other unforeseen project costs.

- D. Prepayment of project costs to the Commission or to cities for project costs that are incurred before receipt of tax settlement from the County for that project.
- E. Partial funding of TMDL study costs if the Commission has sufficient information to determine with reasonable assurance that the TMDL study will identify, plan, design, or redesign capital projects to be funded with a County tax levy.

IV. PROCEDURE FOR USE OF ACCOUNTS

The Account may be used for any lawful purpose upon a majority vote of the Commissioners present at any meeting at which a quorum of the Commission is present.

V. TARGET ACCOUNT BALANCE

The Commission does not intend to accumulate unreasonable balances in the Account. Because the Account could be used to fund projects in advance of receipt of tax settlement from the County, and because a number of larger projects in the CIP have total costs, or annual project costs, of approximately \$250,000, the Commission finds that an accumulation of up to \$250,000 is reasonable. Money will not be accumulated to an amount in excess of \$250,000 unless a specific use for such funds has been identified. The Account balances may be kept within this amount by expending funds for any of the purposes identified in this policy.

VI. PERIODIC REVIEW

Each year the Commission will consider the status of the Account prior to certification to Hennepin County of requests for tax levies for capital projects.

Date of adoption of policy: October 20, 2005



Barr Engineering Company
4700 West 77th Street • Minneapolis, MN 55435-4803
Phone: 952-832-2600 • Fax: 952-832-2601 • www.barr.com *An EEO Employer*

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO • Bismarck, ND



Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 5A – South Shore Drive Bridge: Plymouth
BCWMC February 18, 2010 Meeting Agenda
Date: February 11, 2010
Project: 23/27 051 2009 003

5A. South Shore Drive Bridge (DNR Permit Application): Plymouth

Summary

Proposed Work: New South Shore Drive Bridge over Bassett Creek

Basis for Commission Review: New Structure located in regulatory floodplain; DNR Permit Application

Change in Impervious Surface: Not applicable

Recommendation: Conditional approval

General Background & Comments

The Minnesota Department of Natural Resources (DNR) has requested review and comment of a Public Waters Work permit application for replacing the bridge over Bassett Creek at South Shore Drive in the City of Plymouth. The bridge is located approximately twenty feet downstream of the existing Medicine Lake dam/outlet structure. The existing timber bridge over Bassett Creek has deteriorated and is in need of replacement. The proposed bridge is a 29-foot concrete slab bridge with a 10 foot trail on the south side of the bridge for an overall total deck width of 39 feet. Comments to the DNR are requested by February 25, 2010.

The City of Plymouth staff indicated the bridge replacement plan is part of an overall South Shore Drive reconstruction plan. The City plans to submit an application to the BCWMC after the overall South Shore Drive project has been developed.

Floodplain

The BCWMC regulatory floodplain elevation along Bassett Creek is 890.3 ft. upstream of South Shore Drive and 889.4 ft. downstream of South Shore Drive. Sheet 1 indicates the low bridge member to be 889.3 ft. based on a design high water elevation of 889.4 ft. The high water elevation should be revised to 890.3 ft. and the low member should be at 891.3 or higher to provide 1-ft freeboard.

Wetlands

The City of Plymouth is the Local Government Unit (LGU) responsible for review of the project for conformance to the MN Wetland Conservation Act.

Stormwater Management

The site discharges directly to Bassett Creek. Stormwater management will be assessed during review of the South Shore Drive reconstruction plans.

Water Quality Management

The site discharges directly to Bassett Creek. Water quality management will be assessed during review of the South Shore Drive reconstruction plans.

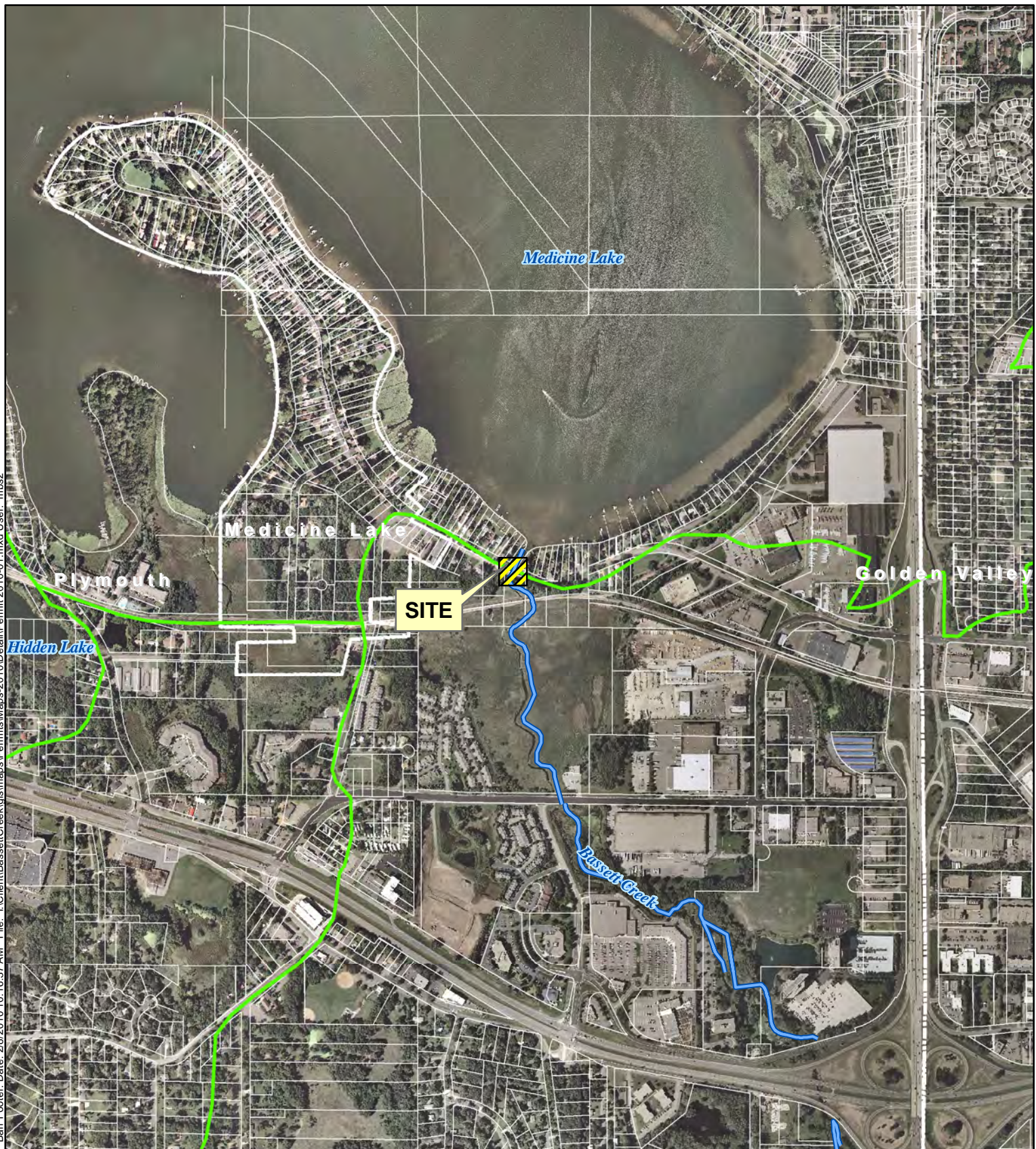
Erosion and Sediment Control

Permanent erosion control includes riprap and filter material beneath the structure. An erosion control plan must be provided for review and will be assessed during review of the South Shore Drive reconstruction plans.

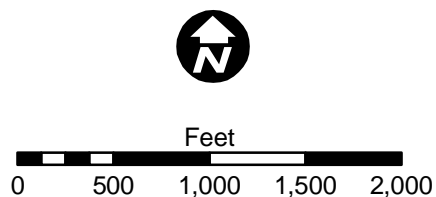
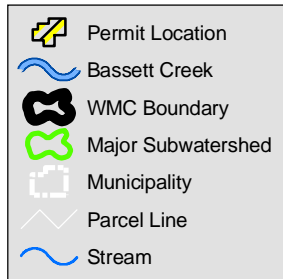
Recommendation

Conditional approval based on following comments:

- a. Low bridge member should be raised to a minimum elevation of 891.3 ft. to provide 1 ft freeboard above the BCWMC regulatory floodplain. If not feasible, then bridge must be raised to elevation approved by the BCWMC.
- b. Channel cross section of Bassett Creek must not decrease due to the project. Existing and proposed channel cross section beneath bridge must be provided.
- c. Fill in the floodplain, including must be evaluated and mitigated.
- d. The City must submit an application to the BCWMC after the overall South Shore Drive project plan has been developed. Application must include erosion control plans and entire set of bridge plans.
- e. The existing South Shore Drive embankment provides support for the existing Medicine Lake dam. Potential stability issues must be addressed if excavation of the embankments is proposed.
- f. Contractor shall minimize disturbance of creek channel during construction.
- g. A diversion and dewatering plan must be submitted after a contractor has been selected and must be reviewed and approved by the BCWMC Engineer prior to installation of the proposed bridge.



Imagery Source: Aerials Express, 2009



LOCATION MAP
APPLICATION 2010-01
South Shore Drive
Bridge Replacement
Plymouth, MN



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5B

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Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 5B – 2010 Golden Valley Pavement Management Plan (PMP): Golden Valley
BCWMC February 18, 2010 Meeting Agenda
Date: February 11, 2010
Project: 23/27 051 2009 003

5B. 2010 Golden Valley Pavement Management Plan (PMP): Golden Valley

Summary

Proposed Work: Street reconstruction plan

Basis for Commission Review: Street reconstruction greater than 5 acre

Change in Impervious Surface: decrease 1.3 acres

Recommendation: Conditional approval

General Background & Comments

A request was received for review of a street reconstruction project in the City of Golden Valley. The project includes utility, curb and gutter improvements, rain garden construction and the reconstruction of approximately 2.7 miles of residential streets. The project is located in the Sweeney Lake watershed and includes reconstruction of portions of Olson Memorial Highway Frontage Road, Harold Avenue, Kingston Circle, Idaho Avenue, Westchester Circle, Georgia Avenue, Edgewood Avenue, Paisley Lane, Ski Hill Road, Pomander Walk, Windy Draw, Cutacross Road and Meander Road.

Approximately 14.25 acres in the Bassett Creek watershed will be disturbed as a result of the project. The project will result in a 1.30 acre decrease of impervious surface from 8.38 acres to 7.08 acres due to the narrowing of some streets and intersections. Construction is anticipated to begin May 2010 and extend through November, 2010.

Floodplain

N.A.

Wetlands

The City of Golden Valley is the Local Government Unit (LGU) responsible for review of the project for conformance to the MN Wetland Conservation Act.

Stormwater Management

Runoff generally discharges through new and existing storm sewers to existing wetlands and ponds. Runoff eventually discharges to the Glen Ponds located along the north side of Glenwood Avenue and eventually reaches Sweeney Lake.

Water Quality Management

Permanent BMPs include construction of 6 sump manholes throughout the project area to trap sediment prior to discharging to local wetlands and ultimately Sweeney Lake. One rain gardens is proposed to treat stormwater runoff in the vicinity of Meander Lane and Paisley Lane. The rain garden primarily treats local runoff and provides minimal treatment of impervious surface.

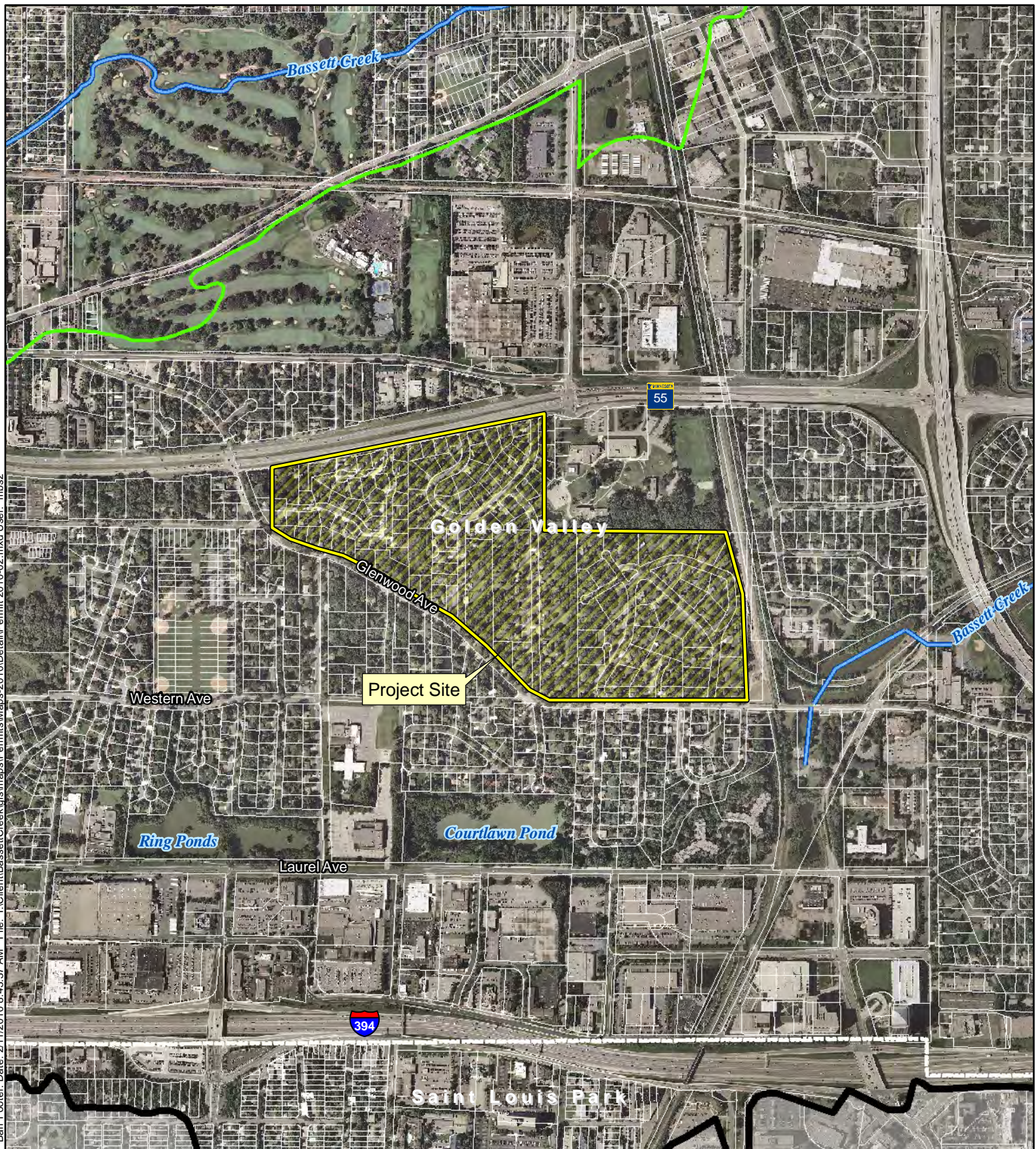
Erosion and Sediment Control

Temporary erosion control features including silt fence, biorolls, flotation silt curtain and inlet protection. Daily street sweeping will be implemented as necessary during construction. Permanent erosion control includes riprap and filter material at each storm sewer outlet.

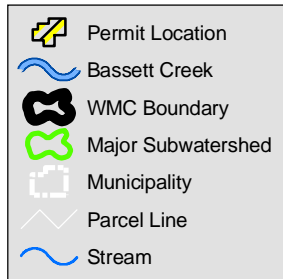
Recommendation

Approval based on following comments:

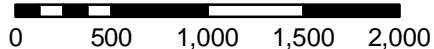
- a. Sump manholes must be maintained and inspected at least twice a year.
- b. Outlet pipes FES 1 must be extended so each invert discharges at or below the normal water level of the receiving wetland or water body. As an alternative, adequate erosion protection must be provided at each outlet to prevent erosion.
- c. Golden Valley is the LGU and is responsible for reviewing the project for conformance to the Minnesota Wetland Conservation Act.



Imagery Source: Aerials Express, 2009



Feet



**LOCATION MAP
APPLICATION 2010-02
Pavement Management
Projects
Golden Valley, MN**



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5C

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Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 5C – Theodore Wirth Park Bridge: Golden Valley
BCWMC February 18, 2010 Meeting Agenda
Date: February 15, 2010
Project: 23/27 0051 2010 003

5C. Theodore Wirth Golf Course Bridge Replacement: Golden Valley

Summary

Proposed Work: Pedestrian/Golf Cart Bridge Replacement over Bassett Creek

Basis for Commission Review: Work in floodplain

Change in Impervious Surface: Not applicable

Recommendation: Conditional approval

General Background & Comments

This item was originally intended for the March BCWMC agenda, however, based on preliminary review, and in order to meet Met Council's proposed schedule, staff is requesting BCWMC input since it will affect final design. A request was received by the City of Golden Valley for replacement of a pedestrian/golf cart bridge across Bassett Creek in Theodore Wirth Golf Course approximately 150 feet downstream of Golden Valley Road. The bridge would replace an existing bridge and also be installed 15 feet upstream of another existing pedestrian bridge. The current bridge is rotting and may not be safe for maintenance vehicles that are need to maintain the course. The existing 38 ft. by 10 ft. bridge will be replaced by a 40 ft. by 10 ft. bridge.

Floodplain

The BCWMC regulatory floodplain elevation is 827.2 ft. at the proposed location. Typically, the BCWMC requests bridges to be installed so the low structural member is 1-foot above the regulatory floodplain elevation to minimize obstruction of flood flows. The floodplain in this area is over 400 feet wide, thus spanning the floodplain to avoid impacts is not feasible. The applicant has provided a preliminary plan to provide 1-foot freeboard over the channel. However, the plan results in floodplain fill at the approaches and abutment at each side of the creek. The fill also reduces the cross sectional area of the floodway that may increase flood profiles.

Floodplain storage is critical along this reach of Bassett Creek. Based on our review of this reach of creek, staff believes the watershed may be best served by eliminating all proposed fill and setting the new bridge at 826.0 to match the existing conditions. Due to the wide floodplain, flood flows will then pass around

the proposed bridge at the existing elevation. Thus, the new bridge will not result in stage increases during flooding.

Similar projects have been approved in the past by the BCWMC – the General Mills/Golden Valley pedestrian bridge also constructed in the floodplain without fill and was approved at the BCWMCs July 21, 2005 meeting.

Wetlands

N.A

Stormwater Management

N.A.

Water Quality Management

N.A.

Erosion and Sediment Control

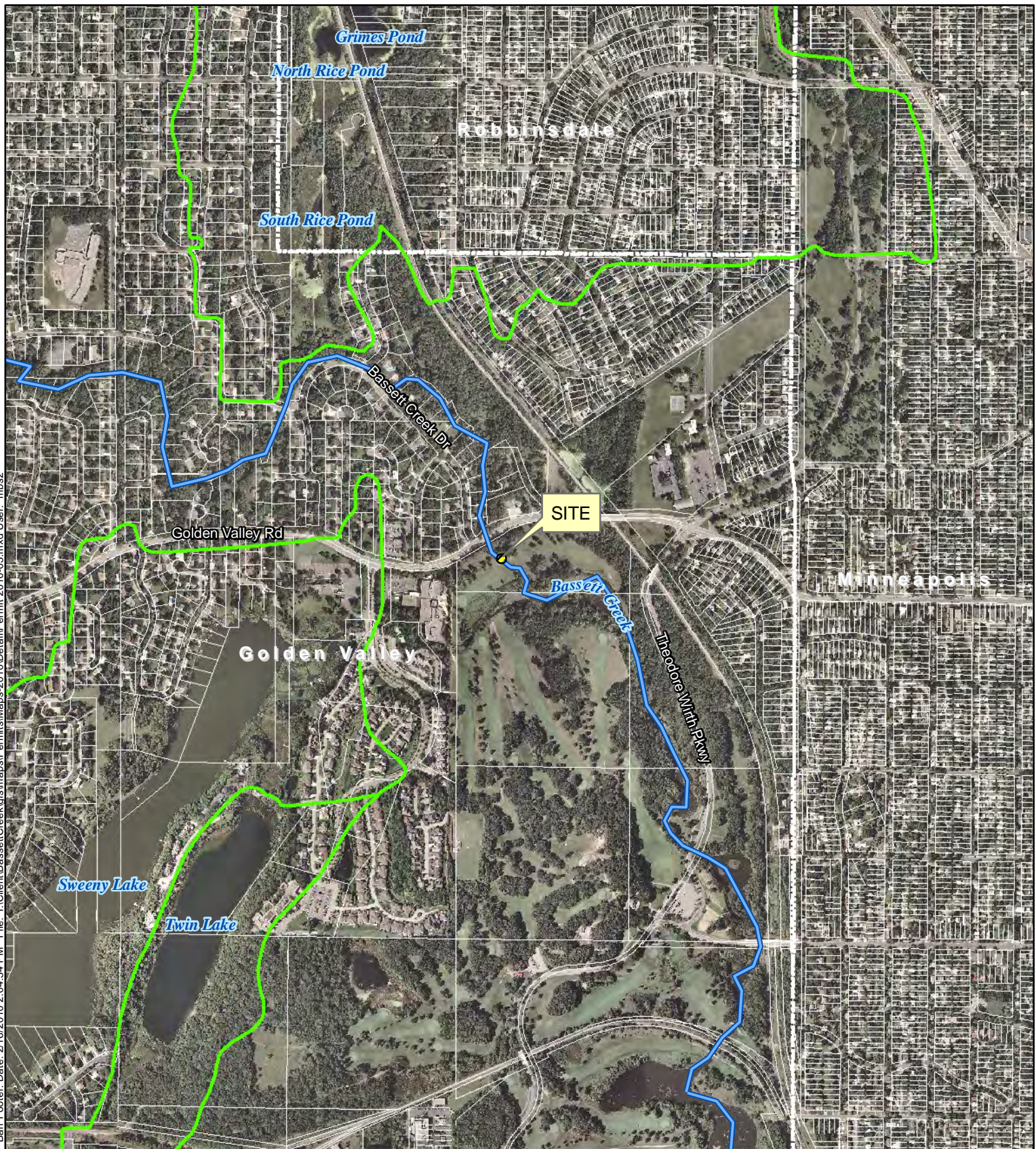
Permanent erosion control includes riprap and filter material beneath the structure. Silt curtain is proposed downstream.

Recommendation

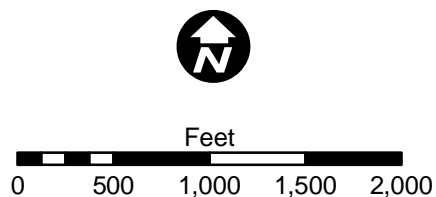
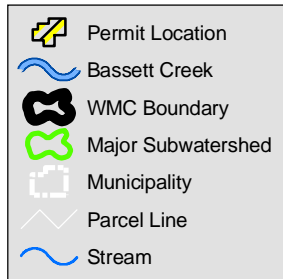
Conditional approval contingent on following:

- a. Final plans and BCWMC application must be provided for staff review.
- b. Trail construction must not result in raising the existing grade along each side of the proposed bridge. Existing elevations must generally be maintained for the proposed trail to allow flood flows to pass around bridge abutments.
- c. The cross section of Bassett Creek must not decrease as a result of the project.
- d. Storage volume below the floodplain must not be reduced from existing conditions as a result of the project.
- e. Bridge abutments and footings must be adequately protected to prevent erosion.
- f. Disturbance in the creek must be minimized during construction.

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Imagery Source: Aerials Express, 2009



LOCATION MAP
APPLICATION 2010-03
Theodore Wirth Golf Course
Bridge Replacement
Golden Valley, MN



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6A

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Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6A – 2009 Water Quality Monitoring Activities
BCWMC February 18, 2010 Meeting Agenda
Date: February 11, 2010
Project: 23/27 051 2009 003

6A. 2009 Water Quality Monitoring Activities

i. 2009 Lake Water Quality Study: Sweeney Lake, Twin Lake, Northwood Lake, North Rice Pond, and South Rice Pond

Recommended/requested Commission actions:

1. The BCWMC should accept the report and authorize Amy Herbert to post the report on the BCWMC Web site.
2. Consider collecting additional water quality samples in Twin Lake in February and March 2010, before ice out.
3. Consider collecting sediment samples in Twin Lake during the summer of 2010.

The executive summary of the referenced report is attached. The report will be posted on the Bassett Creek web site following BCWMC authorization. Contact Amy Herbert at bcra@barr.com or at 952-934-6316 if you would like a paper copy of the report.

Twin Lake Water Quality Status and Recommended Actions

Water quality data collected for Twin Lake in 2008 indicated that the average summer phosphorus concentration in 2008 was about 44 ppb, which is significantly higher than the previous four years that were sampled—1992, 1996, 2000 and 2005. Although the 2008 data for Twin Lake would not require that the lake be listed as impaired, the change in the water quality of the lake was of concern and it was recommended that Twin Lake be monitored again in 2009 to try to identify the reasons for the significant change in water quality. The increase in the Twin Lake phosphorus concentration in the spring of 2008 was thought to be either related to an inflow from Sweeney Lake or from large internal loading from bottom sediments.

Starting in February 2009, water quality samples were collected from Twin Lake. The average phosphorus concentration in the water column in February was over 200 ppb and the average

dissolved oxygen concentration was less than 0.5ppm. Throughout the summer, phosphorus concentrations continued to decline to a low of 38 ppb in September. The average summer average phosphorus concentration for Twin Lake in 2009 was 69 ppb, which does not meet the state water quality standards. All of the three water quality indicators—phosphorus, chlorophyll a and Secchi disc show that the water quality in Twin Lake has degraded when compared to past water quality data. The 2009 lake data indicates that the water quality of the lake is currently the poorest observed since monitoring began. The cause of the lake's water quality degradation in 2008 and 2009 appears to be the result of high internal loading in the winter caused by very low dissolved oxygen levels. The late ice out in the spring of 2008 and 2009 appears to have created the unusually low oxygen levels.

Since the ice and snow cover this winter is worse than previous winters, it is expected that dissolved oxygen levels will again be low, which will again result in a large internal phosphorus loading from bottom sediments. It is recommended that the Commissioners consider collecting additional water quality samples in February and March 2010, before ice out. The cost of the sample collection, testing and a brief report is \$3,200.

It is also recommended that the Commissioners consider collecting sediment samples during the summer of 2010 to determine the potential internal load that can be released from bottom sediments. The sediment samples could also be used to determine the cost of treatment to minimize phosphorus release from bottom sediments. The cost of collecting the sediment samples, analyzing the samples and calculating potential phosphorus release is \$3,500.

ii. A Biotic Index Evaluation of Bassett Creek and Plymouth Creek: 2008-2009

Recommended/requested Commission actions:

1. The BCWMC should accept the report and authorize Amy Herbert to post the report on the BCWMC Web site.

The executive summary of the referenced report is attached. The report will be posted on the Bassett Creek web site following BCWMC authorization. Contact Amy Herbert at bcra@barr.com or at 952-934-6316 if you would like a paper copy of the report.

2009 Lake Water Quality Study

***Sweeney Lake, Twin Lake, Northwood Lake,
North Rice Pond, and South Rice Pond***

***Prepared by
Bassett Creek Watershed Management Commission***

January 2010



Executive Summary

Since 1970, the Bassett Creek Watershed Management Commission (BCWMC) has monitored water quality in ten major lakes within the Bassett Creek watershed. This long-term monitoring program was developed to detect changes or trends in lake water quality over time that will help determine the effects of changing land use patterns within the watershed as well as the effectiveness of BCWMC's efforts to maintain and improve water quality. The BCWMC adopted its current watershed management plan in 2004. This second-generation plan complies with the provisions of the Minnesota Rules Chapter 8410, the Metropolitan Surface Water Management Act, the Water Resources Management Policy Plan, and other regional plans, and it sets the vision and guidelines for managing surface water within the boundaries of the BCWMC.

Three indicators that are commonly used to measure water quality include chlorophyll *a* (a measurement of algae or small plants), the amount of total phosphorus (the main nutrient required for algal growth), and Secchi depth (transparency of the water). This report summarizes the results of water quality monitoring during 2009 in Sweeney, Lake, Twin Lake, Northwood Lake, and North and South Rice Ponds. The lakes were monitored for both chemical and biological water quality parameters, the latter including phytoplankton and zooplankton. Monitoring results are summarized by lake and include a description of the results along with graphical representations of the data.

The conclusions and recommendations from 2009 water quality monitoring are as follows:

Sweeney Lake

During 2009, the water quality of Sweeney Lake did not meet the state water quality standard and Bassett Creek Water Management Commission's (BCWMCs) goals for the lake. The water quality status of Sweeney Lake was eutrophic (nutrient rich and poor quality), and the summer average phosphorus concentration was *hypereutrophic* (very nutrient rich, very poor water quality).

The observed 2009 water quality degraded significantly from the observed 2008 water quality. All three indicators show that the water quality in Sweeney Lake has degraded when compared to 2005, 2007, and 2008 because chlorophyll *a* and total phosphorus have increased, while Secchi depth has decreased.

The cause of the lake's water quality degradation in 2009 appears to be internal loading. Phosphorus released from sediment in 2009 was continuously mixed into the lake's surface waters during the growing season, thus increasing algal growth and reducing water clarity; while phosphorus released from sediment in 2008 was trapped in the lake's bottom waters until the fall mixing event, thus minimizing algal growth and increasing water clarity.

Twin Lake

During 2009, Twin Lake's water quality did not meet the state water quality standard and Bassett Creek Water Management Commission's (BCWMCs) goals for the lake were not met. The water quality status of Twin Lake was eutrophic and the summer average phosphorus concentration was hypereutrophic.

The observed 2009 water quality degraded from the observed 2008 water quality. All three indicators show that the water quality in Twin Lake has degraded when compared to 2000, 2005, and 2008 because chlorophyll *a* and total phosphorus have increased, while Secchi depth has decreased. The lake is currently at the poorest water quality observed since monitoring began. In 2009, late summer phytoplankton included the blue-green toxin-producing species *Cylindrospermopsis raciborski*, which comprised 25 percent of the algal community on August 12 and more than half of the algal community on August 26. Large numbers of this species are indicative of degraded water quality.

The cause of the lake's water quality degradation in 2009 appears to be internal loading.

It is recommended that the Commissioners consider collecting sediment samples during 2010 to determine if internal loading is causing the recent decline in the water quality of Twin Lake. It is also recommended that the Commissioners consider collecting additional water quality samples in February and March 2010, prior to ice out.

Northwood Lake

During 2009, Northwood Lake's water quality met state water quality standards and the BCWMC's goals for chlorophyll *a* and Secchi depth, but the lake's summer average total phosphorus concentration was more than five times greater than the state water quality standard and more than four times greater than the BCWMC's goal. Because Northwood Lake is a shallow lake, the water quality standards for the lake are less stringent than those for deep lakes (e.g., Sweeney Lake and Twin Lake).

2009 water quality status for Northwood Lake was eutrophic and the summer average phosphorus concentration was hypereutrophic.

Overall, the lake's water quality has improved since 2000 because chlorophyll *a* concentrations have declined and Secchi depth has increased. Although total phosphorus concentrations have increased since 2000, the increase has not resulted in increased algal growth or declining water transparency. Because increasing total phosphorus concentrations coincided with declining chlorophyll concentrations and increasing Secchi transparency, it appears that phosphorus is not the variable that limits algal growth in Northwood Lake.

North Rice Pond

During 2009, North Rice Pond's water quality met BCMC's goals for total phosphorus, chlorophyll *a*, and Secchi depth. Because North Rice Pond is a wetland, there are no state water quality standards applicable to the pond. Water quality was eutrophic, although the summer average phosphorus concentration was hypereutrophic.

Historical water quality data for North Rice Pond from 1994 and 1998 as well as 2009 show a trend toward water quality improvement.

South Rice Pond

During 2009, South Rice Pond's water quality met BCWMC's goal for chlorophyll *a*, but did not meet BCWMC's goals for total phosphorus and Secchi depth. Water quality was hypereutrophic and the summer average chlorophyll *a* value was eutrophic.

Historical water quality data indicates that consistently poor water quality has been observed in South Rice Pond during the period of record. A comparison of water quality observed in 2008 and 2009 indicates that total phosphorus concentrations increased while chlorophyll concentrations declined and water transparency improved. Hence, the water quality of South Rice Pond improved in 2009 despite increased phosphorus concentrations.

***A Biotic Index Evaluation of
Bassett Creek and Plymouth Creek: 2008-2009***

***Prepared by
Bassett Creek Watershed Management Commission***

January 2010



1.0 Executive Summary

Bassett Creek is currently listed on the List of Impaired Waters [303(d) list approved by U.S. EPA] for biota/fish. Because Bassett Creek is impaired, the MPCA assisted the Bassett Creek Watershed Management Commission (BCWMC) with the collection of biological samples from the Main Stem of Bassett Creek during 2008. Although the MPCA had intended to again sample the Main Stem during 2009, a change in plans occurred and the Main Stem was not monitored in 2009. During 2009, the BCWMC conducted biological monitoring for Plymouth Creek and Bassett Creek (North Branch and Sweeney Lake Branch) to evaluate the water quality of the streams. The Main Stem was not monitored by BCWMC in 2009 since the MPCA had planned to monitor this reach. Data collected from the 2008 MPCA monitoring program, however, are included in this study to evaluate current conditions in the Main Stem as well as changes since the reach was monitored in 2006. Data collected by the MPCA and BCWMC in 2009 were collected under similar climatic conditions. Precipitation was below normal during both years.

The BCWMC completed biological monitoring for Plymouth Creek and Bassett Creek during 1980, 1983, 1991, 1995, 2000, 2003, 2006, and 2009. In addition, samples were collected from the Sweeney Lake Branch and the Main Stem east of Zane Avenue in 1996. These historical data were compared with current data to determine changes in the stream's biological community over time as well as to estimate water quality changes indicated by changes in the biological community.

Bassett Creek has been evaluated with the Hilsenhoff Biotic Index (HBI) since 1980. The HBI results for 1980-2009 are summarized Figure EX-1. The current HBI results indicate a significant decrease in water quality (i.e., oxygen levels) from fair to poor occurred in the North Branch location during the 2008 through 2009 period. HBI results indicate Plymouth Creek maintained good water quality between the 2006 and 2009 studies. Similarly, the Main Stem locations maintained good water quality between the 2006 and 2008 studies. The bio-indicator data from the Sweeney Lake Branch location indicated water quality was fair and relatively similar to 2006, although an insignificant decline in water quality occurred. This location has observed a continuing decline in water quality (i.e. oxygen levels) beginning in 2000 and continuing through 2009.

A second index, the Invertebrate Community Index (ICI), was applied to the 1995 through 2009 data, as a second opinion. Both biotic indices (HBI and ICI) generally show similar water quality classifications for 2008 and 2009 at all monitoring locations. Results of the HBI evaluation of

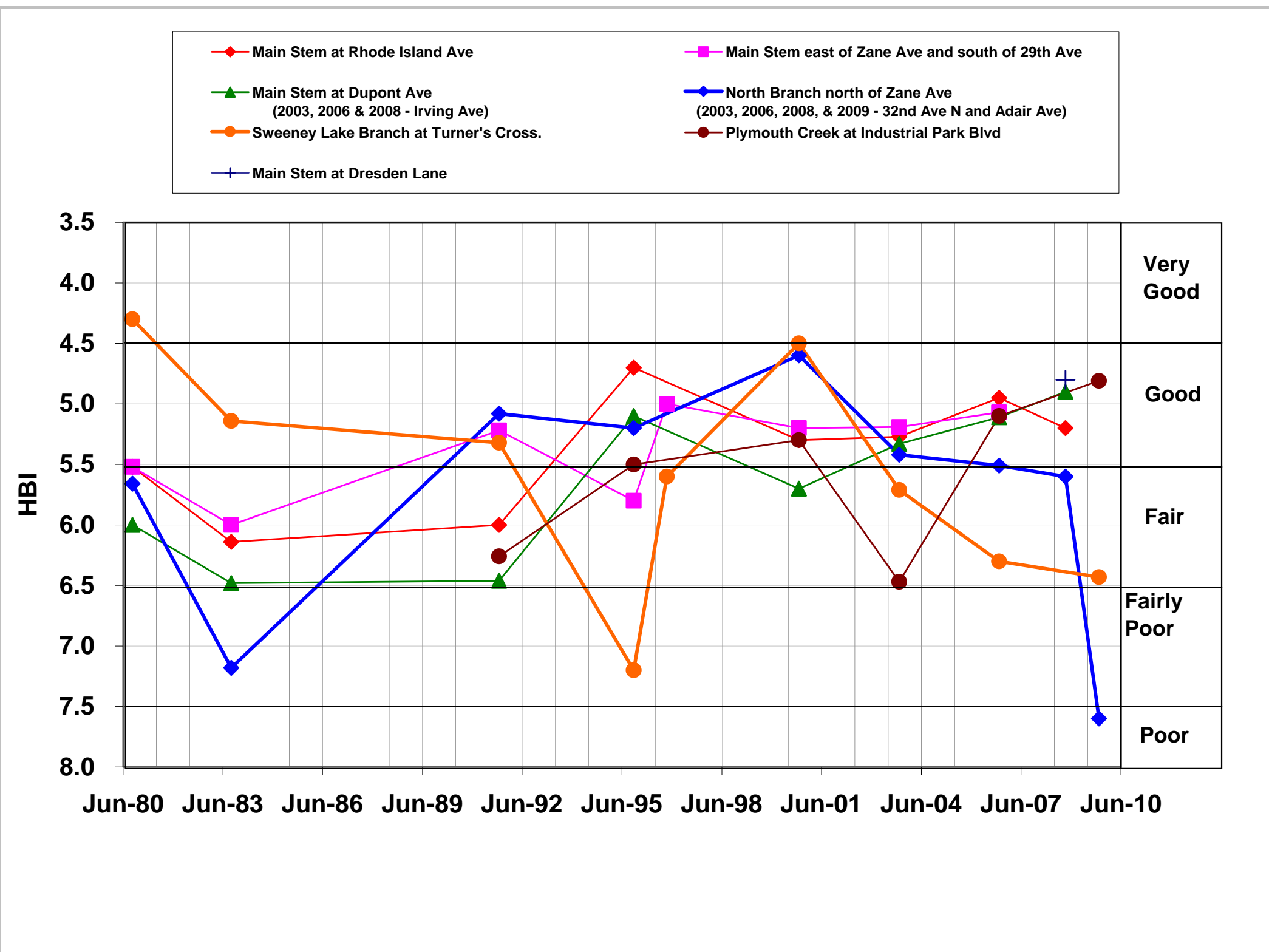


Figure EX-1. 1980-2009 Bassett's Creek and Plymouth Creek HBI Summary

Plymouth Creek and Bassett Creek (North Branch, Main Stem and Sweeney Lake Branch) are described as follows:

Plymouth Creek, an intermittent stream, contains organisms that are sensitive to both high and low flows. The current HBI score, as well as the score in 2006, indicate good water quality. Good water quality was also indicated by the biological community during 2000. Either low flow conditions or high flow conditions during other monitoring years changed the population structure of the stream so that there were fewer individuals and these individuals were more tolerant organisms. The 1980 low flow and 1983 high flow severely limited the number of organisms colonizing the stream. Since very low numbers of organisms were collected, the HBI evaluation during 1980 and 1983 was not possible. A sufficient number of organisms were present during 1991 and 2003 to complete an HBI evaluation of the stream, but the high flows during 1991 (37 inches of precipitation) and the low flows during 2003 (23 inches of precipitation) impacted the population structure of the biological community resulting in more tolerant organisms. The HBI score indicated fair water quality during both years.

The **North Branch of Bassett Creek** contained tolerant organisms during 2009 and observed an HBI score that indicated poor water quality. Low flows during 2003, 2006, and 2009, years in which below normal precipitation occurred, resulted in lower stream oxygen levels and the colonization of the stream by more tolerant organisms than had been observed in previous years. As tolerant organisms replaced more sensitive organisms, HBI scores indicated more degraded water quality. The stream's HBI score indicated good water quality in 2000 and 2003, borderline good/fair in 2006, fair in 2008, and poor in 2009. Prior to 2006, the stream's HBI score consistently indicated good water quality. It is not clear if below normal precipitation and low flows were the sole causes of the declining water quality in recent years.

The **Main Stem of Bassett Creek** water quality has remained relatively stable during 1980 through 2008. There was a significant improvement in water quality at the Rhode Island and Dupont Avenue sample locations in 1995, which was likely due to climatic changes since 1991 was a very wet year and 1995 was a relatively average precipitation year. The reduced quantities of stormwater runoff and lower pollutant loads in 1995 resulted in improved water quality. The Main Stem water quality has ranged from good to fair during the period of record. The 2008 water quality scores were consistent for each main stem site and remained in the good range.

The **Sweeney Lake Branch of Bassett Creek** observed significant water quality degradation in 1983, 1995 and 2003. Higher loads of pollutants washed into the stream during 1983, a very wet

year, and changed the water quality from very good to good. The water quality remained good in 1991, another very wet year. In 1995, sediment and silt from an upstream construction project washed into the stream and degraded the water quality to fairly poor. The stream recovered from construction impacts during the 1996 through 2000 period, and the stream observed a borderline good/very good water quality during 2000. Low flows in 2003, a very dry year, resulted in lower oxygen levels and the colonization of the stream by more tolerant organisms. Because of this change, HBI results indicate significantly decreased water quality (from good to fair). This decline continued in 2006 and 2009, years in which below normal precipitation occurred. However, the decline from 2003 through 2009 is not significant. HBI results indicate water quality remained fair during 2003 through 2009.

Based on the results of the 2008 and 2009 monitoring program, the Commissioners will consider:

- Continuation of its management efforts of Bassett Creek and Plymouth Creek, including installation of BMPs to protect and, if possible, to improve the water quality of the stream, as opportunities become available.
- Continuation of the use of the two biotic indices because the results of the biotic indices demonstrate they are useful in assessing the water quality of Bassett Creek and Plymouth Creek.
- Sampling all stations again in 3 to 5 years to maintain the long-term monitoring record and assess stream water quality changes.
- Continuation of flow and water quality monitoring from the Watershed Outlet Monitoring Point (WOMP) sample stations located on the Main Stem at Irving Avenue to evaluate physical and chemical parameters impacting the stream's biota.
- Continuation of management practices that preserve or improve the current water quality of Bassett Creek and Plymouth Creek.



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6B

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6B – BCWMC Review of City of Robbinsdale Local Surface Water Management Plan
Date: February 11, 2010
Project: 23/27 0051 2010 072

6B. BCWMC Review of City of Robbinsdale Local Surface Water Management Plan

Recommendation: The Commission forward these comments to the City of Robbinsdale regarding the BCWMC's review of the city's Local Surface Water Management Plan, and the Commission consider approval of the city's LSWMP upon receipt of the city's responses to the issues outlined in this memorandum.

We have reviewed the City of Robbinsdale's updated *Local Surface Water Management Plan* (LSWMP) for conformance with the BCWMC Watershed Management Plan (Plan).

Overall, the LSWMP addresses most of the BCWMC's requirements. An important element of the LSWMP is the identification of the City's responsibility to create a number of ordinances to implement the goals and policies outlined in the LSWMP (Table 8.1).

Metropolitan Council Comments:

In their December 24, 2009 letter to the BCWMC (attached), the Metropolitan Council stated that the city's LSWMP is consistent with the Council's *Water Resources Management Policy Plan*.

BCWMC Staff Comments

Staff has reviewed the city's LSWMP based on a comparison of the LSWMP with the BCWMC Plan requirements. Staff comments follow and are listed in Table 1. This memo concludes with additional staff comments comparing the LSWMP to statutory requirements (which are also in the BCWMC Plan). Comments in **bold** indicate issues where revisions to the LSWMP are required or recommended.

Table 1. Comparison of BCWMC Plan Requirements with the Robbinsdale LSWMP Elements.

BCWMC Local Plan Requirement/Expectation	Robbinsdale LSWMP Review
<p>1. 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 4.2.2.1, policy B).</p>	<p>Requirement met.</p> <p>Policy 11.1 of the LSWMP states that the city adopts the management classifications of the BCWMC and lists Grimes Pond, North Rice Pond and South Rice Pond as Level III water bodies. Policy 11.1 also refers to Table 4-3 of the BCWMC WMP (Water Quality Goals for Water Body Classifications).</p>
<p>2. Implement (with BCWMC) the water quality improvement options listed in Table 12-2 (Section 4.2.2.1, policy D).</p>	<p>The BCWMC Plan 10 year CIP (Table 12-2) includes the Grimes Pond wet detention pond (project GR-2). Table 12-3 (potential future projects) includes a possible alum treatment for North and South Rice Ponds (project GR-3).</p> <p>Issue 10 of Table 6.2 of the LSWMP states possible corrective actions to improve the water quality of Grimes Pond, North Rice Pond and South Rice pond include evaluating in-lake alum treatments to reduce nutrient release from bottom sediments and evaluating the feasibility of construction water quality basins at four locations (along west side of BN RR between 34th and 35th Ave, along the east side of the BN RR at 33rd Ave, in the northeast corner of South Halifax Park, and along the east side of BN RR between 27th and 26th Ave). Issue 10 of Table 6.2 needs to identify the water quality basin construction project as BCWMC CIP project GR-2. Project GR-2 also needs to be added to Table 8.4 (Storm Water System Improvement Activities), with implementation proposed for in 2016. Section 8.8 (Financing) of the LSWMP needs to also discuss that the BCWMC is the source of funding for project GR-2 and that the BCWMC funding is provided through an ad valorem tax collected by Hennepin County.</p> <p>Additionally, Section 4.10 of LSWMP cites the BCWMC's 1997 Rice and Grimes Pond plan including in-pond alum treatment.</p>
<p>3. List the impaired waters in BCWMC that affect the city, acknowledge the need for a TMDL study at some point in the future, and identify the city's role in completing and/or implementing TMDL studies. In BCWMC, the impaired waters are Bassett Creek, Medicine Lake, Northwood Lake, Parkers Lake, Sweeney Lake, and Wirth Lake (Section 4.2.2.1, policy G).</p>	<p>Sections 2.7.6 and 6.5 in the LSWMP list the impaired waters in Robbinsdale and in downstream receiving waters in adjacent communities. The table does not include the following lakes/impairments:</p> <ul style="list-style-type: none"> - Wirth Lake (Golden Valley), which is impaired for nutrients/eutrophication and biological indicators. Areas of Robbinsdale may become tributary to Wirth Lake during extreme flooding events.

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6B – BCWMC Review of City of Robbinsdale Local Surface Water Management Plan
Date: February 11, 2010
Page: 3

BCWMC Local Plan Requirement/Expectation	Robbinsdale LSWMP Review
4. Identify the water bodies where water quality monitoring is undertaken by the city and by others (Section 4.2.2.1, policy I).	Requirement met. Section 2.7.1 in the LSWMP identifies those water bodies where water quality monitoring occurs and provides links to the agencies with monitoring data.
5. Identify any proposed capital improvement projects beyond those listed in Table 12-2 and Table 12-3, and/or the proposed movement of a water quality improvement project from Table 12-3 to Table 12-2 (Section 4.2.2.1, policy J).	Requirement met. Table 8.4 of the LSWMP (Storm Water System Improvement Activities Table) identifies construction of water quality improvement BMPs in conjunction with Oakdale, Chowen, Drew, Ewing, France (Lowry to Oakdale), Halifax (35 th to 36 th Ave) and Indiana (35 th to 36 th Ave) Avenues reconstruction. Also listed in Table 8.4 are installation of CDS unit to address specific water quality issues in a downstream waterbody and remove sediment deltas from ponds identified in the regular pond inspections. It is recommended that the types of water quality BMPs associated with the road reconstruction, the location of the CDS unit installations and the location(s) of the pond sediment removal be specified, if known at this time.
6. Comply with the BCWMC's requirement that all regulated stormwater be treated to Level I standards throughout the watershed (Section 4.2.2.2, policy A).	Requirement met. Policy 3.11 of the LSWMP states that all stormwater activities within the jurisdiction of the BCWMC will be treated to Level 1 standards and cites the BCWMC's "requirements" document as a resource.
7. City shall adopt an ordinance that enforces the Minnesota State Law limiting the use of lawn fertilizers containing phosphorus.	Requirement met. Policy 14.6 and Appendix C of the LSWMP states the City will develop and implement an ordinance to address the proper application of pesticides, herbicides, and fertilizers through internal City staff training and public education. It is recommended that the development of this ordinance be included in the City's Official Control Implementation Actions (Table 8.1).

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BCWMC Local Plan Requirement/Expectation	Robbinsdale LSWMP Review
<p>8. Comply with the BCWMC's requirement that there be no increase in phosphorus load (non-degradation) for redevelopment projects that result in increased impervious surface (Section 4.2.2.4, policy A).</p>	<p>Policy 3.2 of the LSWMP states that the City will require BMPs necessary to maintain or reduce current phosphorus loads, where feasible. Policy 3.4 states that BMPs must be used so that there is no increase in pollutant load over existing conditions for sites that do not trigger the NPDES construction site permit. Policy 3.9 states that redevelopment projects that propose to increase the existing impervious area by any amount shall provide water quality treatment for all areas of site disturbance in conformance with BCWMC standards.</p> <p>One or more of these policies needs to be revised to state that there will be no increase in phosphorus load (non-degradation) for redevelopment projects that result in increased impervious surface.</p>
<p>9. Include a buffer policy for land adjacent to water resources (including wetlands) (Section 4.2.2.3, policy A; and Section 8.2.2, policy D).</p>	<p>Policy 10.1 (and Appendix C) in the LSWMP states that the City will develop an ordinance to address wetland management, including wetland buffer standards, that are consistent with the requirements of BCWMC. Section 6.3.2 states that Robbinsdale adopts the wetland buffer standards in the Comprehensive General Guidance Manual for MnRAM, version 3.0. Table 6.2 in the LSWMP (Storm Water Management Issues and Possible Correction Actions) lists encouraging buffers between maintained lawns and waterbodies as a possible corrective action to improve water quality in Bassett Creek.</p> <p>It is recommended that the development of this ordinance be included in the City's Official Control Implementation Actions (Table 8.1).</p>
<p>10. Acknowledge control and responsibility for shoreland regulation (Section 4.2.2.3, policy G).</p>	<p>Tables 3.1 and 6.1 of LSWMP states that there are no official City controls or ordinance for shoreland protection and that DNR regulations apply. Goal 12 in Section 7.9 of the LSWMP refers to the conservation and protection of shoreland areas and states that new development and redevelopment proposals must be consistent with DNR Shoreland Protection Regulations.</p> <p>The LSWMP needs to be revised to clarify the status of shoreland regulation in the city (e.g., how will the city enforce DNR shoreland protection regulations without a shoreland ordinance).</p>

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BCWMC Local Plan Requirement/Expectation	Robbinsdale LSWMP Review
<p>11. Comply with the BCWMC Plan's goals and policies regarding water quality (Section 4.2.2.2 Policy A, Section 4.2.2.4, policies A & C), flooding and rate control (contained in Section 5.0 of the Plan) (Section 5.2.2.2, policies C & N) acknowledging BCWMC's authority to review improvements, developments and redevelopment projects and that cities are to forward such projects to the WMO for review.</p>	<p>The LSWMP acknowledges the BCWMC water quality performance standards and references the <i>Requirements for Improvements and Development Proposals</i> (July 17, 2008, as revised) in Policy 3.11. Policy 3.9 of the LSWMP partially addresses the BCWMC non-degradation requirement for increased impervious area. Section 6.6 of the LSWMP acknowledges the BCWMC's authority to review projects within the city. Policy 13.8 of the LSWMP states that the City will forward development plans to the watersheds for their review and inform the applicant of the applicable stormwater management requirements. Appendix C compares the design standards of the city and the WMOs. The table also lists when project reviews are required for each entity; however, for BCWMC the list is incomplete. Appendix C needs to be revised to 1) include all of the types of projects that require Commission review and 2) clarify the Commission standards for non-degradation, infiltration/filtration, wet ponds, rate control, and floodplain alteration. Section 3.0 of the BCWMC's Requirements for Improvements and Development Proposals (July 17, 2008, as revised) lists the types of projects requiring BCWMC review.</p> <p>Several of the flood control policies (Section 7.3) in the LSWMP are consistent with the flooding and rate control requirements of the BCWMC. The LSWMP, however, does not define permissible floodplain land uses. It is recommended that the LSWMP include a policy describing permissible floodplain land uses or stating compliance with the BCWMC requirements and referencing those requirements.</p> <p>Policy 3.2 in the LSWMP emphasizes BMPs to reduce stormwater runoff, where feasible, consistent with the flooding and rate control requirements of the BCWMC. It is recommended that a similar policy be included in the Water Quantity policies section of the LSWMP.</p>
<p>12. Acknowledge city's responsibility for implementing BCWMC's development policies (Section 5.2.2.2. Policy B).</p>	<p>Section 6.6 of the LSWMP states that the goal of the plan is to be compatible with the regulatory programs of the BCWMC. Policy 13.8 states that the city will coordinate project reviews with BCWMC. Refer to comment 11 for revisions required for Appendix C.</p>
<p>13. Identify any proposed changes to the BCWMC flood control project system (Section 5.2.2.1, a number of policies).</p>	<p>Requirement met. There are no BCWMC flood control projects in the City.</p>

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BCWMC Local Plan Requirement/Expectation	Robbinsdale LSWMP Review
<p>14. Acknowledge city's responsibility for maintaining its stormwater management system, for cleaning the BCWMC flood control project features, and for stream maintenance and repairs that are primarily aesthetic improvements (Section 5.2.2.1, policy F, Section 7.2.2, policy J, and Section 12.4.1).</p>	<p>Requirement met.</p> <p>Goal 7 of the LSWMP is to maintain the function and effectiveness of storm water management structures through monitoring and maintenance. Section 8.6 and Table 8.3 discuss operations and maintenance of the City's storm water system, including excavation of accumulated sediments from ponds.</p> <p>There are no BCWMC flood control projects or BCWMC streams in the City.</p>
<p>15. City must require project proposers to apply BMPs to reduce runoff volume to the maximum extent practical. (Section 5.2.2.2. Policy D).</p>	<p>Requirement met.</p> <p>Policies 4.2 and 4.3 state that for new and redevelopment, at least ½-inch of runoff must be infiltrated where site conditions allow. Policy 3.2 of the LSWMP states that the City "...will require BMPs necessary to maintain or reduce...stormwater runoff volume loads...where feasible." This policy does not specify project proposers as the responsible parties. It is recommended that a policy with similar intent be included in the Water Quantity policy section of the LSWMP.</p>
<p>16. City must require rate control in conformance with the flood control project system design and the BCWMC Watershed Management Plan.</p>	<p>Requirement met.</p> <p>Policy 1.2 limits runoff to existing rates for the 2-year, 10-year, and 100-year 24-hour events. Section 2.3 of the LSWMP emphasizes the use of infiltration as the preferred method of stormwater management.</p>
<p>17. Incorporate the BCWMC's adopted 100-year floodplain elevations for the BCWMC's trunk system (Section 5.2.2.2, policy F).</p>	<p>Requirement met.</p> <p>The LSWMP adopts the BCWMC 100-yr floodplain elevations and lists those elevations for Grimes Pond, North Rice Pond and South Rice Pond in Policy 2.7 and references Table 5-3 of the BCWMC WMP. Section 2.7.5 also references Table 5-3.</p>
<p>18. Meet policies regarding allowed land uses, structures, non-conforming uses and filling in established floodplains (Section 5.2.2.2. Policies G, H, and I),</p>	<p>Policy 2.5 states that the City will not allow encroachment into City stormwater facilities that reduces flood storage volumes without compensatory storage being provided.</p> <p>The LSWMP does not address permitted land uses within the floodplain, or reference the policies of the BCWMC regarding this issue. The floodplain-related policies of the BCWMC are not referenced within the LSWMP.</p>

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BCWMC Local Plan Requirement/Expectation	Robbinsdale LSWMP Review
19. Meet the BCWMC's requirement that the lowest floor of all permanent structures be at least 2 feet above the established 100-year floodplain elevation and incorporate this requirement into city ordinances (Section 5.2.2.2, policy J).	Requirement met. Policy 2.3 meets this requirement.
20. Describe existing and proposed city ordinances, permits, and procedures for addressing erosion and sediment control and preparation of erosion control plans (Section 6.2.2, policy G).	Requirement met. Table 3.1 states that the applicable city erosion control ordinance is City Code 510.15, Subd. 4; however the performance standards of this ordinance are not summarized in the LSWMP. It is recommended that the performance standards are summarized in Section 6.0 of the LSWMP.
21. Comply with the BCWMC Plan's goals and policies regarding erosion and sediment control (contained in Section 6.0 of the Plan) (Section 6.2.2, policy H).	Policy 6.1 and Table 8.1 of the LSWMP state that the City will update its erosion and sediment control ordinance to comply with regulatory requirements.
22. Complete and update inventories of significant erosion and sedimentation areas along the Bassett Creek trunk system and share this information with BCWMC. Only those areas identified in such an inventory are eligible for BCWMC funding (Section 7.2.2, policy F).	Requirement met. Robbinsdale does not contain portions of the Bassett Creek trunk system.
23. Comply with the BCWMC Plan's goals and policies regarding stream restoration (contained in Section 7.0 of the Plan) (Section 7.2.2, policy N).	Requirement met. No BCWMC streams in Robbinsdale.
24. Cities shall have a buffer policy for all water resources in their respective stormwater management plans.	Section 6.3.2 and Appendix B adopt the wetland buffer standards as presented in the <i>Comprehensive General Guidance Manual</i> for MnRAM, version 3.0; however, the LSWMP does not identify specific buffer requirements for other water resources.
25. Acknowledge city or BCWMC responsibility as LGU for the Wetland Conservation Act (Section 8.2.2, policy F).	Requirement met. Sections 3.7 and 6.3 of the LSWMP states that the BCWMC and SCWMC have responsibility as the Local Government Unit (LGU) for the Wetlands Conservation Act in Robbinsdale. Section 6.3 also states that the City intends to update city code to include wetland management requirements, which reflect consistency with SCWMC and BCWMC rules and specifically reference the roles of these Commissions in WCA administration in the City. In Section 6.3.1 and Policy 10.2 Robbinsdale defers WCA administration and enforcement to BCWMC and SCWMC.

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BCWMC Local Plan Requirement/Expectation	Robbinsdale LSWMP Review
26. Comply with the BCWMC Plan's goals and policies regarding wetland management (contained in Section 8.0 of the Plan) (Section 8.2.2, policy G).	Requirement met. The policies included in Section 7.9 of the LSWMP are generally consistent with the BCWMC Plan. Policy 10.1 (and Appendix C) in the LSWMP states that the City will develop an ordinance to address wetland management, including wetland buffer standards, that are consistent with the requirements of BCWMC.
27. Describe status of wellhead protection planning, if applicable (Section 9.2.2, policy C).	Requirement met. Robbinsdale completed a wellhead protection plan in April 2007 (Section 2.5) and Policy 5.1 refers to the policies and recommendations set forth in the wellhead protection plan.
28. Each city is required to prepare a local plan. (Section 12.1.2).	Requirement met.
29. The permitting process used by the local government should be outlined in the SWMP. (Section 12.4)	Requirement met. The process is summarized in Section 3.1 of the LSWMP.
30. Meet the Requirements of Local Watershed Management Plans for identification of regulated areas (Section 12.4.1).	Requirement met. Regulated areas are presented in the inventory section of the LSWMP (Section 2) and associated figures.

Other Statutory Requirements for Local Watershed Management Plans

31. Along with the above specific requirements from the BCWMC Plan, 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.”

These requirements are met by the LSWMP.

32. 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.

These requirements are met by the LSWMP (see item 14 above).

33. 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 local spill containment cleanup plans.
- The need for any other necessary management programs.

These requirements are met by the LSWMP.

34. 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
- Define drainage areas and the volume rates and paths of stormwater
- Identify areas and elevations for stormwater storage adequate to meet the performance standards established in the BCWMC Plan.
- Identify regulated areas.
- Set forth and implementation program, including a description of official controls and, as appropriate, a capital improvement program.

These requirements are met by the LSWMP with the exception of the following issues:

Stormwater flow directions are not specified in Figure 2.7 (which includes storm sewer data and storm sewersheds). It is recommended that flow directions be added to Figure 2.7.



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6C

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Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6C – Update on Cultural Resource Review Process for Resource Management Plan
Date: February 11, 2010
Project: 23/27 051 2010 616

6C. Update on Cultural Resource Review Process for Resource Management Plan

Recommended/requested Commission actions:

1. Review draft protocols, and authorize staff to include the protocols in the Resource Management Plan (RMP) and submit the final RMP to the U.S. Army Corps of Engineers.

Staff has prepared draft protocols for the RMP that outline the needed data collection, other permitting that will be needed and the plan submittals that will be needed to obtain final approval of the RMP. At their January 21, 2010 meeting, the Commission directed staff to bring the draft protocols to the Commission for review before submitting the final RMP to the U.S. Army Corps of Engineers. The draft protocols are attached for Commission review.

Bassett Creek Resource Management Plan

U.S. Army Corps of Engineers Pre-application Consultation Protocols

On January 12, 2010 representatives of the Bassett Creek Watershed Management Commission (BCWMC) met with the St. Paul District of the U.S. Army Corps of Engineers (COE). The meeting was intended to provide an opportunity for BCWMC and COE to develop a mutually satisfactory approach to 1) obtaining final approval of the Resource Management Plan (RMP) from the COE, 2) developing a plan for addressing cultural resource issues that are required for compliance with Section 106 of the National Historic Preservation Act (NHPA) and 3) defining the process for final permitting approvals for each of the projects included in the RMP.

The preparation of the RMP for the BCWMC projects was recommended by the COE as approval of the plan would streamline the project permitting process with the COE. The outcome of the January meeting was that the BCWMC would develop pre-application protocols that outline data collection to be completed by BCWMC, identify permitting to be completed, and a plan submittal process needed for final permit approval. Based upon the discussions in the meeting, one of the primary focuses of the process is to define the level of survey for architectural, archeological, and cultural sites where impacts could be potentially significant. Protocols for wetland delineations and water quality certification by MPCA for project areas to meet the 404 and 401 requirements are also addressed here.

Projects in the Resource Management Plan

Projects covered in RMP and the scheduled completion dates (revised 2/3/2010)

<i>Pond Projects</i>	Target Completion	<i>Creek Projects</i>	Target Completion
NL-2	2013	Main Stem, Reach 1	2010-2011
Wirth Lake Pond (WTH-2)	2012	Main Stem, Reach 2	2011-2012
BC-3,5,7	2015	North Branch	2012-2013
BC-2,4,6,8	2014	Plymouth Creek, Reach 1 (PC-1)	2011-2012
NL-1	2016	Plymouth Creek, Reach 2 (PC-2)	2016-2017
Grimes Pond (GR-2)	2016		

Compliance with Section 106 of the National Historic Preservation Act

No activity which may affect historic properties listed, or eligible for listing in the National Register of Historic Places can be authorized by the COE, until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C. For activities that may affect historic properties listed or

eligible for register listing, or cultural resources, notification must be provide to the COE by the project proposer. The notification typically describes which historic property or cultural resource may be affected by proposed work and includes a map indicating the location of the historic property.

Few cultural resources have been recorded within the vicinity of Plymouth and Bassett Creeks in the Bassett Creek Watershed (Appendix C, Figure 1 of the Resource Management Plan). Those watershed sections which have been inventoried, however, include some archaeological and historical evidence. The data indicate that uplands surrounding streams and lakes likely attracted Native Americans, as well as early European-American settlers. Of particular note is the presence of archaeological evidence adjacent to smaller water bodies including Birch Pond, Sweeney Lake, Twin Lake, and the wetland on the west edge of Wirth Park (areas previously surveyed). While these sites are located within the watershed, but are not in or immediately adjacent to the water quality projects their presence suggest other resources could be present (Figure 2 in Appendix C of the Resource Management Plan).

Pre-application Consultation Protocol for Section 106 Requirements

A Phase 1A review of cultural and historical resources was completed for the Resource Management Plan and is included as Appendix C of the RMP. The pre-application protocol for historic and cultural resources will be based upon the work completed of this Phase 1A review. The process for review of project locations and submittals will include:

1. The general boundaries of each project area will be defined and mapped using GIS; the project boundaries will include a buffer area that includes area within anticipated construction limits, construction access points and temporary roads, and a 100 foot wide buffer around these project limits.
2. A reconnaissance level assessment for cultural resources will be completed of all the project sites by an archeologist to define areas of potential impact.
3. The conceptual design will be reviewed as part of development of the feasibility studies for each of the individual projects to ensure the project can be constructed; modifications and alternatives will be reviewed that would reduce the potential for impacts. Areas of potential impact will be identified in the feasibility study.
4. Following completion of the feasibility study for each project, a Phase 1 Cultural Resource Survey will be completed within the areas of potential impact for each project location. All Phase I investigations will be conducted in a manner that meets both federal and state requirements, i.e. Section 106 of the National Historic Preservation Act as well as Minnesota Statutes 138.31 -

138.42 (the “Field Archaeology Act”) and 307.08 (the “Private Cemeteries Act”). Following a supplementary records and literature search at SHPO and the Office of the State Archaeologist, a visual inspection of the project area will be completed to document any historic and man-made surface anomalies. This would then be supplemented with systematic shovel-testing as specified by SHPO guidelines.

5. The Phase 1 Cultural Resource Survey would be presented as a technical report to the COE, SHPO and the Office of the State Archaeologist for review and concurrence as to whether any cultural resources identified during the Phase I survey may require further evaluation or mitigation.

Compliance with Section 404 of the Clean Water Act

The Clean Water Act (CWA) prohibits the discharge of dredged or fill material into wetlands, streams, and other waters of the United States unless a permit issued by the COE. Under Section 404, a COE permit is required for the discharge of dredged or fill material into waters of the U.S. BCWMC concedes that all of the waterbodies and wetlands included in the RMP project areas are waters of the U.S. and thus are subject to the COE regulatory authority. The COE’s jurisdictional review of the project areas will likely confirm the presence of waters of the United States at these sites.

To meet the requirements of Section 404, an alternatives analysis will be required for the final permit applications as well. Some projects may have limited possibilities for alternatives, but the analysis will reflect all possibilities.

Pre-application Consultation Protocol for Compliance with Section 404 of the Clean Water Act

1. The general boundaries of each project area will be defined and mapped with GIS; the project boundaries will include a buffer area that includes area within anticipated construction limits, construction access points and temporary roads, and a 100 foot wide buffer around these project limits (same as prepared for cultural resources review).
2. An application will be submitted to the COE that includes a signed Joint-Federal-State form and the information listed in steps 3 – 5 listed below.
3. BCWMC will complete wetland delineations in accordance with the 1987 Corps of Engineers Wetland Delineation Manual (the '87 Manual), and the Guidelines for Submitting Wetland Delineations in Minnesota for all project areas.

4. A functional assessment will also be completed for each wetland type within the project review areas using MnRAM. The assessment will characterize the functions provided by the respective wetlands.
5. The wetland delineation mapping and functional assessment will be submitted to the COE for review and verification of jurisdictional authority, and completeness of delineation report.
6. BCWMC will provide a description and tabulation of potential wetland impacts, and a description of mitigation sequencing to minimize impacts.
7. The COE will determine if compensatory mitigation is required for any of the projects. If wetlands are adversely affected, the permit application will require either a compensatory mitigation proposal or an explanation of why mitigation is not necessary. In most cases, mitigation is typically necessary for losses of wetland area, conversion of wetland type, or losses of habitat. However, wetland restorations could convert/restore previous types that may be more desirable in the long-term even though they involve an alteration/temporary loss.
8. If BCWMC is required to provide compensatory mitigation, a plan will be developed for mandated aquatic resource restoration, establishment, enhancement, or preservation activity. Any compensatory mitigation may be provided at or adjacent the impact site (i.e., on-site mitigation) or at another location, usually within the same watershed as the permitted impact (i.e., off-site mitigation).
9. All of this information will be included in the project feasibility studies; the feasibility studies will be provided to the COE as part of the review process.

Clean Water Act Section 401 Water Quality Certification

MPCA is responsible under its Section 401 authority for review Section 404 Individual Permit (IP) applications for projects; some of the RMP projects which can proceed under a General Permit or Letter of Permission would not require MPCA's Section 401 certification. MPCA reviews the IP projects to ensure they will be in compliance with state water quality standards. In particular MPCA is concerned that no prudent and feasible alternatives to impacting wetlands are available, that the project's impact on wetlands is minimized, and that adequate compensatory mitigation will be implemented to protect the designated uses of the wetland and the water quality standards.

Previous MPCA 401 certification decisions indicate that projects that convert wetlands to storm water ponds will likely require compensatory mitigation even if the wetland already receives storm water inputs. The MDNR comment letter received during the RMP comment period, indicates that the DNR

may require compensatory mitigation for such work in State-protected waters. MPCA will require an accurate estimate of impacts before they can grant Section 401 certification.

Pre-application Consultation Protocol for Clean Water Act Section 401 Water Quality Certification

1. Identify and submit to the COE a list of those RMP projects that BCWMC believes are eligible for GP/LOP for concurrence.
2. BCWMC will submit to MPCA the completed wetland delineations and functional assessment for each wetland type within the project review areas for review and comment for projects requiring individual permits.
3. BCWMC will also provide a description and tabulation of potential wetland impacts, and a description of mitigation sequencing to minimize impacts.
4. MPCA will determine project requirements for granting a 401 water quality certification.

Programmatic Approach to Resource Management Plan Approval

Discussion with COE staff set forth a process for the programmatic approach to the RMP approval and project implementation procedures. That process has seven key steps:

1. Public notice of plan. The RMP will be put out on public notice that invites public comments within a 30-day comment period.
2. Public and agency comments and COE review. The COE will maintain an administrative record of all comments and related documentation.
3. Response to comments. COE and other comments will be incorporated into the RMP as appropriate.
4. Permit application. The COE requires submittal of an amended RMP (as necessary) and a permit application for the work described in the RMP.
5. Second public notice. The COE will issue a second public notice, addressing comments received on the RMP, inviting additional comment on the permit application, and describing the process that the COE would use to authorize the work described in the RMP (if approved) as each project is carried into final design.
6. Permit decision. The COE will make a permit decision and maintain an administrative record. Assuming a favorable permit decision, the permit will include the requirement to submit requests for COE approval to proceed with individual RMP projects prior to implementation.
7. Issuance of a conceptual approval by the COE.

Final Project Permits

Prior to construction, the following steps were defined by the COE as necessary before proceeding into the construction:

1. *Feasibility study.* For each project that does not already have one, a feasibility study will be completed. Each study will include preliminary analysis and design for each project and will provide updated construction and costs estimates. Feasibility reports will include all of the information described in the pre-application protocols.
2. *BCWMC hearing and order.* The BCWMC will hold a public hearing on each project and decide whether to order the project and the completion of construction plans and bid packages.
3. *Construction plans and bid packages.* Final construction plans and a bid package will be completed for each project by the member city responsible for project implementation.
4. *COE authorization of individual projects.* The final plans will be submitted to the COE for final review and authorization to proceed with individual RMP projects and to other permitting agencies for necessary permits. Each individual project does not need to go through the COE public notice process again because of the public notice and comment period completed during the RMP process.
5. *Additional permits.* All necessary local and state permits will be obtained before beginning work on an individual project



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6E

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6E – BWSR Clean Water Fund Grant and BCWMC CIP Projects
Date: February 11, 2010
Project: 23/27 051 2010 615/620/621

6E. BWSR Clean Water Fund Grant and BCWMC CIP Projects

Note: these two topics are being covered in one memo because the BWSR grant award could impact the BCWMC CIP project schedule.

i. Grant Award and Future Process

Recommended/requested Commission actions:

1. Direct staff to develop work plan for the BWSR grant, and coordinate with Plymouth and Golden Valley as needed

Staff applied for \$500,000 from the BWSR Clean Water Fund grants for two projects in the Commission's CIP—the channel restoration projects on Plymouth Creek and the Main Stem of Bassett Creek. On January 28, 2010, staff received email notification that the Commission's grant application was approved for BWSR funding (see attached email). The Commission was awarded \$360,000 (to see the entire list of awarded funds, go to http://www.bwsr.state.mn.us/grants/2010_Competitive_Grant_Recipients.pdf). The cities of Plymouth and Golden Valley also each applied for a Hennepin County grant for the same two projects. The source of the Hennepin County grant funding is also through the clean water amendment. Staff has been informed that both projects were approved for funding by Hennepin County. The Plymouth Creek project is to receive \$155,000 and the Main Stem project is to receive \$135,000 (\$290,000 total) (*this information needs to be confirmed*). This brings the total grant award funds for both projects to \$650,000.

Before the grant money is released to the BCWMC, the Commission will need to 1) sign a grant agreement and 2) prepare a work plan. Once BWSR receives the signed grant agreement and approved the work plan, BWSR will release the funds. BWSR staff indicated that is likely 100% of the funds would be released at that time. The grant agreement will be sent to BCWMC by early March and the work plan will likely be due at the end of April.

After the funds have been released, the BCWMC will be required to make project updates twice a year (probably August and February) in eLINK. The project updates would cover items such as design progress, construction progress and the amount of money spent. At the end of the project, the BCWMC will need to prepare a final report/fact sheet (two to three pages) suitable for posting on the BCWMC and BWSR website. This final report, along with a map of the project (in GIS), will need to be entered in the eLINK system.

BWSR staff indicated that they will coordinate with Hennepin County and BWSR staff to avoid double-reporting in eLINK by BCWMC, Plymouth, Golden Valley, and Hennepin County.

ii. BCWMC CIP Project Schedule

Recommended/requested Commission actions:

1. Decide to either 1) reduce ad valorem tax levy for 2011 or 2) accelerate the CIP project schedule, by moving up to 2011 the North Branch channel restoration project (originally scheduled for 2012).
2. Direct staff to prepare a minor plan amendment for the 2011 CIP project(s) (Main Stem and possibly North Branch) and the modification of the Wirth Lake outlet structure, and to submit the minor plan amendment to the appropriate authorities in early April.

The Commission approved the revised BCWMC CIP at their January 21, 2010 meeting. The CIP now calls for the following projects in 2010—2012:

Year	Project Description	Project Number	Estimated Cost	Proposed Assessment
2010	Restore Main Stem Channel, Crystal Border to Regent Ave.-Golden Valley/Crystal	2010CR	\$636,000 ¹	\$ 34,800-2010 ⁴ \$601,200-2011
2010	Restore Plymouth Creek, Medicine Lake to 26 th Ave-Plymouth	2010CR	\$965,000 ²	\$902,462-2010 ⁴
2011	Restore Main Stem Channel, Duluth St. to Crystal Border-Golden Valley	2011CR	\$780,000 ³	\$398,800-2011 \$381,200-2012
2012	Restore North Branch, 36 th Ave to Bassett Creek Park-Crystal	2012CR	\$660,000 ³	\$618,800-2012 \$ 41,200-2013

¹August 2009, *Feasibility Report for Bassett Creek Restoration Project*

²July 2009, *Feasibility Report for Plymouth Creek Restoration Project*

³Bassett Creek CIP, 2008 Cost Update

⁴Approved 2010 Assessment

With the coming receipt of significant grant funds (\$650,000), the Commission needs to make a decision whether to use the grant funds to 1) reduce the 2011 ad valorem tax levy, or 2) accelerate the CIP project schedule. While the economic benefits of reducing the ad valorem tax levy are obvious, there are benefits

to accelerating the CIP project schedule. Aside from the benefit of completing water quality improvement projects sooner, accelerating the schedule would put the BCWMC in an even stronger position to receive future grant funding because the BCWMC could show how they used past grant funds to accelerate the improvement of water quality in the watershed. There would also be economic benefits—since construction activity is slow, very favorable bids are being obtained on projects, up to 25% - 40% less than what would typically be expected.

If the Commission decides to accelerate the CIP project schedule, staff recommends that the North Branch channel restoration project scheduled for 2012 be moved up to 2011, assuming the City of Crystal agrees to the changed schedule. This would also affect the remainder of the CIP project schedule; the TAC will need to discuss this at a future TAC meeting and make a recommendation to the Commission about the revised schedule.

For the project(s) slated for 2011, a minor plan amendment will need to be prepared to include the project(s) in the BCWMC CIP. BWSR must act within 45 days on the minor plan amendment request, but Hennepin County needs 90 days to review and approve the minor plan amendment. To receive Hennepin County approval by July, the minor plan amendment needs to be submitted in early April. The information contained in the resource management plan should be sufficient for staff to prepare the minor plan amendment.

On a related note, the draft Wirth Lake TMDL includes a project to modify the Wirth Lake outlet structure. There is money already available for this project from a previous Wirth Lake water quality improvement project that did not get constructed. This project is not currently in the BCWMC CIP, so a minor plan amendment will be needed to add this project to the CIP.

In 2009, the feasibility studies for the Plymouth Creek and Main Stem projects were presented to the Commission at their August meeting and the Commission held the public hearing and ordered the projects at their September meeting. Assuming the Commission wishes to follow the same process this year, the Commission should order preparation of the feasibility study(ies) no later than the Commission's June meeting.

Karen Chandler

To: Karen Chandler
Subject: FW: BWSR Competitive Grant Notification

From: Len Kremer
Sent: Wednesday, February 10, 2010 9:40 AM
To: Karen Chandler
Subject: FW: BWSR Competitive Grant Notification

From: Drewitz, Matt (BWSR) [mailto:Matt.Drewitz@state.mn.us]
Sent: Thursday, January 28, 2010 4:29 PM
To: Drewitz, Matt (BWSR)
Cc: Blackburn, Julie (BWSR); Jaschke, John (BWSR); Peterson, Joel R (BWSR); Kean, Al (BWSR); Weirens, David (BWSR); Shaw, Dan B (BWSR); Woods, Steve (BWSR); Zellmer, Wayne (BWSR)
Subject: BWSR Competitive Grant Notification

As you know, the Board of Water Soil Resources (BWSR) is charged with allocating clean water project funds appropriated by the Legislature that are a result of the Clean Water, Land and Legacy Constitutional Amendment. In order to achieve administrative efficiencies and to assure a comprehensive evaluation of all proposals, the 2010 BWSR granting process also included State General Funds that had been appropriated for competitive grants to local governments. Earlier today, the BWSR Board approved allocation of approximately \$13 million in funds derived from these sources.

Congratulations! A project that you submitted has been approved for funding. BWSR staff will be contacting you soon to provide details on the level of funding approved by the Board and the granting process, including guidance for completing the project workplan in eLINK.

Demand for available funds was great as BWSR received over 200 applications requesting in excess of \$44 million. Consequently, many quality applications were not funded, and others received a smaller award than was requested.

BWSR looks forward to our partnership in this project and hopefully, others in the future. Please contact your Board Conservationist or Clean Water Specialist if you have any questions regarding your project.

Signed: John Jaschke
Executive Director