



## Bassett Creek Watershed Management Commission

### Minutes of Regular Meeting April 16, 2015 Golden Valley City Hall, 8:30 a.m.

Commissioners and Staff Present:

Crystal	Commissioner Guy Mueller, Vice Chair	Robbinsdale	Alternate Commissioner Michael Scanlan
Golden Valley	Commissioner Stacy Hoschka, Treasurer	St. Louis Park	Commissioner Jim de Lambert, Chair
Medicine Lake	Commissioner Clint Carlson	Administrator	Laura Jester
Minneapolis	Alternate Commissioner Lisa Goddard	Attorney	Charlie LeFevere, Kennedy & Graven
Minnetonka	Commissioner Jacob Millner, Secretary	Engineer	Karen Chandler, Barr Engineering Co.
New Hope	Commissioner John Elder	Recorder	Amy Herbert
Plymouth	Commissioner Ginny Black		

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

Derek Asche, TAC, City of Plymouth	Jim Prom, Plymouth City Council
Marge Beard, Plymouth City Council	Mark Ray, TAC, City of Crystal
Erick Francis, TAC, City of St. Louis Park	Scott Reed, HDR
Christopher Gise, Golden Valley Resident	Wayne Sicora, Commissioner, City of Robbinsdale
Shawn Markham, City of New Hope	Liz Stout, TAC, City of Minnetonka
Richard McCoy, TAC, City of Robbinsdale	Jim Toulouse, Metro Transit- Blue Line LRT Extension
Jane McDonald Black, Alternate Commissioner, City of Golden Valley	Scott Wylie, Golden Valley Resident
Kathryn O'Brien, Metro Transit, BPO	

#### 1. CALL TO ORDER AND ROLL CALL

On Thursday, April 16, 2015, at 8:35 a.m. in the Council Conference room 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.

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

Mr. Scott Wylie spoke about the Theodore Wirth Park redevelopment master plan that the Minneapolis Parks and Recreation Board (MPRB) has been developing. Mr. Wylie indicated his concern about the proposal to include three miles of mountain bike racing trails. He said that the proposed trails would be approximately four to six feet wide and the construction of the trails would disturb 79,000 square feet of vegetation and soil in the park. Mr. Wylie distributed a map where the trails are proposed to be located within the park, and he reported that the trails and design have been approved by the MPRB. He pointed out that the proposed trails will be adjacent to Bassett Creek along each side.

Mr. Wylie provided information on the proposed design of the trails and said that they are not sustainable and do not conform to U.S. Forest Service standards. He said that the area of the proposed trails is designated as an important birding habitat through the National Audubon Society and is labeled in the redevelopment master plan as an ecologically sensitive area. Mr. Wylie said that there is a location within the park that would be more suitable for mountain bike trails, and he pointed out the area on the map.

Mr. Wylie noted that the City of Golden Valley could require an Environmental Assessment Worksheet (EAW) as part of its permit process for the construction of this project in the park. The Commission briefly discussed the topic, and Commissioner Hoschka requested that this issue be added to the agenda of an upcoming BCWMC meeting.

**3. AGENDA**

Administrator Jester requested the addition to the agenda item 5F – appointment of Alternate Commissioner Jane McDonald Black to the Budget Committee and item 5G – submission of abstract on the Wirth Lake Outlet project to the Water Resources Conference. Commissioner Black moved to approve the agenda as amended. Commissioner Elder seconded the motion. Upon a vote, the motion carried 9-0.

**4. CONSENT AGENDA**

Commissioner Goddard requested the removal of item 4E – Approval of France-Indiana Avenue Reconstruction, Robbinsdale – from the Consent Agenda. Administrator Jester added to the Consent Agenda payment of the invoice to Southwest Newspapers in the amount of \$142.50 for publication of the BCWMC’s public hearing notice. Commissioner Black moved to approve the Consent Agenda as amended. Alternate Commissioner Goddard seconded the motion. Upon a vote, the motion carried 9-0. [The following items were approved as part of the Consent Agenda: the March 19, 2015, Commission Meeting minutes, the monthly financial report, the payment of the invoices, and Set TAC Meeting for May 5, 2015]. The general and construction account balances reported in the Fiscal Year 2015 Financial Report prepared for the April 16, 2015, meeting are as follows:

Checking Account Balance	\$805,871.51
<b>TOTAL GENERAL FUND BALANCE</b>	<b>\$805,871.51</b>
<b>TOTAL CASH &amp; INVESTMENTS ON-HAND (4/8/15)</b>	<b>\$3,403,742.93</b>
CIP Projects Levied – Budget Remaining	(\$4,163,285.52)

Closed Projects Remaining Balance	\$759,542.59
2012-2014 Anticipated Tax Levy Revenue	\$9,634.81
2015 Anticipated Tax Levy Revenue	\$1,000,000.00
Anticipated Closed Project Balance	\$250,092.22

#### **4E. Approval of France-Indiana Avenue Reconstruction, Robbinsdale**

Alternate Commissioner Goddard stated two concerns about the information in the memo on this item. She said her first concern was that the outlet velocities listed in the Commission Engineer's report seemed extremely high and she recommends that the wording be revised to be more prescriptive. She said her other concern was in the third bullet under item four in the April 8<sup>th</sup> Engineer's Memo; she would like verification on whether under the NPDES permit the timeframe is seven days or fourteen days for stabilizing exposed soil areas. Alternate Commissioner Goddard said that the timeframe would depend on the project's proximity to the creek.

Engineer Chandler responded that the Commission Engineer's intent is that the velocities need to be reduced to a point that they won't create erosion problems. Additionally, she stated that she can reword the memo language to state that if the work is within one mile of the creek, the timing needs to be shortened to seven days to stabilize exposed soils.

There was discussion about the language that should be included about the outlet velocities. Engineer Chandler recommended modifying the language in the memo's recommendation number 2 to state "to six feet per second" and to include in recommendation number 4 bullet three the parenthetical language "(or seven days if within one mile of Bassett Creek)."

Commissioner Black moved to approve the project with the Engineer's recommendations including the two language modifications described by Engineer Chandler. Commissioner Hoschka seconded the motion. Commissioner Sicora noted that specifying "to six feet" doesn't leave room for the City Engineer and Commission Engineer to prescribe what would work best at this site. Engineer Chandler recommended modifying the language to state "to prevent downstream erosion as agreed to by Commission Engineer" instead of "to six feet per second" Commissioner Black made the friendly amendment to the motion so that the language states velocities to minimize the downstream erosion. Commissioner Hoschka approved the friendly amendment. Upon a vote, the motion carried 9-0.

## **5. BUSINESS**

### **A. Receive Update on Blue Line (Bottineau) LRT (Light Rail Transit) Project**

Engineer Chandler reminded the Commission that it had directed staff to provide assistance, as needed on the LRT project and had set an interim cap of \$5,000 for that involvement. She said that the budget spent to-date on that work is about \$4,100 so staff would like direction on staff's future involvement. Engineer Chandler reported that the next big project phase in which she sees Commission involvement is regarding floodplain issues and design review.

Engineer Chandler introduced Jim Toulouse, Engineering Manager with the Metro Transit for the Blue Line LRT. He summarized the 13-mile light rail extension project, which will run from downtown Minneapolis at the Target Field station to the northwest suburbs, ending just north of Highway 610 in Brooklyn Park. Mr.

Toulouse described the project timeline, explaining that currently the project is in the project development phase, which started in August 2014. He stated that this phase needs to be complete within two years, meaning that by August 2016 the project needs to be in final engineering. Mr. Toulouse said that within the next 15 to 18 months the project needs to get through the final environmental impact statement and municipal consent process with its partner agencies.

Mr. Toulouse shared that in 2017 the project would be in final design and would be in construction in 2018 through 2020 with service commencing in 2021. He reported that the draft environmental impact statement identified 15 technical issues, and he handed out a map that identified the issues. He noted that an issue in this watershed is technical issue number 5, Golden Valley alignment, and the sub-issues to number 5, including Bassett Creek floodplain impacts and some poor soils adjacent.

Mr. Toulouse went through the map in more detail, explaining that the project is in process of identifying flood plain impacts and mitigation areas, such as in the Grimes pond area and in the areas of North Rice Lake and South Rice Lake. Lisa Goddard offered comments based on her role with SRF on this project.

Kathryn O'Brien introduced herself and her role with Metro Transit and on this project. She discussed the environmental assessment analysis. Ms. O'Brien said that the plan is to have some technical documentation and findings on wetlands and floodplains ready to bring to various decision-making bodies later this fall. She reported that the final EIS (Environmental Impact Statement) would be prepared for publication later in 2016.

Scott Reed of HDR introduced himself and described his role in the project. He provided an update on the process of completing the Environmental Impact Statement. Ms. Goddard described the project work that has been done to identify flood plain impacts and mitigation. She noted areas identified for mitigation and said that the City of Golden Valley and the MPRB are amenable to the location identified. She described concepts presented to the cities of Robbinsdale and Golden Valley. There was discussion of the project's technical evaluation panel, and Ms. O'Brien said that she believes this group will be part of that panel.

There was discussion, and Ms. Goddard, Ms. O'Brien, Mr. Reed, Mr. Toulouse, and Engineer Chandler responded to questions. Commissioner Hoschka voiced her concern about timing and asked that the BCWMC be given the time it needs to make decisions and provide input throughout the project's progress.

Administrator Jester said that staff is asking for Commission approval to continue working with Metro Transit and its consultants. Commissioner Hoschka moved to have this work as a standing agenda item and for staff to continue to be involved in the project and to continue to keep the Commission updated on the project and staff involvement. Commissioner Black added, "based on the dollars in the budget right now." Commissioner Hoschka agreed to the friendly amendment to her motion. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 9-0.

Mr. Reed stated that wetland delineation work will occur in the next four to six weeks. He noted that also in the next four to six weeks there will be a kick-off meeting with the Army Corps of Engineers and technical representatives from along the corridor including the BCWMC. He said that there will be technical reports available in June, which the BCWMC will receive for review. Mr. Reed noted that in September the discussion will start about wetland mitigation but permits won't be needed until 2017-2018.

Commissioner Black remarked that she would like to attend the technical evaluation panel meetings including the kick-off meeting with the Army Corps. She asked to be forwarded the meeting information.

Commissioner Carlson raised the topic of the Commission's XP-SWMM model and the idea of partnering on any aspect of the XP-SWMM model as possible through this LRT extension project. He advocated that the Blue Line use XP-SWMM modeling, instead of a different type of modeling, in its project and that the

BCWMC and the Blue Line project work together as possible on the XP-SWMM model.

*[Commissioner Elder departs the meeting.]*

## **B. Receive Update on Development of Watershed Management Plan**

Administrator Jester reported that the 60-day review period for the Commission's draft watershed plan ended at the end of January. She announced that the Commission received comments from multiple agencies and a few commissioners. Administrator Jester reminded the Commission that it needs to respond in writing to all of those different agencies. She said that the Commission needs to approve the responses to comments and that the draft responses are included the meeting packet. She noted that the Plan Steering Committee had reviewed, discussed, and helped to develop these responses over the course of two meetings.

Administrator Jester said that all of the draft comments are open for discussion. She described the comments received from Commissioner Mueller and Alternate Commissioners Goddard and Crough. She went through the draft responses included in the meeting packet and that were highlighted in gray.

There was discussion about leaving Turtle Lake, Grimes, North, and South Rice Ponds off the list of priority waterbodies. Administrator Jester walked through the Plan Steering Committee's discussions and thought processes, noting that these waterbodies are classified by the State as wetlands. She noted that because they are all part of the BCWMC Trunk System, they would still be eligible for capital improvements and monitoring through CAMP. Mr. McCoy stated he is generally okay with leaving these waterbodies off the priority waterbody list and would certainly advocate for any projects that would come up there. It was noted the Commission should, over the life of this plan, learn more about significant wetlands throughout the watershed.

There was lengthy discussion on the response to comment number 13 from the Association of Medicine Lake Area Citizens (AMLAC). The Commission agreed to change the proposed response to include acknowledgement that Medicine Lake water levels were a key issue of area residents. The Commission also agreed to remove the proposed language in the response related to Section 5.2.1.1.

Commissioner Black requested the inclusion into Section 3.2, as referenced in comment 13, reports of the relationship between precipitation and lake levels as provided to AMLAC by Barr Engineering Company.

Alternate Commissioner Goddard moved to adopt the responses to comments as modified in today's discussion. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 7-0 [Commissioner Carlson abstained from the vote. Commissioner Elder absent from the vote.]

## **C. Review Budget and Timeline for XP-SWMM Phase II Project and Determine Next Steps**

As per direction given at the March Commission meeting, Engineer Chandler presented a memo from Barr Engineering detailing the proposed project timeline and budget.

Engineer Chandler went through the portion of the memo identifying the proposed revisions to the model, including new proposed revisions about incorporating Atlas 14 precipitation depths and the MN MSE3 storm distribution and ensuring vertical datum consistency throughout the model.

Engineer Chandler discussed Table 1 in the memo, noting the estimated cost of \$261,000. She highlighted the fact that the Commission could use Plymouth Creek flow monitoring data collected by the Three Rivers Park District assuming the City of Plymouth is willing to share that information with the Commission.

Engineer Chandler said that Phase II would begin in 2015 with Plymouth Creek, the Medicine Lake direct watershed, and would hopefully include the North Branch of Bassett Creek flow monitoring in 2015. She

described options for funding the project, including spreading the cost over two years with the 2015 portion being \$103,000 and the 2016 portion being \$158,000. She went into further details about possible funding options. Engineer Chandler reported on a meeting she and Administrator Jester had with the Department of Natural Resources to talk about possible FEMA (Federal Emergency Management Agency) funds available for this project. She said that there could be \$50,000 to \$70,000 available through FEMA, which would pass through the DNR, for the mapping of 11 miles of Bassett Creek. She also noted the FEMA funding would require some additional work not included in the work plan and budget but that funding from FEMA would more than offset these additional tasks and their associated costs.

There was discussion. Alternate Commissioner Goddard moved that the Commission begin the XP-SWMM Phase II project in 2015 on the schedule outlined in the Commission Engineer memo, using the BCWMC’s Flood Control Long-term Maintenance funds for the first year of work, and directing the Budget Committee to determine a source of funding for 2016 work, and continuing to look for funding from other sources. Commissioner Hoschka seconded the motion.

Commissioner Black said that she will not support the motion because she thinks there are other ways to complete the model over time and that costs for maintenance of the model should also be considered. There was discussion. Commissioner Hoschka moved to cut off discussion. Alternate Commissioner Scanlan seconded the motion. By call of roll, the motion to cut off discussion carried 7-1 [City of New Hope absent from vote].

<b>BCWMC Representative</b>	<b>Ay</b>	<b>Nay</b>
Muller (Crystal)	X	
Hoschka (Golden Valley)	X	
Carlson (Medicine Lake)	X	
Goddard (Minneapolis)	X	
Millner (Minnetonka)	X	
Black (Plymouth)		X
Scanlan (Robbinsdale)	X	
de Lambert (St. Louis Park)	X	

Administrator Jester reiterated the original motion, which directs the Commission Engineer to complete this project within the timeframe presented in Table 1 of the memo in the meeting packet, approve the use of \$103,000 in Flood Control Project Long-term Maintenance funds for work in fiscal year 2015, direct the BCWMC Budget Committee to determine a source of funding for the fiscal year 2016 project costs, and to direct Commission staff to continue seeking project funding from other sources. By call of roll, the motion carried 6-2 [City of New Hope absent from vote].

<b>BCWMC Representative</b>	<b>Ay</b>	<b>Nay</b>
Muller (Crystal)		X
Hoschka (Golden Valley)	X	
Carlson (Medicine Lake)	X	
Goddard (Minneapolis)	X	
Millner (Minnetonka)	X	
Black (Plymouth)		X
Scanlan (Robbinsdale)	X	
de Lambert (St. Louis Park)	X	

*[Commissioner Millner and Alternate Commissioner Goddard depart the meeting.]*

#### **D. Consider Approval of Contract with HDR for Website Redesign Project**

Commissioner Black moved that the Commission not approve the contract and stop work on the website redesign project and instead use the funds budgeted for the website project to defray the cost of the XP-SWMM model update. Alternate Commissioner Scanlan seconded the motion. There was discussion about the motion. Commissioner Hoschka moved to cut off discussion. Alternate Commissioner Scanlan seconded the motion. By call of roll, the motion carried 5-1 [Cities of Minneapolis, Minnetonka, and New Hope absent from vote].

<b>BCWMC Representative</b>	<b>Ay</b>	<b>Nay</b>
Muller (Crystal)	X	
Hoschka (Golden Valley)	X	
Carlson (Medicine Lake)	X	
Black (Plymouth)		X
Scanlan (Robbinsdale)	X	
de Lambert (St. Louis Park)	X	

Commissioner Hoschka moved to approve entering into contract with HDR for the BCWMC website redesign project. Alternate Commissioner Scanlan seconded the motion. By call of roll, the motion carried 5-1 [Cities of Minneapolis, Minnetonka, and New Hope absent from vote].

<b>BCWMC Representative</b>	<b>Ay</b>	<b>Nay</b>
Muller (Crystal)	X	
Hoschka (Golden Valley)	X	
Carlson (Medicine Lake)	X	
Black (Plymouth)		X
Scanlan (Robbinsdale)	X	
de Lambert (St. Louis Park)	X	

**E. Consider Approval of Technical Advisory Committee Recommendations**

Commissioner Black moved to table the rest of the agenda items. Administrator Jester said that the TAC recommendations could be deferred to the next Commission meeting but there needed to be action on the two items that were added to the agenda. The Commission agreed to defer the TAC recommendations to the Commission’s May meeting.

**F. Appoint Alternate Commissioner Jane McDonald Black to BCWMC Budget Committee**

Alternate Commissioner Scanlan moved to appoint Jane McDonald Black to the BCWMC Budget Committee. Commissioner Mueller seconded the motion. Upon a vote, the motion carried 6-0.

**G. Authorize Inclusion of Wirth Lake Outlet Project in Water Resources Conference Abstract Submission**

The Commission indicated approval of the inclusion of the Wirth Lake Outlet Project in a Water Resources Conference abstract submission to be prepared by Barr Engineering Company at no cost to the Commission.

**6. COMMUNICATIONS**

**A. Administrator:** No Administrator Communications

**B. Chair:** No Chair Communications

**C. Commissioners:**

- i.** Commissioner Hoschka reported that she received an email from a resident regarding erosion along Bassett Creek along Golden Valley Road and just north of the recent creek restoration project area. She said that she has forwarded the communication to the City of Golden Valley.

**D. TAC Members:** No TAC Communications

- E. Committees:** No Committee Communications
- F. Legal Counsel:** No Legal Communications
- G. Engineer:** No Engineer Communications

**7. INFORMATION ONLY (Available at <http://www.bassettcreekwmo.org/Meetings/2015/2015-April/2015AprilMeetingPacket.htm>)**

- A. CIP Project Update Chart
- B. Grant Tracking Summary and Spreadsheet

**8. ADJOURNMENT**

Chair de Lambert adjourned the meeting at 11:30 a.m.

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Amy Herbert, Recorder Date

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Secretary Date