

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Items on the BCWMC February 17, 2005 Meeting Agenda
Date: February 9, 2005
Project: 23/27 051 2005 001

New Business

1. 2005 Water Quality Tasks

- *General Water Quality Activities* (Budgeted Cost: \$5,000)

This task includes review of water quality information and previous studies as requested by BCWMC, watershed cities, or other regulatory agencies. The first item proposed is review of the Metropolitan Council 2003 Stream Monitoring and Assessment Report that was received in December. The BCWMC engineer will report on the Bassett Creek lakes during a later meeting.

- *Detailed Lake Monitoring of Northwood, Sweeney and Twin Lakes (4-year cycle)* (Budgeted Cost: \$25,000)

Monitoring will be performed at each lake on at least six occasions for selected parameters by Three Rivers Park District. Selected parameters include total phosphorus, soluble reactive phosphorus, total nitrogen, pH and chlorophyll *a*. Phytoplankton, and zooplankton will be analyzed by Barr. An aquatic survey will be performed on two occasions. A report will be prepared showing the results of the monitoring.

Recommendation: approval of water quality tasks.

2. 2005 CAMP

The Metropolitan Council has been overseeing a citizen-assisted lake monitoring program (CAMP) since 1993. The Metropolitan Council has requested initial feedback from WMOs regarding a list of lakes to be included in the 2005 program by February 28, 2005. The cost to the WMO for this educational and public program is \$700 per lake (\$550 for repeat lakes if the sampling equipment is not needed). Attached is a copy of Met Council's January 20, 2005 letter. During 2004, the following lakes participated in the program: Northwood Lake (New

Hope), Parkers Lake (Plymouth), South Rice Lake (Golden Valley), Sweeney Lake (Golden Valley), and Westwood Lake (Saint Louis Park). Funding for participation in this program was included in the BCWMC's 2005 budget.

Volunteers from the following lakes indicated they would like to be involved in the 2005 CAMP.

- Northwood Lake (Volunteer Steve Bur)
- Parkers Lake (Volunteer Bob Videen)
- South Rice Lake (Volunteer Steve Streff)
- Sweeney Lake (Volunteer Dave Hanson)
- Westwood Lake (Volunteer Mark Oestreich, Westwood Hills Nature Center)

Recommendation:

- a. Approve participation in the CAMP and contact Met Council regarding the lakes to be included in the program.
- b. Send letter of appreciation to each volunteer for their previous service and inform them that the BCWMC will fund the 2005 program.

Old Business

3. 2004 Flood Control Project Inspection

The 2004 flood control inspection was discussed at the BCWMC's November 18, 2004 meeting. A construction plan sheet was sent to the city of Minneapolis for repair of the double box culvert. Completing repairs in the Bassett Creek tunnel will require coordination with the Minneapolis construction group and construction observation.

Recommendation: A cost estimate has been requested from Minneapolis construction group to perform repair tasks as part of the Long-Term Maintenance Budget for the Flood Control Project. For discussion.

4. Plat Review Procedure (deferred from January Meeting)

The BCWMC discussed plat review procedure at its September 18, 2003 meeting. Following the discussion, it was decided to revisit several of the plat review issues during 2004.

The BCWMC receives approximately 40 to 50 development plans each year from the member communities to review. As directed by the BCWMC, some of these plans are reviewed "administratively" by BCWMC staff and some of the plans are presented to the BCWMC for formal review. The purpose of this discussion is to review the types of projects

that are presented for formal review and the projects that are reviewed administratively based on previous direction provided by the BCWMC.

ADMINISTRATIVE STAFF REVIEW

Typically, BCMWC staff reviews the following plans administratively.

- **Construction erosion control plans:** development proposals that will result in 200 cubic yards of cut or fill or more than 10,000 square feet of grading. These projects are typically exempt from the BCWMC water quality management policy. (Example: building addition resulting in greater than 10,000 square feet of grading/disturbed area.)
- **Grading, drainage and erosion control plans:** commercial, industrial, institutional, residential or public development proposals, redevelopment proposal and expansion/addition proposals that are designed with adequate water quality ponding to meet the BCWMC's Water Quality Management Policy. The majority of the submittals are included in this category. (Example: commercial developments, including strip malls and office buildings; residential developments.)
- **Maintenance plans:** including bituminous overlays, minor filling of settled areas, culvert repairs etc. (Example: parking lot reconstruction, minor filling of settled areas of golf courses or parks.)
- **Road construction/reconstruction plans:** road plans that involve a site less than 5 acres of land. During the September 2003 meeting, the BCWMC requested that road plans involving a site greater than 1-acre be presented for BCWMC review. (Example: street realignment project; milling and overlay of the existing road.)

Following administrative review, BCWMC staff sends a letter of recommendation or a letter indicating that the project complies with BCWMC policies to the applicable city. A letter of recommendation would require a revised submittal showing that all modifications have been completed. A brief report of these items is provided to the BCWMC under "For Information Only" in the BCWMC monthly memorandum.

FORMAL BCWMC REVIEW

BCWMC staff presents the following plans for formal review by the BCWMC:

- **Floodplain:** Any development proposal that involves work in the floodplain including grading, filling, construction, etc. (Example: commercial or residential development that includes filling and mitigation in the floodplain.)
- **Streambank and shoreline protection plans:** plans that involve streambank or shoreline protection or alteration. (Example: riprap protection plan.)
- **Street and utility crossings:** any project that involves excavation or construction across the creek channel. (Example: new bridge, sanitary sewer crossing.) (Utility crossings that are installed by directional boring methods beneath the channel and do not require disturbance within the channel or floodplain are not typically provided for formal review by the BCWMC.)
- **Road construction/reconstruction plans:** road plans that involve a site greater than 5 acres of land. (Example: new street project; highway expansion plan.) During the September 2003 meeting, the BCWMC requested that road plans involving a site greater than 1-acre be presented for BCWMC review.
- **Potentially controversial developments:** (Example: high profile projects, such as watershed diversions or boundary modifications.)
- **Water quality, grading, drainage and erosion control plans:** commercial, industrial, institutional, residential or public development proposals, redevelopment proposal and expansion/addition proposals that are designed with *alternative water quality management features* in place of ponds or that request a *variance* from the policy.
- **Other projects:** other projects that BCWMC staff is unsure how to handle and would like BCWMC direction. (Example: water appropriations, project involving policy “gray areas”.)

Following a formal review, the BCWMC Chair sends a letter of recommendation or a letter of approval to the applicable city. A letter of recommendation requires a revised submittal showing that all modifications have been completed. Resubmittals are typically reviewed and evaluated for compliance with BCWMC requirements “administratively” by BCWMC staff.

FOR DISCUSSION

The BCWMC should discuss whether any changes are desired to the current procedure. In addition, staff requests feedback from the BCWMC regarding the following:

- **Road Construction:** At the September 2003 BCWMC meeting, the BCWMC asked that review of road construction and reconstruction projects down to 1 acre continue to be brought before the BCWMC and reconsider these types of reviews again during 2004. **Note: unless otherwise directed by the BCWMC, the road projects greater than 1 acre will continue to be brought to the BCWMC for review.** Typically, the area is calculated based on new or reconstructed road surface. Maintenance projects that only include street overlays are not typically presented for review.
- **Redevelopment Projects:** partial redevelopments projects include sites where a portion of the existing site is redeveloped. In some cases, it could be argued that these projects are site expansions and subject to a different treatment standard. Typically, if the proposed disturbed area includes existing impervious surface, it is considered “redevelopment” and if the proposed disturbed area includes existing turfed or non-developed area it is considered “site expansion/addition.” In accordance to Policy 4.2.2.4 of the new *Watershed Management Plan*, BMPs must now be implemented to prevent increase in phosphorus loads for redevelopment projects that result in increased impervious surfaces. **Note: unless otherwise directed by the BCWMC, these projects will continue to be reviewed administratively and reported to the BCWMC.**

For example, the Tile x Design site included a 9,000 square feet (0.2 acres) building addition and parking improvements resulting in about 1 acre of disturbed area, mostly over the existing parking lot. Since the site expansion was less than 0.5 acres and the redeveloped area was less than 5-acres, the site was exempt from the BCWMC’s water quality management policy. However, since the total impervious surface increased by 0.3 acres, Policy 4.2.2.4 of the *Watershed Management Plan* applies and additional BMPs were required to prevent an increase in phosphorus loading. An environmental manhole was added to remove floatables and grit from the warehouse expansion and from existing paved surface. An infiltration basin/rain garden was included to treat runoff from the new and existing parking area and from a portion of the existing building. Runoff from a portion of the site was directed to a rain garden located at an adjacent site. Although the redevelopment will result in 0.3 acres of increased impervious surface; runoff from approximately 2.7 acre of the site will be directed to these new BMPs.

- *A commercial, industrial, institutional or public expansion/addition is defined as a project involving a site that was partially developed prior to adoption of the Commission's Water Quality Policy (September 14, 1994) and involves grading more than 0.5 acres of land. **Note: unless otherwise directed by the BCWMC, "grading more than 0.5 acres of land" will be based on the proposed expansion.** Grading (redeveloping) existing impervious areas will not be included in the site expansion calculation.*

However, the BCWMC may want to consider modifying the definitions to be based on increasing the impervious area more than 0.5 acres. The current definition, grading of more than 0.5 acres of land, discourages site grading to construct BMPs such as rain gardens and other vegetation improvements that may trigger BCWMC review and create potential delays in project approval. **As an alternative the BCWMC could authorize staff to work with the city and approve alternative BMPs if it can be demonstrated to be in the best interest of the BCWMC.**

For example the Silver King parking expansion reviewed during the November 18, 2004 meeting included a 0.7 acre addition consisting of a 0.5 acre parking lot and 0.2 acre rain garden. Since overall grading exceeded 0.5 acres, the expansion was subject to the water quality policy. However, if the applicant was unable to get on the BCWMC agenda, they could have removed the rain garden from the project and resubmitted a plan and been exempt from the water quality policy.

Note: Following is a copy of the recently adopted policies regarding water quality management.

4.2.2.4 Policies Relating to Administration of BCWMC Water Quality Management Standards

- *The BCWMC will review projects and developments to evaluate compliance with BCWMC water quality management standards. **The BCWMC water quality management standards will be revised to reflect treatment of all regulated stormwater from new development to Level I standards and non-degradation (no increase in phosphorus load) for redevelopment projects that result in increased impervious surface.** The rationale behind this policy is that because there is very little undeveloped land in the watershed, the maximum amount of stormwater treatment should be obtained at the time of development, to avoid costly retrofitting in the future. The BCWMC also believes a uniform policy for stormwater treatment in the watershed is appropriate. The types of projects that must be submitted to the*

BCWMC for review, the BCWMC's review procedure, submittal requirements, guidelines, design criteria, etc. are provided in the BCWMC's document Requirements for Improvements and Development Proposals (BCWMC, November 1998, as revised) (Appendix F).

- *A commercial, industrial, institutional, or public development is defined as a project involving a site of more than 0.5 acres of land where there is no existing commercial, industrial, institutional, or public development. **Note: unless otherwise directed by the BCWMC, the site of more than 0.5 acres of land will be based on the parcel area (instead of proposed graded area).***
- *A residential development is defined as a project involving a site of more than 2 acres and which contains 4 or more proposed living units. **Note: unless otherwise directed by the BCWMC, the site of more than 2 acres will be based on the parcel area (instead of proposed graded area).***
- *Commercial, industrial, institutional, or public redevelopment is defined as a project involving more than 5 acres of land where commercial, industrial, institutional, or public redevelopment currently exists and a more intense land use is proposed (increased impervious surface). **Note: unless otherwise directed by the BCWMC, the 5 acres of land will be based on the proposed redeveloped area (instead of parcel area).***
- *A residential redevelopment project is defined as a site greater than 10 acres where there are more than 4 existing living units and where more intense land use is proposed (increased impervious surface). **Note: unless otherwise directed by the BCWMC, the site of more than 10 acres will be based on the parcel area (instead of proposed graded area).***

5. Requirements for Improvements and Development Proposals (deferred from January Meeting)

Revise Requirements for Improvements and Development Proposals, dated November 1998, to reflect revised policies in the approved BCMWC *Watershed Management Plan*.

6. LGU Reviews as Part of Wetland Conservation Act Issues (deferred from January Meeting)

Bassett Creek Watershed Management Commission is the Local Governmental Unit (LGU) for the following municipalities.

- Medicine Lake (entire city)
- Robbinsdale (portion of city within Bassett Creek watershed)
- St. Louis Park (portion of city within Bassett Creek watershed)

The LGU is responsible for reviewing wetland issues for conformance to the requirements of the 1991 Minnesota Wetland Conservation Act. Generally, this includes review and procedures for wetland exemptions, no loss determination and replacement plan determination. The BCWMC has performed LGU related tasks for only a few projects (approximately 1 per year). LGU tasks may include the following:

- **Participation in a Technical Evaluation Panel (TEP):** The cost of participation is billed directly to the applicant or municipality.
- **Review of Wetland Delineations:** As part of LGU responsibilities, the review is handled administratively and billed directly to the applicant or to the municipality requesting assistance.
- **Review of Wetland Mitigation:** As part of LGU responsibilities, the review is handled administratively and billed directly to the applicant or to the municipality requesting assistance.

The BCWMC should consider if any changes are desired to the current procedure. In addition, staff requests feedback from the BCWMC regarding the following:

- **Routine LGU and other wetland work performed by BCWMC staff for member municipalities should be billed directly to municipality by BCWMC staff.** Activity shall be reported to BCWMC.
- **If LGU tasks require formal action by the BCWMC, the cost should be billed directly to the applicant by the BCWMC.** The BCWMC could consider implementing a permit fee to cover costs of LGU activities, especially submittals from private applicants.
- The BCWMC could consider waiving LGU fees for member municipalities. (Robbinsdale staff indicated that Shingle Creek WMO waives its fees for municipalities.)

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7. Website Update (deferred from January Meeting)

For discussion.

8. Information Only

a. Erosion Control Inspection Report

Erosion control inspections will begin April 2005 and extend through October 2005.

b. Medicine Lake Endothall Treatment to Control Curlyleaf Pondweed in 2004

Copy of report enclosed