



Item 4B.  
BCWMC 5-15-14

## Bassett Creek Watershed Management Commission

### Minutes of Regular Meeting

April 17, 2014

Golden Valley City Hall, 8:30 a.m.

#### Commissioners and Staff Present:

Crystal	Commissioner Guy Mueller	Robbinsdale	<i>Not represented</i>
Golden Valley	Commissioner Stacy Hoschka, Treasurer	St. Louis Park	Commissioner Jim de Lambert, Chair
Medicine Lake	Commissioner Clint Carlson	Administrator	Laura Jester, Keystone Waters LLC
Minneapolis	Alternate Commissioner Lisa Goddard	Attorney	Charlie LeFevere, Kennedy & Graven
Minnetonka	Commissioner Jacob Millner	Engineer	Karen Chandler, Barr Engineering Co.
New Hope	Alternate Commissioner Pat Crough	Recorder	Amy Herbert
Plymouth	Commissioner Ginny Black		

#### Technical Advisory Committee (TAC) Members/ Other Attendees Present:

Derek Asche, TAC, City of Plymouth	Jeff Oliver, TAC, City of Golden Valley
Phillip Elkin, TAC, City of St. Louis Park	John O'Toole, Alternate Commissioner, City of Medicine Lake
Christopher Gise, Golden Valley Resident	Bob Paschke, TAC, City of New Hope
Linda Loomis, Chair, Plan Steering Cmtee	Jim Prom, Plymouth City Council
Chris Long, TAC, City of New Hope	Liz Stout, TAC, City of Minnetonka
Tom Mathisen, TAC, City of Crystal	Peter Tiede, Murnane Law Firm
Richard McCoy, TAC, City of Robbinsdale	David Tobelmann, Alternate Commissioner, City of Plymouth
Jane McDonald Black, Alternate Commissioner, City of Golden Valley	

### 1. CALL TO ORDER AND ROLL CALL

On Thursday, April 17, 2014, at 8:37 a.m. in the Council Chambers at Golden Valley City Hall, Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken. The Cities of Minnetonka and Robbinsdale were absent from the roll call.

**2. CITIZEN FORUM ON NON-AGENDA ITEMS**

No items were brought forward.

**3. AGENDA**

Commissioner Black moved to approve the agenda. Commissioner Crough seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Robbinsdale absent from vote].

**4. CONSENT AGENDA**

Chair de Lambert suggested moving to the consent agenda item 6E: Review Draft FY2016-17 Biennial Budget Request (BBR) for Submittal to BWSR. Commissioner Black moved to approve the consent agenda as amended. Commissioner Carlson seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Robbinsdale absent from vote]. [The following items were approved as part of the Consent Agenda: the March 20, 2014, BCWMC meeting minutes; the monthly financial report; the payment of the invoices; Approval of agreement with Met Council for 2014 CAMP program; Approval of Hennepin County request to extend major plan amendment comment period; Approval not to waive monetary limits on municipal tort liability; Approval of agreement with University of Minnesota for NEMO Program; Set public hearing for Major Plan Amendment for June 19, 2014, 8:30 a.m.; approval to submit BBR to BWSR. ]

The general and construction account balances reported in the Financial Report prepared for the April 17, 2014, meeting are as follows:

Checking Account Balance	\$775,355.55
<b>TOTAL GENERAL FUND BALANCE</b>	<b>\$775,355.55</b>
<b>TOTAL CASH &amp; INVESTMENTS ON-HAND (4/9/14)</b>	<b>\$2,622,292.97</b>
CIP Projects Levied – Budget Remaining	(\$2,874,461.73)
Closed Projects Remaining Balance	(\$252,169.06)
2013 Anticipated Tax Levy Revenue	\$9,662.09
2014 Anticipated Tax Levy Revenue	\$895,000.00
Anticipated Closed Project Balance	\$652,493.03

## 5. NEW BUSINESS

### A. Presentation of 2013 Monitoring Results

Engineer Chandler reported on the 2013 monitoring results of Northwood Lake, North Rice Pond and South Rice Pond. She explained that in the BCWMC's draft Watershed Management Plan currently being developed, Northwood Lake is considered a priority 1 waterbody whereas North Rice Pond and South Rice Pond are not priority 1 or priority 2 waterbodies, meaning that there may not be BCWMC monitoring of those two waterbodies in future years. She also compared and contrasted the Commission's water quality program and its procedures with the Citizen Assisted Monitoring Program (CAMP) and its procedures.

Engineer Chandler described Northwood Lake, detailing that it's a 15-acre lake with a maximum depth of 5 feet and an average depth of 2.7 feet. She explained that Northwood Lake is a shallow lake and is designated an impaired water (for nutrients) by the Minnesota Pollution Control Agency. Engineer Chandler went through the graphs and figures that were included in the meeting packet. She described the parameters measured in the water quality monitoring including total phosphorous, chlorophyll-a, and Secchi disc and the data in the tables that shows the historical summer averages for the water bodies monitored.

She summarized that over the sampling year Northwood Lake had high total phosphorous levels. She stated that the chlorophyll-a concentrations bounced around over the period and the summer average concentration was far above the MPCA standard. Engineer Chandler explained that chlorophyll-a is an indicator of algae growth where higher concentrations of chlorophyll-a indicate higher concentrations of algae. She talked about the plant coontail and its properties that seem to inhibit the growth of blue-green algae. Engineer Chandler said that there are non-harmful levels of blue-green algae in Northwood Lake, North Rice Pond, and South Rice Pond.

Engineer Chandler said that the summer average Secchi disk reading was 0.8 meters and the standard is 1 meter, meaning that Northwood Lake did not meet the standard for the Secchi disk reading in 2013 although in the past the lake has met that standard. There was a short discussion of barley straw, its effectiveness over time and the cost versus the benefit.

Next Engineer Chandler provided the 2013 monitoring results for North Rice Pond. She explained that the water body is 3.7 acres in size with a maximum depth of 5 feet. Engineer Chandler noted that both North Rice Pond and South Rice Pond are so small in size that the Commission Engineer doesn't think that they even need to meet state standards for shallow water bodies. She said that this means there are no state standards for comparisons. She described the oxygen measurements and said there was a lot of oxygen depletion in North Rice Pond, and in September there was no oxygen. Engineer Chandler noted that a trend analysis could not be done because there were not enough years of monitoring.

*[Commissioner Millner arrives]*

Engineer Chandler reported that the chlorophyll-a levels were fairly low until August and September and the average was below the BCWMC standard, so the pond met the water quality goal of the Commission. She added that there were low levels of blue-green algae. Engineer Chandler described the Secchi disc reading average as 0.7 meters although there was one reading during the season that had a reading of better than 1 meter. She provided information on the plants in North Rice Pond including floating plants like duckweed, native plants like coontail, and problem plants like purple loosestrife, which she recommended treating for control.

For South Rice Pond, Engineer Chandler reported that its area is 3.2 acres with a maximum depth of 3 feet, and since the Commission Engineer doesn't think the state standards apply to such a small water body, the monitoring results have been compared to the Commission's standards. She said that the oxygen levels were better for the most part than the levels in North Rice Pond, except in August and September when South Rice Pond had almost no oxygen at the surface. Engineer Chandler said the total phosphorous levels were high and the Secchi disc average was 0.5 meters. She said that the plants in South Rice Pond were similar to the ones found in North Rice Pond, except for the first time curlyleaf pondweed was found in South Rice Pond.

There was a discussion of North and South Rice Ponds and the Commission's prioritization of those two waterbodies, which are the only two water bodies located in the City of Robbinsdale and the Bassett Creek Watershed. Richard McCoy reported that residents have not complained about conditions in the ponds and noted one pond was in a park and the other has some residential area surrounding it. Administrator Jester said that it is worth taking another look at the waterbody prioritization table regarding these ponds. There was a discussion of the new Department of Natural Resources process for releasing purple loosestrife-eating beetles, and the Commission Engineer said that staff will re-write the recommendation about that task.

#### **B. Discuss Development of Feasibility Studies for 2016 CIP Projects in Minneapolis, Golden Valley and New Hope**

Administrator Jester reminded the Commission that it has three projects planned for 2016 and there is a process the Commission goes through to undertake those projects. She said the Commission needs to do a feasibility study for each project. Administrator Jester noted that the Commission has feasibility study criteria. One criterion requires the cities where the projects are located to use the Commission Engineer, an engineer from the Commission's Engineering Pool, or City staff to prepare the study. She said that at next month's meeting the Commission should be considering agreements between the Commission and those cities in order to get the feasibility studies underway.

Administrator Jester reported that Lois Eberhart asked Ms. Jester to share with the Commission the City of Minneapolis' plans to use the Commission Engineer to prepare the feasibility study for the Bryn Mawr Meadows Water Quality Improvement Project slated for 2016. Mr. Oliver announced that the City of Golden Valley intends to use WSB for the water quality pond at Honeywell. Bob Paschke stated that the City of New Hope will use Stantec for the 2016 project NL-1 in New Hope. Administrator Jester said that it appears that in this case Stantec is considered New Hope city staff and asked if the Commission approves. The Commission indicated approval.

#### **C. Set May 1<sup>st</sup> Technical Advisory Committee Meeting and Agenda**

Administrator Jester listed the items for TAC consideration at its May 1<sup>st</sup> meeting and decided the TAC would discuss the proposed 2015 Water Quality Monitoring Plan and provide a recommendation to the Budget Committee, long-term maintenance and replacement of the Flood Control Project components and other items as time permits.

#### **D. Discuss Possible 2014 Watershed Tour**

The Commission agreed that it would like to hold a Bassett Creek watershed tour this year, discussed adding Schaper Pond to the tour stops developed for last year's tour and directed Administrator Jester to send out a Doodle poll on possible tour dates in May and June.

## 6. OLD BUSINESS

### A. Update on Medicine Lake Water Level Issue

Plymouth City Councilmember Jim Prom provided an update of the meeting between some council members of the Cities of Medicine Lake and Plymouth. He said that there was agreement in favor of doing a limited study on the water level of Medicine Lake. He said that Plymouth Council Member Stein was interested in AMLAC being involved but so far the City of Plymouth has not heard back from AMLAC (Association of Medicine Lake Area Citizens).

Administrator Jester asked about the next steps. Mr. Prom said they need to hear back from Medicine Lake on whether AMLAC would support a limited study on the lake level. Mr. Asche said that Engineer Chandler had put together a memo detailing a high-level study that would bring all of the issues together. He proposed the idea that the watershed could potentially carryout that study and reminded the group that the estimated cost of that study was \$40,000 to \$50,000. He said the study would help the stakeholders decide in which direction to go. Administrator Jester asked who would pay for the study.

Mr. Asche said the City of Plymouth is waiting to hear back from the City of Medicine Lake on whether this addresses the City's issues. He said that the City of Plymouth discussed a funding mechanism that could involve AMLAC, the City of Medicine Lake, the City of Plymouth, and the BCWMC. Mr. Asche said that this would still need to be discussed and worked out, but the City of Plymouth would support having such a study done.

Engineer Chandler clarified that the \$40,000 to \$50,000 was exclusively for the modeling exercise for raising the water level six inches. She said that using the existing XP-SWMM model, the relative changes can be determined. There was discussion of data already available and the options previously discussed.

Mr. Mathisen commented that it seems like the first step is an investigation on whether there is a problem with the water level and if there is, then the problem needs to be identified. He said that there may be existing data, but no interpretive work has been done. Commissioner Hoschka brought up the use of a continuous model. Engineer Chandler described the use of a continuous model and added that the Commission's XP-SWMM model isn't set up in that manner at this point.

Commissioner Carlson spoke up to say that the meeting had been a very cooperative meeting and he would like to see a continuation of the discussion and work that was started at that meeting.

Administrator Jester worked to identify the decisions in front of the Commission today. She brought up the request by AMLAC that the Commission spearhead a task force. Commissioner Black recommended that Administrator Jester be involved but not spearhead such a task force. Mr. Asche agreed. He requested time to work with the City of Medicine Lake to clarify the request and to bring a more detailed request in front of the Commission.

The Commissioners and TAC members reported on the feedback they gathered from their cities on the issue. St. Louis Park hoped the Commission would act in the best interest of the watershed. Crystal's Council work session is scheduled for early May. Tom Mathisen noted the council is concerned about the JPA "being held hostage." He noted that watershed districts do not allow for as much control by cities. New Hope staff supports the Commission. Minnetonka – Liz Stout reported that the city manager is very reluctant for the Commission to continue spending money on the water level issue as he doesn't see a project ultimately moving forward. Plymouth has changed course on this issue and is working to cooperate with Medicine Lake

on the issue.

**B. Status of Joint Powers Agreement (JPA) Amendment**

Administrator Jester reported that the City of Robbinsdale has signed the JPA Amendment and reported on a communication from Medicine Lake Mayor Gary Holter. Mr. Oliver announced that the Amendment will be in front of the Golden Valley City Council tonight. Mr. Paschke reported that the City of New Hope has ratified the Amendment.

**C. NEMO Workshop Update**

Administrator Jester described the workshops and their target audience and dates. She encouraged people to attend and to invite their city's council members, planning commission and environmental commission members.

**D. Update on Next Generation Plan Development**

Administrator Jester provided a report on the Commission's workshop on policies. She said that there was consensus to keep the current regulatory roles but the group did not come to consensus on water quality standards and triggers for development projects. She explained that at the workshop the City of Minneapolis TAC member Lois Eberhart brought up her opposition to the Plan Steering Committee's recommendation to use MIDS (Minimal Impact Design Standards) as the Commission's standards and triggers.

Administrator Jester described the process that the Plan Steering Committee and the Commission and its other committees had gone through to reach the recommendation on using MIDS as the Commission's standards and triggers. She recommended holding a joint Plan Steering Committee and TAC meeting to discuss this issue. Administrator Jester said the Plan Steering Committee will be discussing at their meeting on Monday, along with the Plan Development budget. She noted that the Commission is over-budget with the policies development portion of the plan development project due to some of the in-depth discussions being held at the different committee meetings on particular topics.

## 7. COMMUNICATIONS

**A. Administrator:**

- i. Administrator Jester announced that the Commission has plenty of the "Thing Things You Can Do (to Help Improve Water Quality)" brochures and encouraged distribution. Commissioner Black said she had some here at the meeting for anyone needing some.
- ii. Administrator Jester reminded the cities to submit their own BBRs (Biennial Budget Request).
- iii. Administrator Jester reported that she had communicated with Hennepin County, and reported that the Commission's maximum levy request will be \$1,000,000 for 2015. She said that there are upcoming Hennepin County Board meetings that Bassett Creek staff and members should attend and said she would communicate about them.
- iv. Administrator Jester announced the upcoming Budget Committee, Education Committee, and Administrative Services Committee meetings.

**B. Chair: No Chair Communications**

**C. Commissioners:**

- i.** Alternate Commissioner Goddard announced that the Minnesota Pollution Control Agency is holding workshops on MIDS in the near future.
- ii.** Alternate Commissioner Goddard reported on an event she attended recently at the University of Minnesota's School of Architecture and Landscape Architecture regarding a reimagining of a new approach on water resource management. She said will pass on the information when she hears about another such event there.
- iii.** Alternate Commissioner Goddard said that the Friends of Bassett Creek recently sent out a link about a groundwater study and that she would forward it to Administrator Jester.
- iv.** Chair de Lambert commented that he'll follow up on looking for information about collecting groundwater data around Medicine Lake.

**D. Committees:**

**i. Budget Committee**

Administrator Jester reported that the Committee met and discussed the 2015 draft budget. She said that the next Committee meeting is on May 6<sup>th</sup> and the draft budget will be in the Commission's May meeting packet.

**ii. Administrative Services Committee**

Chair de Lambert stated that the Committee met and went through the evaluations of the Administrator and provided the feedback to Administrator Jester. He said that there will be another Committee meeting in conjunction with the May 6<sup>th</sup> Budget Committee meeting to prioritize the Administrator's tasks.

**E. Legal Counsel:** No Legal Communications

**F. Engineer:**

- i.** Engineer Chandler provided information on the upcoming MIDS workshop at Barr Engineering.
- ii.** Engineer Chandler reported that the Commission received a letter from the U.S. Army Corps of Engineers regarding the Flood Control project. She said that staff needs to follow up and clarify what it is that the Corps needs.
- iii.** Engineer Chandler announced that the draft bacteria TMDL document is out for public comment and the Commission Engineer will review it and provide comments and an update will be on the Commission's May meeting agenda.
- iv.** Engineer Chandler said that the Commission received a draft EIS on the Bottineau Transitway and the Commission Engineer will provide comments for review.

