



## Bassett Creek Watershed Management Commission

**Minutes of Regular Meeting  
Thursday, September 20, 2018  
8:30 a.m.**

**Golden Valley City Hall, Golden Valley MN**

### 1. CALL TO ORDER and ROLL CALL

On Thursday, September 20, 2018 at 8:33 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair de Lambert called the meeting of the Bassett Creek Watershed Management Commission (BCWMC) to order.

#### Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	Dave Anderson	<i>Vacant Position</i>	<i>Absent</i>
Golden Valley	Stacy Harwell	<i>Absent</i>	Jeff Oliver
Medicine Lake	<i>Absent</i>	Gary Holter	<i>Absent</i>
Minneapolis	Welch	<i>Vacant Position</i>	<i>Absent</i>
Minnnetonka	<i>Absent</i>	Monk	Chris LaBounty
New Hope	<i>Absent</i>	Pat Crough	Megan Albert
Plymouth	Jim Prom	John Byrnes	Ben Scharenbroich
Robbinsdale	Michael Scanlan	<i>Absent</i>	Richard McCoy
St. Louis Park	Jim de Lambert	<i>Absent</i>	Erick Francis
<b>Administrator</b>	Laura Jester, Keystone Waters		
<b>Engineer</b>	Karen Chandler and Greg Wilson, Barr Engineering		
<b>Recorder</b>	Dawn Pape, Lawn Chair Gardener Creative Services		
<b>Legal Counsel</b>	Troy Gilchrist, Kennedy & Graven		
<b>Presenters/ Guests/Public</b>	Jake Newhall, WSB; Jim Toulouse, Blue Line LRT; Dave Filipiak, Blue Line LRT		

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

None.

**3. APPROVAL OF AGENDA**

Chair de Lambert welcomed new Commissioner Dave Anderson from Crystal and Minnetonka TAC member Chris LaBounty to the meeting.

**MOTION:** Commissioner Prom moved to approve the agenda. Commissioner Welch seconded the motion. Upon a vote, the motion carried 9-0.

**4. CONSENT AGENDA**

Commissioner Welch asked to pull Item G – Approval of Grant Agreement for BWSR’s Watershed Based Funding Grant Program from the consent agenda. That item was added to the business section as 5F.

The following items were approved as part of the consent agenda: August 16, 2018 Commission meeting minutes, September 2018 financial report, payment of invoices, approval of Blue Line Light Rail Transit Floodplain Mitigation Project, approval to reimburse Commissioner Scanlan for conference registrations, approval to send Administrator Jester to Water Resources Conference.

The general and construction account balances reported in the September 2018 Financial Report are as follows:

Checking Account Balance	\$ 578,319.98
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TOTAL GENERAL FUND BALANCE	\$ 578,319.98
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TOTAL CASH & INVESTMENTS ON-HAND (9/12/18)	\$ 3,197,675.34
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CIP Projects Levied – Budget Remaining	(\$4,038,913.10)
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Closed Projects Remaining Balance	(\$ 841,237.76)
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2012-2016 Anticipated Tax Levy Revenue	\$ 4,537.93
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2017 Anticipated Tax Levy Revenue	\$ 3,895.88
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Anticipated Closed Project Balance	(\$832,803.95)
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**MOTION:** Commissioner Prom moved to approve the consent agenda as amended. Alternate Commissioner Crough seconded the motion. Upon a vote, the motion carried 9-0.

**5. BUSINESS**

**A. Review Draft Feasibility Study for Crane Lake Improvement Project via Ridgedale Drive (CL-3)**

Administrator Jester reminded the Commission that although this is a 2020 CIP project, the feasibility study is ahead of schedule in order for work to coincide with the Ridgedale Drive Reconstruction Project.

Chris LaBounty with the City of Minnetonka gave a short overview of the Ridgedale Drive Reconstruction project. He reported the reconstruction project will result in a reduction of 1.5 acres of impervious surface and noted the city aims to use the opportunity to improve the water quality of Crane Lake. He noted the soils are poor in this area so infiltration is not an option and he noted there is an impending chloride impairment in Crane Lake.

WSB Engineer, Jake Newhall, gave an overview of options that were investigated as part of the feasibility study. He reported the existing large regional ponds are doing a good job of pollutant removal and it would be difficult to retrofit those basins.

Mr. Newhall noted the water quality improvement would be constructed as part of the city's Ridgedale Drive Reconstruction project, scheduled for construction in 2019. The feasibility analysis identified eight water quality improvement options that were then narrowed down to three based on feasibility and impact, including:

- 1) installing stormwater runoff BMPs to provide treatment systems for runoff not currently receiving treatment prior to discharge to Crane Lake
- 2) periodically dosing stormwater ponds with alum
- 3) diverting high chloride snow-melt runoff to sanitary sewer

Mr. Newhall reported that Option 1 would treat stormwater runoff from 13.4 acres that currently flows to Crane Lake without treatment. This option includes constructing a stormwater pond or underground treatment system in the southeast part of the study area, either in public right-of-way, the Ridgedale shopping center, or in a private parking lot at the Sheraton Minneapolis West hotel, adjacent to Crane Lake. The feasibility study indicates that treatment could be provided through sedimentation, skimming, or filtration. This alternative would require coordination with private property owners and an easement for the proposed stormwater utilities, especially if located in the private parking lot.

Mr. Newhall reported that Option 2 would use alum in Ridgedale Pond to reduce internal phosphorus loading and reduce total phosphorus in the water column. He reported that Option 3 would pump snowmelt runoff from the Ridgedale Pond watershed to the Metropolitan Council Environmental Services (MCES) sanitary sewer, to reduce chlorides reaching Crane Lake. The snowmelt runoff may be captured in an underground storage tank or pumped directly from Ridgedale Pond. He noted this option will require permitting by the MCES to allow diverting snowmelt runoff with high chloride concentrations to the sanitary sewer. It was noted that this option does not reduce the private application of chlorides in the watershed. Rather, it would divert the chloride load away from Crane Lake, send the salty water to a wastewater treatment plant that would ultimately discharge into the Mississippi River. (Wastewater treatment plants do not remove chlorides.)

Commissioner Scanlan pointed out that this would just be moving the problem downstream and that about 30 million people depend on the Mississippi River for drinking water. He noted that the whole cost of the system should be taken into consideration. Chair de Lambert also indicated that Option 3 did not seem appropriate and expected it would be difficult to get MCES to agree to stormwater diversion to the sanitary sewer.

There was further discussion about the high chloride levels in Crane Lake measured at 450 mg/l in July and estimated to be closer to 1000 mg/l in the spring. Mr. LaBounty noted that the city has and will continue to work with Ridgedale Mall property managers regarding the overuse of salt. There was also discussion about the possible implementation of a reverse osmosis system (RO) to remove salt from the water. Mr. Newhall noted the RO system is 95-98% effective and that when this project began, he thought that the RO system would be the answer, but the waste is highly concentrated with chlorides that would be sent to the wastewater treatment plant, so it doesn't solve the problem and it's very expensive to operate.

**MOTION:** Commissioner Scanlan moved to remove the option to divert high chloride snow-melt runoff to the sanitary sewer from the list of possible options to implement. Commissioner Prom seconded the motion.

Further discussion:

Engineer Chandler stated that she had a lot of comments that are included in the review memo and noted there are many issues and questions to work through as the study is refined.

Commissioner Welch asked Administrator Jester why is this a CIP Project. She replied that it was added after a recommendation from the TAC and approval by the Commission because of the opportunity to install BMPs when Ridgedale Drive is being reconstructed. Engineer Chandler added that the Crane Lake watershed management plan called for best management practices in this part of the watershed. Mr. LaBounty added that this is an opportunity that is somewhat rare in a watershed that is so fully developed.

Commissioner Monk noted there are close to 100 acres of impervious surfaces around Ridgedale and that this is a huge opportunity to develop an initiative that could be used as a demonstration project. He thought this seemed too good to not pursue. He went on to say he couldn't think of a better opportunity/situation to look at strategies to come up with something bigger and more impactful.

Commissioner Harwell said she likes the idea of pursuing public-private partnerships and agreed that chlorides are a huge issue. She disagreed with eliminating options at this point. Commissioner Welch agreed that nothing needed to be eliminated at this point. Commissioner Prom removed his support for the motion.

Administrator Jester spoke about how watersheds throughout Hennepin County are using some of BWSR's Watershed Based Funding to 1) determine barriers to implement best practices for lowering salt use among private applicators and 2) developing a program to overcome the barriers. Commissioner Prom added that this is the perfect site to study chlorides.

**VOTE ON MOTION:** Upon a vote the motion failed with 1 aye and 8 nays. [Robbinsdale voted aye; all others voted nay.]

Commissioner Monk pointed out that the good part of this situation is that the current stormwater management system is handling the total phosphorus pollution and since it is 100% developed there are few options. He reiterated his idea to concentrate on chloride and total suspended solids removal. He asked if all possible options were truly evaluated. Commissioner Harwell stated that all options were already evaluated and that these three options have been selected as the best options. Administrator Jester agreed that other options were considered and the options presented made the most sense. She also noted that she and Commission Engineers had met with the city and WSB to review the various options and they agreed that these made the most sense for this CIP project.

The Commission Engineer's comments will be reviewed and a revised feasibility study will be brought to a future meeting.

**B. Consider Approval of Additional Carp Survey Work in Schaper Pond**

Commission Engineer Wilson provided background about Schaper Pond and the BCWMC Diversion Project installed in 2016. He reminded Commissioners that monitoring indicates the pond is exporting more total phosphorus to Sweeney Lake than is coming into the pond from the south. He reported that the northwest lobe is about 8 feet deep and the results of the 2018 water monitoring include the following results:

- The bathymetric survey indicates that some sedimentation has taken place in areas of the pond, but that it is unlikely that those changes have greatly altered the settling or treatment capacity in the northwest corner of the pond.
- Water quality monitoring confirms that pollutant concentrations increase as the flow moves through the pond. In other words, pollution levels leaving the pond are high. However, the total phosphorus doesn't appear to be releasing from anoxic sediment in the northwest lobe.
- The first carp survey estimated the carp population in the pond that day to be 227 individuals, with an average mass between 4 and 5 pounds. The biomass for the pond at that time was about 368 kilograms/hectare, which is nearly four times the recommended threshold for carp management. The second survey resulted in the capture of 37 carp in one hour of electrofishing. Most of the carp were captured in the deeper-water portion of the northwest lobe. Six of the 37 carp were young of year (YOY), making it very likely that successful recruitment (i.e., fish surviving to enter the fishery or a mature life stage) occurred this year.

Engineer Wilson described his recommendation to expand the scope of the third carp survey to include tagging the carp with transmitters to track their movements between the pond, downstream into Sweeney Lake, and upstream from the pond.

**MOTION:** Commissioner Welch moved to approve the expanded carp survey for up to \$35,000. Alt. Commissioner Monk seconded the motion.

Discussion:

The Commission asked why the carp couldn't just be removed. Engineer Wilson reported that it would be beneficial to collect better data to find a long-term solution.

Commissioner Prom and Plymouth TAC member Scharenbroich found it unfortunate that more data collection is needed before action is taken. Commissioners Welch and Scanlan noted that data collected now would help address carp long-term; an investment in the future.

Engineer Wilson explained that the third carp survey represents an opportunity to begin gathering the kind of data needed to make future carp management decisions, including information about carp recruitment and mobility throughout the Sweeney Branch system. To guide that decision-making, it will be important to know whether the current carp population survives and/or remains in Schaper Pond year-round or if the carp are moving back and forth between Sweeney Lake and/or upstream water bodies.

**VOTE:** Upon a vote, the motion passed 8-1. [Plymouth voted against, all others voted aye.]

### **C. Review Results of Comparative Analysis of Linear Projects: Water Quality Treatment Outcomes**

Commission Engineer Chandler reminded commissioners that in May of 2017, the Commission approved revisions to the BCWMC's water quality performance standards for linear projects. She noted the previous 2015 standards required MIDS treatment for linear projects when the project would result in 1 acre of new/fully reconstructed impervious. She reported the revised/current 2017 standards require treatment for linear projects when the project results in 1 acre of net new impervious. She noted the BCWMC standard is to capture and retain 1.1 inches off the net new impervious area and follow flexible treatment options if volume reduction BMPs are not feasible or not allowed.

Engineer Chandler reported that at the June 2017 Commission meeting, the Commission requested an analysis comparing the revised linear project standards and the previous MIDS standards on linear projects reviewed by the BCWMC after the BCWMC revised the standards. Engineer Chandler walked through a table of the 11 linear projects, the required water quality treatment volume under previous and current requirements, and the amount of treatment that was provided. In summary, none of the 11 linear projects triggered water quality treatment per the current requirements, whereas 8 of the 11 projects would have triggered water quality treatment per the previous requirements. For the 8 projects that would have triggered water quality treatment per the previous requirements, the total required treatment volume would have been 1.11 acre-feet.

Mr. Scharenbroich noted that cities are still doing water quality improvements even if they weren't reported to the Commission, so the table incorrectly states that no treatment resulted. There was support among TAC members and Commissioner Harwell to leave the current requirements in place, noting the difficulty in infiltrating in narrow rights of way and limited space elsewhere to accommodate treatment. Commissioner Welch stated that the Commission made the decision to revise the requirements without data and that at the time he didn't see the logic in taking an entire category of impervious surface off the table for requirements. He stated that he wants to find a path forward so the Commission's regulatory framework looks at these projects for improvements that make sense.

**MOTION:** Commissioner Harwell moved to have the Commission review water quality improvements that were actually implemented with these projects. Commissioner Scanlan seconded the motion.

Discussion: Engineer Chandler noted that she could bring additional information about the treatment cities are implementing and not reporting to the Commission.

Commissioner Monk explained that he has been on both sides of this issue and stated that treatment missed on only 1.17 acre-feet isn't significant. He thought it will be difficult to look at MIDS latest treatment and allowances and see whether we should go back. He was not excited to ask the cities to provide data that may be tough to get because the numbers won't warrant any immediate action.

Commissioner Welch said he's not going to support this motion because more data won't mean progress forward.

Mr. Scharenbroich restated that this is discrediting the cities' work that has been done and that the cities' work isn't reflected in the memo. Chandler agreed that the memo should be revised because it doesn't adequately reflect the cities' work.

**VOTE:** Upon a vote, the motion failed 4-5. [Cities of Medicine Lake, Minneapolis, Minnetonka, Plymouth, and Robbinsdale voted against.]

Commissioner Welch added that he realizes the table is incomplete and that the cities are implementing improvements. He asked the Commission Engineer to give some thought about how to move forward. Engineer Chandler agreed to continue to track this data so it can be revisited in the future.

Commissioner Prom noted that he needed to leave the meeting but wanted to acknowledge Derek Asche's work with the Commission as the TAC member from Plymouth. He noted Mr. Asche took a job with Maple Grove. A certificate of appreciation was given to Commissioner Prom to pass along to Mr. Asche.

[Commissioner Prom departs. Alt. Commissioner Byrnes becomes the voting member from Plymouth.]

**D. Consider Approval of Resolution Approving Golden Valley Surface Water Management Plan**

Administrator Jester reminded commissioners that at the June meeting, the Commission approved the submittal of comments on the Golden Valley Surface Water Management Plan (SWMP). She noted the city revised the plan according to the Commission's comments and the plan is consistent with the Bassett Creek Watershed Management Plan and requirements. Staff recommended approval of the resolution.

**MOTION:** Commissioner Scanlan moved to approve the resolution approving the Golden Valley Surface Water Management Plan. Commissioner Harwell seconded the motion.

**MOTION:** Commissioner Welch moved to amend the motion to revise the resolution language to reflect the fact that the Commission considered comment from the Metropolitan Council. Commissioner Harwell seconded the motion. Upon a vote, the motion carried 9-0.

**VOTE** on original motion carried 9-0.

**E. Consider Approval of Northwood Lake Improvement Project (NL-1) Final Report**

Megan Albert, TAC member from New Hope, gave a PowerPoint presentation of the Northwood Lake Improvement Project. She reported that the project treats stormwater runoff from 110 acres of previously untreated urban land and was designed to reduce phosphorus loadings to the lake by an estimated 22 pounds per year. At the east end of the lake in Northwood Park the project included design and construction of a pre-treatment device, a 160,000-gallon underground stormwater re-use chamber, pump house, distribution system to irrigate 6.4 acres of adjacent ball fields, and an overflow structure directed into a series of linear rain gardens for treatment prior to discharging into Northwood Lake. At the west end of Northwood Lake, a wet ponding basin was constructed to treat stormwater runoff from backyards and Jordan Avenue.

Ms. Albert recounted how when this project was brought to the Commission in 2015 it was originally identified to create a pond, but the community was very opposed to losing park space for the pond. Hence, the underground system was installed.

[Commissioner Harwell departs.]

**MOTION:** Commissioner Welch moved to approve the Northwood Lake Improvement Project Final Report. Alt. Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0 [City of Golden Valley absent from the vote.]

**F. Approval of Grant Agreement for BWSR’s Watershed Based Funding Grant Program** (moved from consent agenda)

Commissioner Welch noted that section 5 of the agreement includes a provision stating that penalties can be assessed at a rate up to 150% of the grant agreement. He noted that he finds this to be very heavy-handed and inappropriate. Attorney Gilchrist agreed and stated that penalty provisions in contracts aren’t allowed.

**MOTION:** Commissioner Welch moved to approve the agreement and authorize the chair to execute the agreement with direction to the Commission’s Legal Counsel to use his discretion in commenting on the penalty provision. Alt. Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0 [City of Golden Valley absent from the vote.]

**7. COMMUNICATIONS**

**A. Administrator’s Report – Administrator Jester noted her written report in the meeting packet and also noted the following:**

- i. Smart Salt Certification Course – 19 are currently registered
- ii. Workshop for Lake Groups: Options for Organizing – Date is set for Oct. 3<sup>rd</sup> at Plymouth City Hall. Freshwater will facilitate the workshop; three presenters are lined up.
- iii. Hennepin County Chloride Consortium – Previously discussed under 5A.
- iv. Metro Blooms Event: Mapping Resilient Cities – An event regarding pollinator mapping that is by invitation only.
- v. Three Rivers Park District Survey - May interest Commissioners
- vi. Reminder of WEDNESDAY November 14th Commission Meeting

**B. Chair**

- i. Nothing to report

**C. Commissioners**

- i. Report on Golden Valley Arts & Music Festival – Commissioners Scanlan, Harwell and Welch were there and appreciated talking with residents.
- ii. Certificate of Appreciation for Derek Asche – Already covered.

Commissioner Scanlan reported that he attended the AIS research workshop and learned a great deal.

**D. TAC Members**

- i. Nothing to report

**E. Committees**

- i. Education Committee met to work on BCWMC educational sign at Westwood Hills Nature Center.

**F. Legal Counsel**

- i. Nothing to report

**G. Engineer**

- i. Tunnel inspection update – Hopefully will be scheduled for Tuesday, Oct. 30<sup>th</sup> with the Commissioner tour the following day. The Army Corps of Engineers has yet to approve a drawdown of the River’s pool to accommodate the inspection.

Engineer Chandler noted that Mag Rattei from Barr Engineering also attended the AIS research workshop and brought back new information on possible control methods for various AIS.

