

Bassett Creek Watershed Management Commission

Minutes of the Meeting of July 15, 2010

1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:30 a.m. on Thursday, July 15, 2010, at Golden Valley City Hall by Chair Loomis. Ms. Herbert conducted roll call.

Roll Call

<i>Crystal</i>	Commissioner Pauline Langsdorf, Secretary	<i>Administrator</i>	Geoff Nash
<i>Golden Valley</i>	Commissioner Linda Loomis, Chair	<i>Counsel</i>	Charlie LeFevere
<i>Medicine Lake</i>	Alternate Commissioner Ted Hoshal	<i>Engineer</i>	Karen Chandler
<i>Minneapolis</i>	Commissioner Michael Welch, Treasurer	<i>Recorder</i>	Amy Herbert
<i>Minnetonka</i>	Commissioner Bonnie Harper-Lore		
<i>New Hope</i>	Alternate Commissioner Al Sarvi		
<i>Plymouth</i>	Commissioner Ginny Black, Vice Chair		
<i>Robbinsdale</i>	Commissioner Wayne Sicora		
<i>St. Louis Park</i>	Commissioner Jim deLambert		

Also present: Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth
Brooke Asleson, MPCA
Jeannine Clancy, Technical Advisory Committee, City of Golden Valley
Jack Frost, Metropolitan Council Environmental Services
Dave Hanson, Alternate Commissioner, City of Golden Valley
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal
Jeff Oliver, BCWMC Technical Advisory Committee, City of Golden Valley
Stu Stockhaus, Alternate Commissioner, City of Crystal
Liz Stout, BCWMC Technical Advisory Committee, City of Minnetonka
Liz Thornton, Alternate Commissioner, City of Plymouth

2. Approval of Agenda and Consent Agenda

Commissioner Black moved to approve the Consent Agenda. Commissioner Langsdorf seconded the motion. The motion carried unanimously with nine votes in favor. Commissioner Welch recommended the removal of Counsel Communications from the Consent Agenda going forward. The Commission agreed. Chair Loomis requested the addition of agenda item 6F – A report on the BCWMC’s major plan amendment request and the addition of agenda item 6G – an amendment to the BCWMC’s CAMP contract with the Metropolitan Council and the approval of Resolution 10-06 acknowledging the receipt of a donation to cover the costs related to an additional CAMP sampling site. Commissioner Black moved to approve the agenda as amended. Commissioner Harper-Lore seconded the motion. The motion carried unanimously with nine votes in favor.

3. Citizen Input on Non-Agenda Items

No citizen input on non-agenda items.

4. Administration

- A. Presentation of the July 15, 2010, BCWMC meeting minutes. Approved under the Consent Agenda.
- B. Presentation of the Financial Statement. Approved under the Consent Agenda.

The general and construction account balances as reported in the July 2010 Financial Report:

Checking Account Balance	624,560.69
<i>TOTAL GENERAL FUND BALANCE</i>	624,560.69
Construction Account Cash Balance	2,057,049.20
Investment due 10/18/2010	533,957.50
Investment due 1/21/2015	500,000.00
<i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i>	3,091,006.70
-Less: Reserved for CIP projects	2,755,077.52
<i>Construction cash/ investments available for projects</i>	335,929.18

[Commissioner Elder arrived.]

C. Presentation of Invoices for Payment Approval.

Invoices:

- i. Kennedy & Graven – Legal Services through May 31, 2010 - invoice for the amount of \$1,652.15.
- ii. Barr Engineering Company – Engineering Services through June 25, 2010 - invoice for the amount of \$37,791.73.
- iii. Watershed Consulting, LLC – Administrator Services through June 30, 2010 – invoice for the amount of \$3,406.74.
- iv. Amy Herbert – June Administrative Services - invoice for the amount of \$3,337.01.
- v. D’amico Catering – July 2010 meeting catering – invoice for the amount of \$329.99.
- vi. MMKR – Audit Services – Final billing – invoice for the amount of \$2,480.00.
- vii. Prairie Moon Nursery – Seed Packets – invoice for the amount of \$69.47.
- viii. Pauline Langsdorf – Education Committee Printing Reimbursements – invoice for the amount of \$55.56.

Chair Loomis asked to remove Watershed Consulting, LLC, from the roll call vote. Commissioner Black moved to approve the payment of all other invoices. Commissioner Harper-Lore seconded the motion. By call of roll, the motion carried unanimously with nine votes in favor.

Chair Loomis noted that the BCWMC’s contract with Watershed Consulting, LLC, stipulates that the BCWMC pay a maximum of \$3,000 monthly for work invoiced by Watershed Consulting, LLC, unless the Commission has granted prior approval for additional payment. Chair Loomis explained that this month Watershed Consulting, LLC performed additional work at a cost beyond the \$3,000 limit. She stated that since in prior months the invoices were less than \$3,000, the \$406.74 invoiced this month above the \$3,000 limit would not result in the Commission being overbudget for Administrator Services. Commissioner Welch made the following motion:

- to approve directing the Administrator to contact the Chair in advance of exceeding the \$3,000 monthly budget;
- to authorize the Chair to authorize the Administrator to exceed the \$3,000 monthly maximum as long as the costs on average do not exceed \$3,000 per month and with the understanding that the payment would be subject to approval of the full Commission at the following Commission meeting; and,
- to direct Counsel to advise the Commission at the September BCWMC meeting whether an amendment to the BCWMC's contract with the Administrator is necessary.

Commissioner Harper-Lore seconded the motion. Commissioner Black requested that when the Administrator contacts the Chair to discuss a possible overage that the Administrator discuss with the Chair what work would or would not be accomplished. She said that the information would assist the Chair in her consideration of any monthly overages. The motion carried unanimously with nine votes in favor.

Commissioner Black moved to approve the Watershed Consulting, LLC invoice. Commissioner Welch seconded the motion. By call of roll, the motion carried unanimously with nine votes in favor.

5. New Business

- A. **Update on the 2011 Clean Water Grant Program.** Ms. Chandler reminded the Commission that last year the BCWMC applied for and received Clean Water Grant funding for two projects. She reported that the 2011 Clean Water Grant Program application period opens August 1, 2010, and ends on September 15th. Ms. Chandler said she recommends that the Commission consider whether it wants to apply for grant funds and if so, which projects the Commission would like to include in its application. She said that there are three grant categories under which the Commission's projects would be eligible. She said that there is one category or maybe two categories under which the cities could apply for funding. Ms. Chandler said that the funding levels are similar to last year's levels. She said that last year the BCWMC received \$360,000 in grant funds. She reminded the Commission that the cities of Golden Valley and Plymouth applied for Hennepin County grant funds last year and were rewarded \$260,000 between the two cities.

Ms. Chandler asked the Commission to decide if it wants to apply for the 2011 grant funds and if so, to select the projects to be included in the application and to direct staff to prepare the necessary materials for the application. She said that the Commission Engineer recommends applying for funds for the two projects that were included in the Commission's recent major plan amendment request. Ms. Chandler stated that those two projects are the Bassett Creek Main Stem channel restoration project slated to begin in 2011 and the North Branch project. She said that the feasibility studies are underway and hearings on the projects will be held in August and September. Ms. Chandler recommended that the Commission wait until next year regarding considering the Wirth Lake TMDL implementation project for grant funds because there are still uncertainties on whether TMDL implementation projects are eligible for grant funds.

Ms. Chandler explained that the grant requires a 25% local match of funds. She said she believes it would be a stronger application if the Commission asks for funding only up to 50% of the project cost. She said she could talk to BWSR about whether or not the percentage of project cost requested in the grant application is weighed as an element of the application evaluation.

Commissioner Welch said he thought the Commission should keep its eyes on the language in the application guidelines regarding ineligible projects in regard to water treatment facilities. Ms. Chandler said she has been talking to BWSR for clarification since the language is confusing and

since BWSR is still trying to figure it out itself. She recommended leaving the Wirth project out of the application for now. Commissioner Welch asked Ms. Chandler whether she had a sense of the total suspended solids and the cost effectiveness of the two projects relative to each other and relative to the projects that received last year's Clean Water Grant funding. Ms. Chandler replied that Barr will do its best to include that information in the feasibility studies.

Commissioner Welch moved to authorize staff to address with BWSR some of the issues raised regarding the applicant's funding match and to bring a recommendation to the Commission at the August BCWMC meeting. Commissioner Black seconded the motion. The motion carried unanimously with nine votes in favor.

Commissioner Welch moved to approve Engineering staff to begin preparing the grant application for the two projects including the Main Stem from the Crystal boundary to Duluth Street and the North Branch from 36th Avenue to Bassett Creek. Commissioner Black seconded the motion. The motion carried unanimously with nine votes in favor.

- B. Discussion Regarding CIP Project NL-2: Dredge Pond NB-07 (Northwood Lake improvement project). Mr. Asche explained that the 2013 CIP calls for the dredging of Pond NB-07, which is located just prior to the discharge from Plymouth into Northwood Lake in New Hope. He stated that in the past few weeks a potential opportunity has come up as part of a redevelopment project to the Four Seasons Mall site. Mr. Asche said that the City is pursuing a grant through the Metropolitan Council for a study of the redevelopment of this site including investigating environmental improvement factors such as how to use water on the site as an amenity. Mr. Asche added that he is asking the Commission to consider allowing the Commission Engineer to participate in some of the planning process of the redevelopment study should the City receive the grant because it would be a way to integrate some of the BCWMC's water quality goals with the redevelopment project.

Ms. Chandler added that the possible wetland area that would be affected is 2.3 acres. She said that the idea is that by integrating storm water improvements and water quality treatment in the redevelopment area it could result in less work with the dredging project slated for pond NB-07.

Commissioner Welch asked if it would be helpful to have a functional values assessment of the wetland sooner rather than later. Mr. Asche said one was conducted in 1994 and the City would want to review that information prior to deciding if another one would be needed.

Ms. Chandler asked about the City's timeline for the grant application submittal and redevelopment study and project. Mr. Asche said the application would be submitted in the next day or two if it hadn't already been submitted. He stated that the City wouldn't be moving forward with projects until 2013 so in the next 24 months the City would conduct the development review process and would go through the site analysis process.

Commissioner Sicora moved to approve directing the Commission Engineer to work with the City of Plymouth. Commissioner Black seconded the motion. Commissioner Welch made the friendly amendment that wetlands enhancement and the possibility for regional wetlands creation as part of a mitigation strategy would be included in the City and Commission Engineer's process. Commissioner Sicora approved the friendly amendment to his motion. The motion carried unanimously with nine votes in favor.

6. Old Business

- C. TMDL Updates. Chair Loomis suggested moving the TMDL Updates to the top of the Old

Business agenda since an MPCA representative was attending to answer Commission questions about the status of the Wirth Lake and Sweeney Lake TMDLs.

- i. Wirth Lake TMDL. Administrator Nash reported that Brooke Asleson of the MPCA was here as a resource during the update on the TMDLs. Administrator Nash announced that the BCWMC has submitted the Wirth Lake TMDL to the MPCA and that it is working its way through the MPCA routing process. Administrator Nash said it will ultimately be going to the MPCA Commissioner's desk for signature. He said there will be a public comment period and then it will be submitted to the U.S. Environmental Protection Agency (EPA) in the second week of October for final approval, which will be close to the November 1st deadline for the approval of the implementation plan. Ms. Asleson commented that she hopes the TMDL will be public noticed in early August. She explained that it would be open for public comments for 30 days after which the MPCA needs to wait 30 days before submitting the TMDL to the EPA. She said that during the 30-day wait period the MPCA will address any public comments as necessary. Ms. Asleson said that if there is an implementation plan ready during that 30-day review period, the MPCA can use that time to review the plan. She said that the TMDL would hopefully be submitted to the EPA in October. Ms. Asleson said she has no way of knowing how long it would take the EPA to review and approve the TMDL – it could take two weeks or up to three months.**
- ii. Sweeney Lake TMDL. Ms. Asleson stated that she thought it would be helpful to hold a stakeholder meeting to talk about the issue of the external load removal in more detail and to talk about where the numbers came from so that everyone has a greater understanding. She said it would provide an opportunity to hear everyone's perspective and would provide more information on why the MPCA settled on those numbers. Ms. Asleson said she is recommending that a time is set to hold a stakeholder meeting.**

Commissioner Black said that she reviewed an item from the May meeting packet that she had not reviewed at the time. She said the document provides comments on the TMDL report. Commissioner Black said that given that so much of the lake has a depth of less than 15 feet much of the lake area couldn't really be included in the alum treatment. She said that she would like to know how the internal load reduction would be accomplished. Mr. Oliver said that one possibility being discussed is alum dosing upstream. Commissioner Black wondered how much of the acreage in the Sweeney Lake watershed is already being treated by existing BMPS versus how much is not. She wanted to know what potential there is for bringing treatment into the areas not being treated by existing BMPs and whether the external load reduction could be increased by bringing such treatment into those areas.

Commissioner Welch said he thinks it would be a good idea to have a presentation at the stakeholder meeting on the analysis that the consultant, the Commission Engineer, and the TAC have reviewed and on how the numbers in the report were derived. Commissioner Black added that she would like the presentation to address whether or not a different external wasteload allocation number, such as the 150 pounds settled on by the MPCA, could be reached or why not. Administrator Nash asked Ms. Asleson if the wasteload allocation is the main issue or if there are other issues that the MPCA would like addressed. Ms. Asleson said that she is still going through the report but she believes that the main issue is the internal/ external load allocations. She said she thinks that the load allocation issue should be the primary focus of the stakeholder meeting. Ms. Asleson proposed that she and Administrator Nash put together a meeting agenda and an invitation list and that she would be happy to help Administrator Nash put together the meeting materials and to get out the invitation

list.

Commissioner Welch said it is important that Ron Leaf of SEH, Inc. come to the meeting. He asked if there is any budget left for SEH's work on the TMDL. Chair Loomis said there is no budget left. She commented that she agrees that there needs to be a stakeholder meeting but added that the Commission needs to move forward. She recommended that the Commission approve the TMDL with the change to the external load reduction number listed in the report to the 150 pounds recommended by the MPCA.

Ms. Asleson commented that she thought the stakeholder meeting could serve dual purposes where the stakeholders could discuss where the numbers came from/ the TMDL equation and the development of the implementation plan based on stakeholder input. Ms. Asleson said she thought that the implementation plan was part of the contract with SEH. She commented that the BCWMC's contract with the MPCA ends in February 2011 and she agreed that the project needs to keep moving forward. Commissioner Black remarked that the tables in the report would need to be changed to reflect a different wasteload allocation if the Commission decides to make that change.

Administrator Nash said he thinks it would help the process if the Commission would resolve which number the load allocation will be and that a decision would help the MPCA to move ahead.

Commissioner Sicora recommended that SEH, Inc. draft the TMDL report with the external wasteload allocation at 150 pounds.

Ms. Asleson said that part of the contract agreement is that the MPCA needs a satisfactory TMDL report. She remarked that even if SEH is overbudget, SEH still needs to fulfill the requirements of the contract even if it means not charging the Commission for the work. She said she thought that SEH should not charge the Commission for the additional work because part of the original contract was that SEH would provide a satisfactory report.

Commissioner Black moved to direct Administrator Nash to work with the consultant to develop a TMDL that includes removal of 150 pounds of phosphorus per year for the external waste load allocation and to work with the MPCA to ensure that all MPCA comments previously received by the BCWMC are addressed satisfactorily. Commissioner Welch seconded the motion with the friendly amendment that the consultant is SEH and to direct Administrator Nash to find an appropriate date and to work with the MPCA to set up a stakeholder meeting. Commissioner Black agreed with the friendly amendment. Administrator Nash remarked that he would likely need to consult with the Commission Engineer on technical issues. The motion carried unanimously with nine votes in favor.

- iii. Medicine Lake TMDL. Ms. Asleson reported that the Medicine Lake TMDL should be going to the EPA for its preliminary review next week. She said that after the MPCA receives the comments from the EPA's preliminary review the MPCA will work with the consultant to address the comments. She said that usually the comments indicate that there are items in the TMDL that need to be addressed. Ms. Asleson stated that hopefully the Medicine Lake TMDL will be public noticed in the next couple of months.

- A. **Status of City of Medicine Lake's Response to BCWMC's Comments on City's LWMP.** Ms. Chandler reported that the BCWMC received a revised Local Water Management Plan (LWMP) back from the City in response to the Commission's comments. She said the Commission Engineer recommends approval of the Plan. Commissioner Welch commented that the Commission's policy is that all regulated stormwater is to be treated to Level I standards throughout the watershed and he asked if the City revised its policy to meet that standard. Ms. Chandler said the revised Plan meets the Commission's requirements. Commissioner Black moved to approve the Plan. Commissioner Langsdorf seconded the motion. Commissioner Welch commented that the City would have to follow the statutory requirement of adopting an erosion and sediment control ordinance within 180 days of the City's adoption of its LWMP. Ms. Chandler stated that the revised Plan does state that it would adopt an erosion and sediment control ordinance by 2011. Alternate Commissioner Hoshal said that the City Council and City Engineer are on board to get the ordinance adopted and that he doesn't foresee problems with the City being able to meet the 180-day timeframe. Commissioner Welch remarked that he thought that the Commission should be as clear as possible in communications on plan reviews and especially with regard to timing issues. Alternate Commissioner Hoshal asked if he should bring to the Commission an update on the status of the ordinance at the September BCWMC meeting. Commissioner Welch agreed that an update would be a good idea. The motion carried unanimously with eight votes in favor [City of Medicine Lake abstained from the vote].

B. **TAC Recommendations**

- i. **Planning for the BCWMC's Next Generation Plan.** Administrator Nash reported that the Commission's current *Watershed Management Plan* will expire in 2014 and the TAC is getting a head start on determining issues of concern to address in the next generation of the Plan. He stated that the TAC plans to tackle the issues a couple at a time and that the TAC memo lists the issue categories currently on the radar. Administrator Nash said that he would e-mail the TAC with questions about issues on the various categories as a way to start the discussion but that there will be Commission involvement on the issues as well.

Commissioner Welch remarked that during the process of creating the current plan the Commission did not have a technical advisory committee and that the make-up of the Commission was very different. He said that the Plan is at the heart of what the Commission does and the Commission needs to understand the Plan as it goes through the process otherwise it could become a Plan that would be hard for the Commission to implement. Commissioner Welch requested that the August meeting agenda include a discussion on how to include commissioners in the Plan revision process.

Ms. Chandler stated that the Commission had asked the TAC to assess the status of issues that will be reviewed as part of the revision process. She added that the Commission would need to identify how it wants to address the issues. Mr. LeFevere suggested that the Commission direct staff to give at a future BCWMC meeting an overview of the process for the 2004 *Watershed Management Plan* revision. Commissioner Welch directed Ms. Chandler to provide that information to the Commission and to include the roster for each of the Committees that were part of the 2004 revision process. Commissioner Welch also expressed a concern that the Commission could go through the planning process operating in a reactive mode instead of being fully engaged in the process.

- ii. **Standardization of Water Quality Data Collection and Stormwater Modeling.** Administrator Nash explained that currently various cities and the Commission Engineer and others may be collecting data and may be interpreting data using different methods. He gave the example that the TAC noted that the CAMP protocol for sampling is different from other protocols for lake sampling. Administrator Nash reported that the TAC asked for the Commission Engineer to present to the TAC the methods Barr uses for sampling

and modeling. He said that the TAC would like to discuss this issue at a future TAC meeting.

- iii. **Potential Gaps in the BCWMC's Non-degradation Requirements.** Administrator Nash explained that the TAC requested that he provide information on Nine Mile Creek Watershed District's water banking program for a future discussion. He stated that TAC member Lois Eberhart was going to investigate whether there was a previous discussion by the TAC about non-degradation requirements and that she was planning to forward to the TAC any information that she found. Commissioner Welch commented that he thought the topic had come up when the TAC reviewed the BCWMC's document "Requirements for Improvements and Development Proposals." He said that he would like to receive the information that Ms. Eberhart forwards to the TAC. Commissioner Black added that she would also like to receive any communications about the non-degradation issues. Commissioner Welch commented that he had been involved in developing the volume banking program for the Nine Mile Creek Watershed District and that he has perspective on that as well as several other volume banking provisions that are in other watershed districts' rules.
- iv. **TAC's Next Meeting.** Administrator Nash reported that there will be no August TAC meeting since the TAC is caught up on issues referred to them from the Commission. He stated that the next TAC meeting will be held on September 2nd. Chair Loomis directed that staff add to the August BCWMC agenda an item to set the September TAC agenda.

C. TMDL Updates

- i. **Wirth Lake TMDL** [see previous discussion under the first Old Business item].
- ii. **Sweeney Lake TMDL** [see previous discussion under the first Old Business item].

- D. Weir on Sweeney Lake.** Ms. Chandler reminded the Commission that in May the Commission requested that the Commission Engineer work with the City of Golden Valley to investigate options for removing the rock weir and for solutions to the erosion issues around the historic outlet. She said that the Commission has met with the City to discuss options. Ms. Chandler said that the Commission Engineer has also talked with the DNR for confirmation about the permit process. She said that the DNR stated that a permit would be required for removal and replacement of the historic outlet but that the temporary repair work and the removal of the masonry dam would not require a permit.

Ms. Chandler said that the City of Golden Valley indicated that it would be best for the outlet to be replaced and that the City would be willing to remove the masonry wall and to repair the erosion. She said that the City is asking the Commission to add the replacement of the outlet to the Commission's CIP. She said the cost estimate for the replacement project is \$200,000. Ms. Chandler said that the Commission Engineer recommends getting on the DNR's list for funding from the Dam Safety program and that she received feedback that the application moves up on the list if the funding request is for less than 100% of the project cost. She said that adding the project to the Commission's CIP would take a Plan amendment. Ms. Chandler said that the Commission Engineer recommends the Commission discuss whether it would like to add the outlet replacement project to the CIP. She said that if the Commission thinks it would like to add the project to the CIP then the Commission could direct the TAC to review the priorities currently in the CIP and recommend when the outlet structure project should be done. Ms. Chandler also recommended that the Commission submit as soon as possible a request to the DNR for dam safety funding. Commissioner Black commented that she finds the \$200,000 cost estimate shocking because the City of Plymouth did a similar outlet structure project for \$50,000.

Commissioner Sicora asked about the Commission's criteria for adding a project to the CIP. Ms.

Chandler commented that it is a good policy question and that there are no similar projects currently on the CIP. Mr. Oliver remarked that this outlet is part of the flood control system and is critical to how the whole conveyance system works. Commissioner Welch said it would be helpful to him if when this topic comes back in front of the Commission if staff had pulled for Commission review the relevant Plan provisions. He said it would also be helpful for the Commission to have a brief presentation on the ownership status and whether the work would be done within the easement as it exists.

Chair Loomis directed staff to continue to investigate what information would be needed in order for the project to be added to the Dam Safety funding list and to report back to the Commission with the information and for the City of Golden Valley to remove the masonry construction and to address the erosion issues as necessary. Commissioner Welch asked Ms. Chandler to forward the DNR jurisdictional letter to him.

- E. **Mississippi Watershed Management Organization Plan Review.** Ms. Chandler reported that she reviewed the Plan as directed by the Commission. She said she reviewed it with the perspective of what the Plan had or did not have that would affect the BCWMC. Ms. Chandler said that the Plan does not acknowledge the joint cooperative agreement from 2000 where the Mississippi WMO took on 1,000 acres from the BCWMC and that the agreement should be addressed in the Plan. She said that the Plan also needs to discuss the differences between the old and the new tunnel and to provide information on where the tunnels lead. Ms. Chandler reported that the Plan figures indicate only the old tunnel and the figures need to be corrected to show the new tunnel as well. She said that the BCWMC should review its jurisdictional boundaries because it looked like there could be some differences depicted in the Mississippi WMO's Plan.

Commissioner Welch moved to approve the comments with the added direction to the Commission Engineer to engage Counsel as necessary to confirm the jurisdictional boundary. Ms. Chandler said that Administrator Nash could send the letter containing the comments to the WMO by the August 9th deadline. Commissioner Welch said that his motion was for staff to send the comments when they are finalized. Commissioner Black seconded the motion. Mr. LeFevere commented that it makes sense to have the Commission Engineer to confirm with the Mississippi WMO the jurisdictional boundaries. Commissioner Welch agreed that such direction was included in his motion. The motion carried unanimously with nine votes in favor.

- F. **BCWMC's Major Plan Amendment Request – Update.** Ms. Chandler reported that there was a meeting of a committee of the Hennepin County Board of Commissioners. She said the committee voted to progress the major plan amendment request meaning that no action was taken on the issue. Ms. Chandler said that some of the commissioners had concerns about approving the request because approving the Plan amendment then required them to approve the levy request to the County for the projects. She said that the commissioners would like more information on the amount that the BCWMC will be requesting for the tax levy and that the commissioners would like to be reassured about the transparency of the process. Ms. Chandler said that the Commission Engineer had a conversation with Joel Settles of Hennepin County about what information the Board of Commissioners would like to receive. She said that Commission Engineer Len Kremer drafted some comments for the BCWMC's consideration to include in a letter to the Board. Ms. Chandler explained that the letter would need to be prepared and sent as soon as possible because the Board will be meeting on July 22nd.

Mr. LeFevere remarked that the County would like the BCWMC to levy its own taxes. He said if the County, the Commission, and the Cities are interested in pursuing special legislation to enable the Commission to levy its own taxes then perhaps the Commission could include such a comment in its letter to the County. Chair Loomis replied that it could be a BCWMC policy discussion for the future but the Commission isn't ready to communicate that interest to the County Board now.

Commissioner Black said that the Commission could add a comment that the Commission would support that type of policy discussion as part of its Plan update. Alternate Commissioner Hoshal asked that the TAC discuss the BCWMC's future organization in terms of being organized as a District, a WMO, or a special tax district. Mr. LeFevere said that it might be worthwhile for the Commission to begin talking about it.

Commissioner Welch stated that he didn't want the Commission to include any comment to the Board about improving the transparency of the process because it implies that the process has not been transparent. He said that instead the comments should highlight the transparency of the Commission's process including the two public hearings that the BCWMC will be holding. Mr. LeFevere added that the letter also should include a comment to explain how many people are part of the Plan amendment notification process including the County, state agencies and city councils.

Commissioner Black asked for staff to inform her about the Board's July 22nd meeting time and location. Ms. Chandler said that she would find the information and would send it to Ms. Herbert to e-mail to the Commission.

Commissioner Welch said that the comments to the Board could include the BCWMC's commitment that it won't increase its levy request over the amount requested last year. He asked that Ms. Chandler also include language about the BCWMC's moving forward with applying for 2011 grant funds. Commissioner Welch moved to approve staff to prepare the comment letter to the Hennepin County Board of Commissioners for Chair signature. Commissioner Black seconded the motion. The motion carried unanimously with nine votes in favor.

- G. Amend Contract with the Metropolitan Council for 2010 CAMP Participation and Approve Resolution 10-06 acknowledging the receipt of a donation to cover the costs of an additional sampling site on Sweeney Lake. Chair Loomis reported that a citizen has donated funds to cover the cost through the CAMP program to conduct sampling in 2010 on an additional site on Sweeney Lake. Commissioner Black moved to approve Resolution 10-06 recognizing the receipt of the donation and to direct staff to send a thank you letter to the donor. Commissioner Harper-Lore seconded the motion. The motion carried unanimously with nine votes in favor. Administrator Nash stated that he would take care of drafting and sending the letter.

7. Communications

A. Chair:

- i. Chair Loomis reported that the cities of New Hope and Golden Valley will be addressing the Commission in the future regarding localized flooding issues and having Commission staff work with the cities on the flooding issues.
- ii. Chair Loomis reported that there will be a Clean Water Climate Adaptation Summit coming up September 16th and 17th at the Minnesota Landscape Arboretum.
- iii. Chair Loomis stated that she attended the Stormwater and Shoreline workshop put on by the Minnehaha Creek Watershed District.
- iv. Chair Loomis commented that there is a Mississippi River Forum being held this Friday and that there is more information online at the National Park Service site for the Mississippi River.

B. Administrator:

- i. Administrator Nash reported that the CIP work group met on June 10th and that he has been directed to work with Barr Engineering on determining how to integrate the TMDL implementation plan into the CIP.
- ii. Administrator Nash stated that there will be an upcoming Administrative Services Committee meeting to discuss the policy manual and the list of Administrator task priorities.
- iii. Administrator Nash reported that Crane and Westwood Lakes will no longer be monitored by the Three River Park District as of 2011. He reminded the Commission that he had been directed to look into costs for sampling and lab analysis. He reported that the Met Council is by far the cheapest for the lab analysis. Administrator Nash said a group called RNB out of Detroit Lakes could conduct the monitoring and therefore the Commission could contract separately for the monitoring and the laboratory analysis.
- iv. Administrator Nash reported that on Monday he attended the MAWD (Minnesota Association of Watershed Districts) water management summit in St. Cloud. He said that due to a legislative audit, MAWD was gathering input on how to streamline water management services across the state.

C. Commissioners:

- i. Commissioner Welch reported that he had volunteered to give input to Conservation Minnesota on its thumbs up/ thumbs down rating. He said that the listing is completely dependent on the MPCA's impaired waters listing and if the water body is listed as impaired then it receives a thumbs down rating on the Conservation Minnesota Web site. Commissioner Welch said Conservation Minnesota is open to meeting and discussing the rating and the system with anyone from the Commission. He reported that Conservation Minnesota is also looking for success stories to highlight successful implementation projects from Clean Water Legacy funding. Commissioner Hoshal added that the BCWMC's success stories should also be included on the BCWMC's Web site.
- ii. Commissioner Welch reminded commissioners to engage city staff if commissioners notice that best management practices are not being done or done correctly in their cities.
- iii. Alternate Commissioner Hoshal reminded the Commission of the Monday, August 2nd Medicine Lake City Council meeting that will start at 7:00 p.m. in the Medicine Lake City Hall. He said that the Commission Engineer Len Kremer will be presenting to the City Council.
- iv. Commissioner Black announced that she brought copies of the City of Plymouth's *Environmental Extra* newsletter and that anyone can contact City staff member Margie Virgoren for copies of content for their use.

D. Committees: Education Committee:

- i. Commissioner Langsdorf reported that the City Manager of New Hope asked to use the BCWMC's exhibit at the City's open house and also commented that he would like to do more in the area of watershed education.
- ii. Commissioner Langsdorf announced that the exhibit was displayed at the City of Crystal's 50th Anniversary celebration.
- iii. Commissioner Langsdorf stated that the West Metro Watershed Alliance (WMWA) met on July 13th. She said that the WMWA is looking into developing a brochure on salt usage. She asked if the Commission would like to receive the draft minutes from the WMWA meetings.

