



*Ted Hoshal*  
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September 19, 2019

Mr. Jim Prom, Chairman  
Bassett Creek Watershed Management Commission  
4700 West 77<sup>th</sup> Street  
Minneapolis, MN 55435-4803

Dear Chairman Prom and fellow Commissioners:

My name is Ted Hoshal and I am here today to make comment on the proposed Jevne Park Stormwater Improvement Project planned for the City of Medicine Lake. I am a taxpaying resident of the city and I wish to express my general disapproval of the proposed plan. I attended the Bassett Creek Watershed Management Commission (BCWMC) open house for this project back in February and have listened intently at a few of the City Council meetings where this plan project has been discussed.

I have not interfered with the plan process or with the natural deliberations among our own city council members, BCWMC commissioners and Medicine Lake project team members. However, I would like to express my opinions today at this public hearing and hopefully provide my Medicine Lake City Council Members some guidance regarding the advancement or dissolution of this project.

I am very concerned about the relative cost of this project to the benefits it may provide. I believe the feasibility report focuses on deliverables measured in cost per pounds of phosphorous removed (4.1 lbs per year) and a flood risk mitigation of 2.4 inches during a two year rain event, with no measurable impact for greater, less frequent events. Given these estimates, I believe the watershed should put its money into studies and projects that will yield far greater returns.

In no particular order, I will try to encapsulate several misconceptions I've overheard about this project:

- **The proposed project education benefit alone makes it worthwhile.** While I'm sure the city would welcome some interpretive signage signaling the benefits of managing stormwaters in an effort to improve Medicine Lake water quality, the cost of engaging an engineer firm to design this while wrapping an entire \$300,000-\$500,000 CIP project around it, may not be the most cost effective approach.
- **In addition to phosphorous and suspended solids removal, the proposed project will control runoff of chlorides to the lake.** Stormwater ponds do not remove or otherwise sequester chlorides. Chlorides (road salts, water softener discharge, sidewalk deicers) are some of the most insidious pollutants affecting our fresh waters, both surface and ground. They accumulate over time. And they easily transfer from surface to ground waters. In my

opinion they are the single biggest threat facing our watershed. Imagine how far \$500,000 would go on a public education and outreach campaign aimed at reducing chlorides. It's time we all "Halt the Salt." And the sooner, the better.

- **This project will help the City of Medicine Lake do its part to help clean up Medicine Lake.** In fact, Medicine Lake and its taxpayers, by being a contributing member city of the BCWMC, have already played—and continue to play—an important part in mitigating the water quality impacts facing Medicine Lake. From stormwater management ponds on the east and west sides, creek restoration along Plymouth Creek, right down to lake weed control and goose round-ups, Medicine Lake citizens should be proud to know that their tax dollars (in cooperation with the BCWMC and its CIP program) have been spent wisely to improve Medicine Lake for all its users. The city sweeps its streets and goes the extra step of sweeping out driveway approaches (no one else does that, by the way) each year. It already has a stormwater management feature that manages surface waters coming off the Hutton House properties. A small handful of residents employ similar strategies. Residences manage silt runoff from properties being developed. Yes, I'm confident Medicine Lake already does its part. It should not feel obligated to complete this project.
- **The stormwater improvement project design is the best available, most cost effective choice for Medicine Lake.** Two options were floated by Barr Engineering for stormwater improvement for Medicine Lake. Both were structural, engineered options. Both are costly. What is important to realize is that not all solutions are structural. In fact, some of the best come in the form of policy. Medicine Lake is undergoing a recent surge of redevelopment. This provides the opportunity for the city to address surface water issues with some innovative approaches for capturing water *before* it leaves your property. Some of these options include rain gardens, rain barrels, driveway channels, porous pavement, brick pavers and pavement/impervious surface reduction. All of these measures can slow the amounts of flow surging down Peninsula Road to Jevne Park when it starts to pour. Sometimes addressing the problem is less costly than managing the symptom.
- **Beyond the initial cost, the city will only have an annual maintenance expense to properly manage the installation.** Beware of hidden costs. Several years back, when the City of Plymouth was considering the West Medicine Lake Stormwater projects, I brought before the Plymouth council a letter mentioning the surface water/ground water contamination risk that it may be facing with the creation of stormwater holding ponds. You may have read recently that some area cities are suing makers of poly aromatic hydrocarbons (PAHs) for their accumulation in stormwater holding ponds. City's are facing steep costs of having to remove those soils and dispose of what is deemed toxic waste. I worry about the City of Medicine Lake and the fact that we currently rely on a system of private residential wells rather than on city water. The state has determined that the greater Medicine Lake area, especially areas to our west, pose a high potential for surface water/ground water interaction. While PAHs have largely been removed from the market, we just don't know what may pose our next hidden threat. I don't want this pond to evolve into a portal for polluting our ground water. The feasibility study does not show locations of private wells or ground water flow. It should.
- **The project will improve the looks of Jevne Park.** Some would have you equate a stormwater improvement project with a natural enhancement or park amenity. I think the jury is out on this one. I look at the West Medicine Lake Park stormwater improvement project that created a three tier holding pond for capturing sediments and reducing phosphorous entering Medicine Lake. Was it a good project? Yes, it lived up to its goals and water quality has improved in Medicine Lake because of it. But from a general aesthetics point of view, it is hard to say that it is an amenity to West Medicine Lake Park. Eurasian water milfoil has taken

a foothold and the mats of surface weeds choking the ponds are certainly not candy to the eye. My concern with the Jevne Park project is that, in creating an open water element, what opportunities are we creating for starry stonewort, our latest exotic visitor to take up residence at Medicine Lake? Have we thought clearly how this pond may be managed given our current list of lake invaders?

- **Any project that contributes to reducing the total maximum daily load of phosphorous entering Medicine Lake is good.** I believe in something called cumulative impact. That means that if you are doing something for the good, no matter how small, it has an effect on making a larger system better. I use that term when I want others to know that while their efforts seem small, that if enough people do them, they can make real change. I also believe I am correct in stating that the CIP projects that the BCWMC has already undertaken to date have met the TMDL goals for Medicine Lake. And just in case you're wondering why the reduction in phosphorous may not yet be realized, there is an important scholarly study that introduces you to something called the Lag Effect. It is important reading. If the Commission projects have met the TMDL goals and if you come to learn why the needle on the speedometer isn't reacting quite as quickly when you jump on the brakes, then you might come to realize that the \$300,000 to \$500,000 project expenditure you're about to approve could be used in other ways. You see, I believe in opportunity cost, too.
- **The project has undergone a feasibility study, therefore it must be good.** Not always. The reason for the feasibility study is to make a determination of need, to estimate expenditures and to generate public support. It's an essential element of the broader watershed plan and its capital improvement plan. Please understand, that while significant expenditures have already been made, saying no based on solid findings is certainly acceptable.
- **The BCWMC is doing the City of Medicine Lake a courtesy by including this project in its capital improvement plan.** I heard this mentioned at a Medicine Lake City Council meeting and it left me incredulous. It was suggested that BCWMC was somehow appeasing Medicine Lake with this project for the City's stand a few years back to make changes to the Bassett Creek dam that might allow for more water to be retained in Medicine Lake. If you don't recall, the city chose to threaten the commission's very existence if it did not get its way. This was an ill-advised strategy. I haven't been able to learn what exactly precipitated this proposed project. But a project based on payback has no merit before this commission. Not now. Not ever. Payback should never be an option.
- **The project is feasible because BCWMC has spent similar cost per pound phosphorous mitigation on other CIPs within the watershed.** Let's not mince words. By proceeding on this project, BCWMC stands to produce one of the most costly projects measured on a per pound of phosphorous removal basis for this watershed or any other watershed in the state of Minnesota. It would also proceed on a project with a very limited flood mitigation benefit (2.4 inches on a two year rain event, no impact on larger rain events). Undertaking such a costly project has consequences. Both the city and the watershed stand to face negative publicity. Both entities rely on the confidence and underlying support of its taxpayer base. Engaging in such projects stand to erode confidence in the greater mission of the organization. I would hate to see the benefits that the BCWMC bring to our watershed be clouded by an ill-advised project.
- **The project will enhance wildlife habitat.** I don't believe this is so. While the existing site conditions may be dominated by narrow leaf cattail and reed canary grass, the loss of removing an over canopy of eight 30 to 40 year old trees cannot and should not be understated. The natural state of existing trees (not nursery stock) are old enough to support nesting cavities; habitat features necessary for attracting beneficial birds, bats and animals.

Also, the nearly two football fields (5082 cubic yards) of fabric underlayment called for has been shown recently to be an impediment to hibernating turtles. The impact of this design may not bode well for our resident shelled friends or those who rely on the current undisturbed area for food, reproduction or general cover. Additional consideration should be given to the general aesthetic of the area. This is the gateway to our Jevne Park. Would you rather have mature trees and water today or have to wait another 30 to 40 years to achieve the same effect?

- **The project will not effect the roadway any more than the ordinary wear and tear it normally experiences from existing solid waste and recycling truck traffic.** The elephant in the room in this project is one that this feasibility study does not address. Peninsula Road is nearing the end of its 50 year life. The city has done an excellent job in managing the pavement and is hoping to get another 6 to 10 years life out of the road. Add to this that the city fiscal reserves are currently less than solid. Unlike our garbage service, this project is elective. If undertaken, it will bring an as yet uncalculated amount of wear and tear to the road bed. This feasibility study does not weigh (or suggest to weigh) the impact of what will amount to hundreds of wet loaded fill trucks transcending the length of Peninsula Road. The section of road adjacent to the site is particularly vulnerable. Our city's former park superintendent, Alan Klar, was able to document the road strata along this portion of road during a gas line connection a few years back. Alan found three bituminous roads sandwiched between different road bases to a depth of seven feet! Only a qualified engineer, along with core samples and a structural evaluation can determine whether the road bed will or will not be compromised (and to what extent). I think the city would be wise to make this determination before nodding its approval here.
- **Even though the project provides a marginal flood mitigation benefit, it is worth it to those impacted by seasonal flooding.** Several homeowners along the south side of the project area are impacted at some point nearly every year by seasonal flooding. This includes driveways and even garages and accessory buildings that sometimes go under water. Being part of a family who has lived through this, I get it. My father tells stories of Northern Pike swimming in our garage at 229 PR (one of the adjacent project properties) regularly in the spring time back in the 1960s. He, like some of those adjacent property owners today, struggled with continuous filling to keep his ever settling driveway on this side of dry. The city floodplain ordinance once made consideration for these folks, so that fill could be added (up to 10 yards per year) so long as it was only in an effort to maintain a driveway. I don't know where that stands today. Perhaps one day, a partnering matching grant system (city and watershed) could be made available to property owners to raise structures to a safe elevation. I count four garages and a shed impacted currently. I wonder if that would cost less than \$500,000?

In addition to these observations, I was concerned to learn the findings of the Wetland Delineation Report (included as Appendix A). The report fails to include areas northeast of the proposed project site along the north branch of Peninsula Road. The referencing aerial photography (2011 LiDAR elevations) is outdated and does not show current conditions (fall 2018) for 226 and 228 PR, areas that include open water and wetland emergent vegetation contiguous with the proposed stormwater improvement project site.

BCWMC was party to the mitigation work at 226 PR that created on-site mitigation for fills added to the floodplain. The created ponding areas and adjoining wetlands should be reevaluated and included as part of the wetland delineation.

Appendix A also fails to show the vegetated swale/depression located in Jevne Park, that would likely support wetland emergent vegetation (if left untended). This area is located near the flag pole in the northern most part of Jevne Park. According to the sensitivity of the current delineation, there should be four more proximate wetlands identified. These areas should have been included in the wetland evaluation as they include stormwater holding capacity relative to the proposed project.

Finally, Appendix C: Topographic, Utility and Tree Survey, shows two different aerial photos for base maps (Sheet A and Appendix C-02). Appendix C-02 shows open water at 226 PR (two ponds) and open water near the flag pole in Jevne Park. The failure to use this photo for much of the rest of the report undermines its accuracy. Had I been aware of this report and its public comment period, I would have responded.

In conclusion, I would like to impress on Commissioners once again that there are likely far better ways for this body to be good stewards of taxpayer dollars than to proceed with this particular project. I don't believe there is a groundswell of support for this project in our community or on our city council. I would not hesitate to petition for further study, including an environmental assessment worksheet or other measures that may be available to our citizens.

Thank you for your consideration today!

Sincerely,

A handwritten signature in black ink that reads "Ted Hoshal". The signature is written in a cursive, flowing style.

Ted Hoshal

cc Medicine Lake City Council  
Clint Carlson, BCWMC Commissioner  
Gary Holter, BCWMC Alternate Commissioner  
Susan Wiese, BCWMC TAC  
Chris Klar, Public Works & Parks Commssioner  
Nancy Pauly, City Clerk