



Bassett Creek Watershed Management Commission

Minutes of Regular Meeting Thursday, April 19, 2018 8:30 a.m.

Golden Valley City Hall, Golden Valley MN

1. CALL TO ORDER and ROLL CALL

On Thursday, April 19, 2018 at 8:32 a.m. in the Council Conference Room at Golden Valley City Hall (7800 Golden Valley Rd.), Chair de Lambert called to order the meeting of the Bassett Creek Watershed Management Commission (BCWMC) and asked for roll call to be taken.

Commissioners and city staff present:

City	Commissioner	Alternate Commissioner	Technical Advisory Committee Members (City Staff)
Crystal	<i>Vacant</i>	<i>Vacant</i>	Mark Ray
Golden Valley	Stacy Harwell	<i>Absent</i>	Eric Eckman, Jeff Oliver
Medicine Lake	Clint Carlson	Gary Holter	<i>Absent</i>
Minneapolis	Michael Welch	<i>Vacant</i>	<i>Absent</i>
Minnnetonka	<i>Absent</i>	Bill Monk	Tom Dietrich
New Hope	<i>Absent</i>	Pat Crough	Megan Albert
Plymouth	Jim Prom – partial attendance	John Byrnes – voting member when Prom absent	Derek Asche
Robbinsdale	Michael Scanlan	<i>Absent</i>	Richard McCoy, Marta Roser
St. Louis Park	Jim de Lambert	Patrick Noon	Erick Francis
Administrator	Laura Jester, Keystone Waters		
Engineer	Karen Engineer Chandler		
Recorder	Dawn Pape, Lawn Chair Gardener		
Legal Counsel	Troy Gilchrist, Kennedy & Graven		
Presenters/ Guests/Public	Michelle Kimble, Jen Koehler, Patrick Brokamp - Barr Engineering Jason West, City of St. Louis Park Mark Oestreich, City of St. Louis Park Chuck Schmidt, Crystal resident Laurie Larsen, New Hope resident		

2. CITIZEN FORUM ON NON-AGENDA ITEMS

None

3. APPROVAL OF AGENDA

MOTION: Commissioner Welch moved to approve the agenda. Alternate Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

[Commissioner Prom arrives.]

4. CONSENT AGENDA

Commissioner Welch requested the removal from the consent agenda item 4E: Approval of Kilmer Park Street Reconstruction Project, Plymouth. Commissioner Carlson requested the removal from the consent agenda item 4H: Approval of agreement with Met Council for Watershed Outlet Monitoring Program (WOMP). These will become items 5H and 5I, respectively.

The following items were approved as part of the consent agenda: March 15, 2018 Commission meeting minutes, April 2018 financial report, payment of invoices, approval not to waive monetary limits on municipal tort liability, approval to reimburse commissioners for conference registrations, approval of agreement with Hennepin County for 2018 River Watch program.

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

Checking Account Balance	\$ 801,670.02
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TOTAL GENERAL FUND BALANCE	\$ 801,670.02
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TOTAL CASH & INVESTMENTS ON-HAND (4/7/18)	\$ 3,690,561.66
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CIP Projects Levied – Budget Remaining	(\$ 4,262,228.70)
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Closed Projects Remaining Balance	(\$ 571,667.04)
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2012-2016 Anticipated Tax Levy Revenue	\$ 3,721.01
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2017 Anticipated Tax Levy Revenue	\$ 1,771.12
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Anticipated Closed Project Balance	(\$ 566,174.91)
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MOTION: Commissioner Scanlan moved to approve the consent agenda as amended. Commissioner Prom seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

5. BUSINESS

A. Receive Presentation of Draft Feasibility Study for Westwood Lake Water Quality Improvement Project (WST-2)

Erick Francis with the City of St. Louis Park introduced Jason West, St. Louis Park Recreation Superintendent and Mark Oestreich, St. Louis Park Westwood Hills Nature Center Manager who gave an overview of the Westwood Hills Nature Center reconstruction project. They covered the goals, process, and new features planned for the new nature center including aiming for a building that will be “zero energy”—meaning it will produce its energy on-site. It will use energy

efficiency techniques such as passive solar and a massing wall. It will also incorporate floor heat, geothermal and rooftop solar panels. The new building will be ideal for teaching school groups and the public. The old building will be deconstructed. The Commission’s CIP project will allow the project to treat stormwater “above and beyond” what would be required by the redevelopment project.

Michelle Kimble with Barr Engineering gave an overview of the Commission’s Westwood Lake Improvement Project. She noted the lake is a BCWMC Priority 1 Shallow Lake and the goal of the project is to improve stormwater runoff quality to Westwood Lake by removing sediment, phosphorus, and perhaps chloride.

Ms. Kimble reviewed the concepts for the project. Concept 1 includes adding more permeable pavers to the parking lot in addition to pavers that are currently planned. Concept 2 includes expanding filtration basins that are already planned. Filtration would be needed rather than infiltration due to tight soils and high groundwater. Concept 3 features directing roof water through a linear water feature behind the building that would include a series of pools with a pump to recirculate the water, increasing evapotranspiration. Visitors could also manually pump and recirculate the water. It was noted that this feature allows for education and interaction with visitors. Ms. Kimble covered an additional concept not in the draft feasibility study; concept 4 includes heated concrete sidewalks to reduce the need for winter salt use. She plans to include further information about this idea in the final feasibility study.

Ms. Kimble walked through the water quality improvement impacts of the various concepts, the estimated costs, and estimated 30-year annualized cost per pound of pollutant removal:

Alternative	Estimated TSS removal (lbs/year)	Estimated TP removal (lbs/year)	Estimate design and construction cost	Estimated annualized cost/lb TP removal
Concept 1: Additional Permeable Pavers	39.5	0.171	\$170,000	\$59,060 - \$78,950
Concept 2: Expand Filtration Basins	0.7	0.004	\$62,000	\$925,000 - \$1,250,000
Concept 3: Linear Water Feature	59.9	0.330	\$351,000	\$63,380 - \$84,610
Concepts 1 + 2	40.2	0.175	\$232,000	Not available
Concept 4: Heated Sidewalk	0	0	Not available	Not available

Commissioner Welch noted this project should be viewed through a different lens because the phosphorus reductions are not significant, but the education value is tremendous.

Administrator Jester added that Westwood Lake has good water quality, although chlorides are on the rise. She noted, however, there are few opportunities to protect or improve this lake.

There was a discussion about the educational components of the various concepts. It was noted that education with concepts 1, 2, and 4 would require visitors reading signs but concept 3 has the possibility of interaction.

Commissioner Carlson asked why permeable pavements were included since they are so expensive and usually used in areas where there is little space for raingardens and infiltration features. Ms. Kimble answered with the benefits of permeable pavements; they allow for infiltration and less salt is needed because they do not allow as much ice to form.

Commissioner Harwell noted that with all of the sustainable elements included in the building design, perhaps this could also be designed as a zero-chloride use facility. She also offered the idea of water re-use for toilet flushing and asked about permeable paver maintenance. Ms. Kimble acknowledged that sediment does need to be vacuumed from pavers but reminded the group that permeable pavers are already part of the design. The Commission’s project would simply add more pavers.

There was discussion about the CIP funding available for the project. Administrator Jester noted that the 5-year CIP included \$300,000 for this project which includes the \$40,000 feasibility study and \$6,000 for administration. She noted that the Commission could decide to increase the levy amount requested and indicated that a decision on this project is not needed until the May meeting.

Alternate Commissioner Monk asked if there were other possibilities for treatment in the Westwood Lake watershed because all concepts presented here are very expensive relative to the pollutant removals being provided. Mr. Francis replied that the watershed is fully developed and there are not a lot of other opportunities.

Commissioner Welch expressed that concepts 1 and 2 did not appear to be worth implementing because of the high costs of pollutant removal and low educational value. Chair de Lambert and Commissioner Scanlan concurred. Staff was asked that the final feasibility study include more discussion of the educational value of the various concepts and a note on the impairments (or lack thereof) in Westwood Lake.

B. Consider Approval of 50% Design Plans for Bassett Creek Park Phase I Dredging Project: Winnetka Pond (BCP-2)

Commission Engineer Chandler introduced Patrick Brockamp with Barr Engineering, who performed the bulk of the work designing this project, and she reminded the Commission of the agreement between the city and the Commission for the city to design and construct the project. She reported the city hired Barr Engineering to design the project, develop construction bidding materials and provide construction oversight. She then gave a presentation on the project, noting the Commission had selected alternative 3 in the feasibility study to dredge Winnetka Pond East (deepening to 6.0 feet), along with add-on 1 (native buffer) and add-on 2 (goose management). She noted the selected project will provide water quality improvement by (1) providing additional permanent pool storage for sedimentation and preventing re-suspension of sediment, (2) minimizing downstream transport of sediment, (3) filtering pollutants such as phosphorus, sediment, and bacteria from stormwater runoff, and (4) reducing phosphorus and bacteria loads from geese.

She reviewed the primary design features of the proposed work to include: pond dredging of 18,000 cubic yards, maintenance access, outlet structure modifications, erosion repair and new storm sewer installation, expanding the existing vegetated buffer and goose management. She reported that City of Crystal staff met with the Winnetka Village Apartments management staff to discuss the native buffer and goose management measures and that apartment management agreed to provide an easement for the buffer to the city at no cost. As a result of these discussions and further discussion at the March 20th city council workshop, the city council decided to move ahead with installing the native buffer. Engineer Chandler reported the buffer will be 1.1 acres with prairie-type grasses and flowers. She noted tall plants that limit geese's visibility limit attractiveness of the area to geese and that egg addling would be used to further reduce goose numbers.

Engineer Chandler also reported on the permits that would be needed to complete the project and the estimated project cost of \$830,000, including engineering and construction, which is less than the original expected cost that was included in the Commission's CIP budget. She noted there may be administrative costs to securing the easement from the apartment building to the city of about \$3,000.

There was a discussion about goose management. It was reported the City of Crystal will perform egg addling at the site at not cost to the Commission. Commissioner Prom noted that it can be a cost-effective way of improving water quality.

MOTION: Commissioner Scanlan moved to approve the 50% Design Plans for Bassett Creek Park Phase I Dredging Project: Winnetka Pond (BCP-2) and to direct the city to proceed with 90% design plans. Commissioner Prom seconded the motion.

Discussion: Commissioner Welch noted the Commission is relying on the city to perform certain functions, like buffer maintenance and goose management, so an amendment to the agreement with the city may be needed. He also asked that information on the history of the Commission's involvement in spending CIP funds for easement purchases or administrative costs be brought to the June meeting.

Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

C. Review Feasibility Study Concepts for DeCola Ponds B & C Improvement Project (BC-2,3,8)

Commission Engineer Chandler introduced Jen Koehler with Barr Engineering. Ms. Koehler gave a presentation on the DeCola Ponds B and C Improvement Project. She reminded the Commission that at the meeting in November 2016, the Commission received a presentation on the Long-Term Flood Mitigation Plan for Medicine Lake Rd and Winnetka Ave Area prepared by the cities of Golden Valley, New Hope, and Crystal. She then reviewed the history of flooding in the DeCola Ponds area and the three concepts for flood mitigation and water quality improvements developed for this project. She noted the primary goal of the project is flood mitigation, with a secondary goal of water quality improvement. She noted the complete feasibility study will be presented in June.

Ms. Koehler walked through the different components of the three flood mitigation concepts that were investigated during this feasibility study. She noted the major differences between each concept are the amount of additional flood storage developed, the area of disturbance (and resulting tree removal), and the additional water quality treatment volume that can be developed. She noted that permitting requirements are the same for all three options.

Concept 1: Maximize Flood Storage (resulting in the most significant disturbance area and tree removal)

Concept 2: Maximize Tree Preservation (minimizing disturbance area and tree removal while developing flood storage)

Concept 3: Hybrid of Concepts 1 & 2 (balancing the need for flood storage with tree preservation)

Ms. Koehler reported that the BCWMC Phase 2 XP-SWMM and P8 models were used to quantify the impacts of each concept on flood reduction and water quality improvement. She noted the engineers also quantified habitat impacts, including estimated tree removals, and wetland and upland restorations, based on the proposed concepts.

Ms. Koehler reported that her recommended concept is Concept 3, which balances the development of flood migration volume with tree preservation. She noted the planning level estimated cost for the recommended Concept 3 is \$3.8 million (-20%/+30%) and that the BCWMC CIP budget for this project is \$1.6 million. She noted, however, that the BCWMC CIP funding is not the sole source of funding for this project and the remainder of the funding will come from a variety of sources, including the City of Golden Valley, Hennepin County, Minnesota Department of Natural Resources (MnDNR) Flood Damage Reduction Grant program, and other sources (e.g. other grants, as appropriate).

Ms. Koehler also relayed the public's comments and concerns gathered through two open houses. Public comments were varied. Some people wanted trails, tree removal, tree preservation, focus on combatting invasive species, pond safety, concerns about special assessments to property owners. However, the general feedback was positive and many people thought Concept 3 seemed like a good compromise.

There was discussion about the need for significant funds aside from the Commission's CIP. Eric Eckman, City of Golden Valley, said that this is a long-term flood mitigation plan and that the City of Golden Valley is pursuing funding through the the MnDNR Flood Reduction Grant program (state legislature's bonding bill).

Alternate Commissioner Monk asked whose decision this is to make. Administrator Jester clarified that it is the BCWMC's decision and reminded the group that during the May meeting, the Commission will set their maximum levy for 2019. She noted that CIP funds do not have to be spent the same year they are levied and can be held until all of the funding comes together. Alternate Commissioner Monk wondered about approving a project that isn't fully funded. He also wondered if other BMPs had been considered upstream, rather than construction of a forebay. Ms. Koehler explained that the presence of a sanitary sewer limited the size of the forebay. Jeff Oliver, City of Golden Valley, added that they will have to figure out how to scale the project with whatever funding is available and that it may be completed in phases.

Commissioner Welch commented that since stakeholder feedback varied, he thinks it would be wise to do what Engineer Koehler recommends. Commissioner Welch remarked that Alternate Commissioner Monk made a good

point, and that the Commission can approve a concept, but still know that there will be several more checkpoints ahead. The final feasibility study should include a framework of how it fits into the BCWMC plan and policies and why it is included in CIP. Alternate Commissioner Byrnes added that the Commission will not know about the legislative bonding bill until after the next Commission meeting.

New Hope resident, Laurie Larsen, briefly shared her story with the Commission. She noted she has lived in this area for 12 years and has experienced flooding at Roselyn Court and continues to be concerned about the flooding. She stated that she was moved and impressed by the Commission's thoughtfulness, time, effort, and energy. This is the first Commission meeting she has attended and she impressed by the commitment she saw. Commissioner Harwell added that this a high priority for the Commission.

D. Consider Approval of Recommendations from Technical Advisory Committee

Mr. Francis relayed that the BCWMC Technical Advisory Committee met April 9th to discuss the 2020-2024 CIP project list and the 2019 operating budget and to consider a request for use of Channel Maintenance Funds from the City of Golden Valley.

i. 2020-2024 Capital Improvement Program and Project Fact Sheets

With regards to the 5-year CIP, Mr. Francis noted the TAC recommends adding the following projects:

- 2020: Crane Lake Improvement Project as part of Ridgedale Drive reconstruction project - \$300,000
- 2024: Bassett Creek Main Stem Restoration - Regent Ave to Golden Valley Rd - \$500,000 (over 2 years)
- 2024: Bassett Creek Park Water Quality Improvement Project - \$500,000
- 2024: Ponderosa Woods Stream Restoration - \$500,000

The TAC noted that the levy amount of \$1.3 - \$1.4 million per year may need to increase slightly each year to keep up with rising construction costs. It was suggested that the construction cost index be used as a guide for gradual increases in the levy amount. Administrator Jester reviewed the Commission's current CIP fiscal policy of keeping the levy amount stable. She said she would add the recommendation to gradually increase the levy according to the construction cost index to a future Budget Committee or Administrative Services Committee meeting agenda.

Administrator Jester also noted the Bryn Mawr Meadows Improvement Project is proposed to be moved from a 2019 project to a 2020 project to better align with MPRB timing of park improvements and to allow the Crane Lake Improvement Project to be added to the CIP.

Alternate Commissioner Byrnes noted that Crane Lake has high chloride levels. He was wondering if the Commission could look at projects to reduce chloride pollution to the lake. Tom Dietrich, City of Minnetonka, said it is on the table for consideration. He said the Ridgedale area is redeveloping quickly and chloride reductions are being pursued. Commissioner Harwell suggested smart salting certification.

Commissioner Scanlan thought a discussion on increasing the levy amount based on the increase in the construction cost index would be important to pursue. Chair de Lambert replied that project costs are basis for the levy.

MOTION: Alternate Commissioner Monk made a motion to approve the 5-year CIP as recommended by the TAC and to begin a minor plan amendment process. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

ii. Channel Maintenance Fund Request

Mr. Francis reported that the City of Golden Valley requests the use of Channel Maintenance funds for a project on private property. There was a brief discussion of the Channel Maintenance Fund use and how the city will ensure maintenance of the buffer. It was noted that public funds should be spent on projects that are maintained.

MOTION: Commissioner Welch moved to approve the Channel Maintenance Fund Request of \$15,000 from the City of Golden Valley. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

Mr. Francis briefly reviewed the other discussions by the TAC including the TAC's input on the 2019 budget: 1) it is a good idea to begin saving for the next watershed plan now; 2) \$30,000 - \$40,000 is a good amount for the AIS/APM budget; and 3) a 2 - 3% increase in assessments is appropriate and justifiable.

[Commissioner Prom departed. Commissioner Byrnes assumed voting role.]

E. Receive Update on Status of Bryn Mawr Meadows Water Quality Improvement Project.

As she noted in item 5D, Administrator Jester reported that this CIP project will be moved from a 2019 project to a 2020 project to better align with design and construction of park improvements. She noted a feasibility study is underway and will be presented in the coming months.

F. Consider Authorizing Expenditures for Possible Rapid Response to Zebra Mussels in Medicine Lake

Administrator Jester reminded the Commission that a zebra mussel survey will be completed in Medicine Lake as soon as ice is off the lake. She noted that if a rapid response (chemical treatment) of the mussels is warranted (if they are found to be in very limited area and the MnDNR agrees to allow a treatment), the treatment would need to happen quickly. She reviewed the current allocated spending of the 2018 APM/AIS budget and requested authorization to spend up to \$11,000 on treatment, if required. She reported that Hennepin County staff verbally agreed to help fund the rapid response and the cities of Medicine Lake and Plymouth have each agreed to spend \$3,000 (for a total of \$6,000) on the survey and treatment.

MOTION: Commissioner Scanlan moved to approve the request to spend up to \$11,000 on a rapid response to zebra mussels in Medicine Lake. Commissioner Harwell seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

G. Consider Appointing Administrator as Commission Representative at Hennepin County Watershed-Based Funding Pilot Program Convene Meeting and Discuss Funding Options

Administrator Jester reviewed her memo and recommended that she be appointed to officially represent the Commission at the Hennepin County Watershed-Based Funding Pilot Program Convene meeting and that Engineer Chandler be appointed as an alternate. She also walked through the three collaboration options that will be presented and voted on at the convene meeting.

- Option 1: Use a formula based on area and property tax base to disseminate funds by watershed organization (approximately \$76,000 for BCWMC projects)
- Option 2: Take a modest amount of funding (a figure of \$100,000 has been discussed) off the top of the \$1M for Hennepin County to address chloride pollution on a countywide basis and distribute the remainder of funds via the formula in Option 1. (approximately \$70,000 for BCWMC projects)
- Option 3: Take a modest amount of funding (a figure of \$100,000 has been discussed) off the top of the \$1M for Hennepin County to address chloride pollution on a countywide basis and distribute the remainder of funds to major river basins to use on their priority programs/projects (approximately \$530,000 - \$630,000 for projects in the Mississippi River Basin watersheds).

She noted that watershed organizations in the County have tentatively agreed to advocate for Option 3. She mentioned that if option 3 were chosen, the Commission is not likely to receive Clean Water Funds in this biennium as the BCWMC projects did not rank very high among other projects in the Mississippi River Basin watersheds. She noted that IF the funding is distributed by county after this pilot program biennium, the Commission would receive funding for future projects.

Commissioner Welch noted it was a good idea for Administrator Jester to be the Commission's representative and volunteered Alternate Commissioner Monk as someone else that should attend the meeting as a support.

It was agreed that the watershed-wide chloride approach is a good one, but Commissioner Welch noted there is a very real possibility the funding will be distributed in a completely different way in the future. There was discussion

about advocating for Option 2 in order for the Commission to get at least some funding in this biennium. Engineer Chandler noted that Option 3 would be the best if funds continue to be distributed in this manner. Alternate Commissioner Monk thought we should stick with Option 3 even if the funding distribution changes because it allows watersheds to implement bigger, more effective projects because funding levels would be higher.

MOTION: Alternate Commissioner Monk moved to appoint Administrator Jester as the official BCWMC representative and to direct her to advocate for Option 3 at the convene meeting. Commissioner Scanlan seconded the motion.

Commissioner Harwell noted that the Commission's DeCola Ponds B and C Improvement Project should be added to the list of projects considered by the Mississippi River Basin watersheds because it has a water quality improvement component in addition to flood mitigation.

MOTION: Commissioner Harwell moved to amend the motion to allow Engineer Chandler and Administrator Jester to make a decision on which option to advocate for and to approve appointing Administrator Jester as the Commission Representative at the Hennepin County Watershed-Based Funding Pilot Program Convene Meeting. Commissioner Scanlan seconded the motion. Upon a vote, the motion carried 7-1 with St. Louis Park voting no. [City of Crystal absent from the vote.]

Voting on amended motion: Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

[Alternate Commissioner Noon departs.]

H. Approval of Kilmer Park Street Reconstruction Project (from consent agenda)

Commissioner Welch inquired about the trigger of this project and why the wetland question is not spelled out in the memo. Engineer Chandler replied that BCWMC is not the WCA Authority.

MOTION: Commissioner Welch moved to approve the Kilmer Park Street Reconstruction Project. Alternate Commissioner Byrnes seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

I. Approval of Agreement with the Met Council for Watershed Outlet Monitoring Program (WOMP)

Commissioner Carlson inquired about this program. Chair de Lambert described WOMP and the importance of the data it generates.

MOTION: Alternate Commissioner Byrnes moved to approve the WOMP contract with Met Council. Commissioner Carlson seconded the motion. Upon a vote, the motion carried 8-0. [City of Crystal absent from the vote.]

6. COMMUNICATIONS

A. Administrator's Report – Administrator Jester reported that the meeting for lake groups to be facilitated by Freshwater Society is coming along and a date for the meeting will be set soon. She also reported that the limited liability legislation for chlorides is still moving through committees. She also reported that she and TRPD staff, Commissioners Byrnes and Carlson, and Plymouth staff recently met with AMLAC representatives to discuss zebra mussels, dock inspections, and boat launch inspections.

B. Chair – Chair de Lambert reported that he is involved with development of a white paper on chlorides and their impact on groundwater.

C. Commissioners

Commissioner Welch – Reported the chloride bill is likely dead for now, but progress was made. He also noted the cleanup planned for in Bassett Creek Park was postponed until May 12th.

Commissioner Scanlan – attended the State Water Conference and gave some insights. He mentioned that the speakers were excellent.

D. TAC Members

Nothing to report

