



## Bassett Creek Watershed Management Commission

### Minutes of Regular Meeting July 17, 2014 Golden Valley City Hall, 8:30 a.m.

#### Commissioners and Staff Present:

Crystal	Commissioner Guy Mueller, Vice Chair	Robbinsdale	<i>Not represented</i>
Golden Valley	Alternate Commissioner Jane McDonald Black	St. Louis Park	Commissioner Jim de Lambert, Chair
Medicine Lake	Commissioner Clint Carlson	Administrator	<i>Not present</i>
Minneapolis	Commissioner Michael Welch	Attorney	Charlie LeFevere, Kennedy & Graven
Minnetonka	<i>Not represented</i>	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	Linda Loomis, Chair, Plan Steering Cmtee
Pat Crough, Alternate Commissioner, City of New Hope	Christy Lueck, Golden Valley Resident
Harvey Feldman	Shawn Markham, City of New Hope
Erick Francis, TAC, City of St. Louis Park	Tom Mathisen, TAC, City of Crystal
Christopher Gise, Golden Valley Resident	Robert Mehlher
Mary Gwin-Lenth, New Hope Resident	Dick Moon, Golden Valley Resident
Shanna Hanson, Golden Valley Resident	Jeff Oliver, TAC, City of Golden Valley
Shep Harris, Mayor, Golden Valley	John O'Toole, Alternate Commissioner, City of Medicine Lake
Kathi Hemken, Mayor, New Hope	Charles 'Chuck' Schmidt, New Hope Resident
Gary Holter, Mayor, Medicine Lake	Peter Tiede, Murnane Brandt
Laura Leonhardt, New Hope Resident	Dave Tobelmann, Alternate Commissioner, City of Plymouth
Chris Long, TAC, City of New Hope	Jeff Weber, Golden Valley Resident

## 1. CALL TO ORDER AND ROLL CALL

On Thursday, July 17, 2014, at 8:34 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. The Cities of Minnetonka and Robbinsdale were absent from the roll call.

## 2. CITIZEN FORUM ON NON-AGENDA ITEMS

New Hope resident Chuck Schmidt brought forward the status of the holding pond located at 36<sup>th</sup> Avenue North, west of the Twin Cities West Railroad line, and south of Winnetka Village. He reported that the pond is full of silt and sediment and that the outlet for the pond is 90% blocked with grass and logs. Mr. Schmidt noted that the design of the outlet is probably not designed for best function because there isn't anything in place to catch the debris. He requested a solution to the issues and suggested dredging the pond and to reduce sedimentation with rip-rap.

TAC representative Tom Mathisen provided comments and said that the City of Crystal can take a look at the pond. Engineer Chandler asked if the pond is in-line with the North Branch of Bassett Creek. Mr. Mathisen said yes. Commissioner Welch recommended that the Commission add a discussion of in-line sedimentation issues to a future Commission meeting. There was discussion about referring the issue to the City and requesting that the City update the Commission Administrator on the status.

Commissioner Mueller said that he agreed that having the Commission Administrator and City Engineer work to figure out the project scope and roles of the City and Commission in this case. Commissioner Welch said that he sees three categories of issues including: sediment when it is in the flow of the creek, other public facilities, and areas of sedimentation that are on private properties. Mr. Asche added that the Joint Powers Agreement allows for a lot of different ways to get such projects done and they don't need to be exclusively city projects or Commission projects. The Commission agreed to refer the issue to the City and to have the Commission Administrator and the City look at the issue and report back to the Commission.

## 3. AGENDA

Chair de Lambert added to the Consent Agenda the ordering of a public hearing for the Commission's September 18 meeting and the direction to staff to notice the hearing. Commissioner Black moved to approve the agenda as amended. Commissioner McDonald Black seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Robbinsdale absent from vote].

## 4. CONSENT AGENDA

Commissioner Welch requested the removal of item 4D – Approval to request extension of Clean Water Fund grant for 2012 Main Stem Restoration Project. Chair de Lambert said that the item would be added to the agenda as 5E. Alternate Commissioner Jane McDonald Black moved to approve the Consent Agenda as amended. Commissioner Black seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Robbinsdale absent from vote].

[The following items were approved as part of the Consent Agenda: the June 19, 2014, Commission Meeting minutes, the monthly financial report, and the payment of the invoices]

The general and construction account balances reported in the Financial Report prepared for the July 17, 2014, meeting are as follows:

Checking Account Balance	\$685,393.47
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TOTAL GENERAL FUND BALANCE	\$685,393.47
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TOTAL CASH & INVESTMENTS ON-HAND (7/8/14)	\$3,068,173.65
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CIP Projects Levied – Budget Remaining	(\$2,865,645.33)
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Closed Projects Remaining Balance	(\$202,528.32)
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2013 Anticipated Tax Levy Revenue	\$8,756.59
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2014 Anticipated Tax Levy Revenue	\$428,419.00
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Anticipated Closed Project Balance	\$639,704.41
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## 5. BUSINESS

### A. Status of Amendment to Joint Powers Agreement

Chair de Lambert announced that eight of the nine cities have signed the Joint Powers Agreement Amendment. He reported that the ninth is the City of Minneapolis and from his understanding it is expected that the City of Minneapolis will sign it. Golden Valley Mayor Shep Harris welcomed everyone to Golden Valley City Hall and thanked them for coming to the meeting as well as for their time volunteering. He thanked the City of Medicine Lake for its hard work on this issue of the JPA amendment and thanked the other member cities' members and council people for their work.

Mayor Harris summarized the discussions with the Medicine Lake city council at the Medicine Lake city council meeting and summarized the outcomes of the conversation. He reported that the cities of Plymouth and Medicine Lake are going to continue with discussions regarding a possible study of Medicine Lake water levels.

Mayor Harris also stated that Golden Valley has now looked reflectively at the JPA amendment process and realized that its city council didn't stop to discuss issues that other BCWMC members were having. He thanked Medicine Lake Mayor Holter for bringing issues to Golden Valley's attention. Mayor Harris said that the Golden Valley city council will be conducting a work session with Mayor Holter in order to talk about the issues and interests of Medicine Lake, including recreation. Mayor Harris stated that he sees this as an opportunity to work better among cities and to hear and understand concerns of cities in the region. New Hope Mayor Kathi Hemken stated that when a mayor is frustrated and is saying that no one is listening, it either means that no one is listening or that the mayor isn't getting the answer the mayor wants. She said that when a mayor isn't getting the answers he or she wants then the member cities should step up as a group and find out how to help. Mayor Hemken said that as a group, this JPA organization can help Medicine Lake to

understand either that this organization can fix this problem or help them to go someplace else for information or help.

Medicine Lake Mayor Holter thanked everyone for helping the City of Medicine Lake.

Commissioner Welch expressed his appreciation that the BCWMC and its activities are now on the radar of more people and that those people recognize the vested interest in those activities. He raised the topic of the watershed's Next Generation Plan and said that the Commission has an ongoing planning process for the 10-year plan, which is the place to discuss activities and priorities of the Commission. He said the Commission can use all of the input it can get for the 10-year Plan, but he would be very anxious if separate dialogs are started about it outside of the planning process. Commissioner Welch also provided an update on the status of the City of Minneapolis' signing of the JPA amendment.

Chair de Lambert summarized the Commission's Next Generation Plan and the process the Commission is currently undertaking with it.

Alternate Commissioner O'Toole noted that the Commission is a cooperative association of member cities and if the member cities want to take the involvement up a level, then they can do so. He said that Plymouth, Golden Valley, and New Hope make up about 80% of the residents and property values in the watershed and if they want to step up their involvement in the leadership on issues affecting the watershed, then it is within their power to do so, and he thinks that the 10-year Plan should reflect the input on these issues.

There were comments on the current 10-year plan and points raised about the need to be very specific with the definition of recreation in the 10-year plan.

#### **B. Consider Request from Golden Valley for Additional Sample Collections on Sweeney Lake for Blue Green Algae**

Engineer Chandler talked about the discovery of blue-green algae in Sweeney Lake and provided details on the water samples, the lab tests and results and their significance. She summarized that this algae does not always produce toxins, but sometimes does and so people should not be in contact with the water. Mr. Oliver detailed the City of Golden Valley's communications to residents about the algae.

Engineer Chandler described the Commission's summer sampling schedule of Sweeney Lake. Mr. Oliver talked about the conversations that the City of Golden Valley has had with the Commission Engineer and Administrator regarding the collection of additional data on Sweeney Lake this summer.

Commissioner Welch asked if the presence of blue-green algae is related to phosphorous and asked what triggers the blooms. Commission Engineer Chandler went into detail about the lab results of the Sweeney Lake samples from before the big rains in June compared to after and said that a hypothesis is that the phosphorous that entered the lake from the rainfalls triggered the blooms.

Sweeney Lake resident Jeff Weber noted that the lake was clear before the big rains in June. He said that it seems that the system isn't designed for the worst case scenarios such as the large rains, so the system needs to be dramatically improved. Mr. Weber said that the residents want to use the lake, and if it is mandated to stay out of the lake, then it should be stated as such and not left open to interpretation.

Resident Shanna Hanson provided comments and said that as she told the Sweeney Lake Association, she has had some HAZMAT training and so is using a field test kit to test for the toxin Microcystin. She said that the kit results show that the toxin is still present in low levels in little pockets in the lake although the levels in the main pools of the lake are lower than 0.5, which she explained is an acceptable level for surface water according to the World Health Organization.

Mr. Oliver said that the City of Golden Valley would appreciate it if she would share the data. There was discussion of the procedure for determining which labs the Commission Engineer uses for processing the samples.

Northwood Lake resident Laura Leonhardt said that Northwood Lake has had quite an algae bloom as well. She said she has seen people out on the lake kayaking and stand-up paddle boarding and she is concerned about the possible presence of blue-green algae.

Sweeney Lake Resident Christy Lueck commented that she has lived on the lake for 40 years and in that time the lake has never been this bad for this long. She said that she is highly concerned and appreciates anything that the Commission can do to help.

Ms. Hanson mentioned a citizen program through the University of Nebraska in which the volunteers use kits to test for blue-green algae. She said that an idea for the Commission for next year is to buy such kits and have citizens monitor for the algae. The Commission directed Administrator Jester to look into it.

Commissioner Black moved to approve the request from Golden Valley for funds in the amount of \$1,100 for the additional sample collection and toxin analysis. Commissioner Elder seconded the motion. Commissioner Mueller asked where the funds would come from in the Commission's budget. Engineer Chandler noted that the Administrator recommended the funds come from the Commission's Surveys and Studies fund. Commissioner Welch asked if allocating these funds would mean that something else would no longer be able to get done. Commission Engineer Chandler responded "no". There was a short discussion about the additional sampling in July and August. Mr. Oliver said more sampling in the end of September may be warranted but at this point that decision is premature.

Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Robbinsdale absent from vote].

Commissioner Welch wanted to know if the Commission would know if the blue-green algae blooms were occurring on Northwood Lake. Engineer Chandler said the Commission is not monitoring Northwood Lake this summer and would have no data on algae. She said if the Commission wants something similar done on Northwood Lake such as the sampling on Sweeney Lake, the cost would be similar to the described cost of the additional sampling of Sweeney Lake.

There was discussion of getting a test kit to the CAMP volunteer for Northwood Lake to sample for the blue-green algae toxin in order to see if additional analysis is needed. Commissioner Elder said that he would talk to the City of New Hope about the City covering the cost of the kit. There was also discussion about bringing in an expert to present to the Commission information on algae.

Commissioner McDonald Black said that blue-green algae is a major issue and suggested that the Commission develop a plan to address it such as a special committee or task force. TAC member Erick Francis said the City of St. Louis Park is being contacted with questions about blue-green algae, and St. Louis Park doesn't even have any recreational lakes. He recommended that the Commission and TAC meet to specifically talk about how to approach this issue.

The Commission directed Administrator Jester and Engineer Chandler to contact other agencies in Minnesota such as the Minnesota Pollution Control Agency (MPCA), Department of Health, Department of Natural Resources to find out if they have a handle on where the blue-green algae is coming from and to report back at a top level to the Commission. The Commission also directed staff to coordinate someone coming in and educating the Commission on the issue at the August meeting.

### **C. Receive Update on Schaper Pond Diversion Project**

Chair de Lambert reported that he, TAC member Jeff Oliver and Commission Engineer Len Kremer recently met with MPCA Commissioners John Linc Stine and other MPCA staff regarding the Schaper Pond project. He reported that there was a positive reaction to the proposed project. Mr. Oliver reminded the Commission that it had authorized the feasibility report and final design for this project, and after the feasibility report was completed there were some issues with the permitting of the project. He said that due to those issues the City of Golden Valley opted not to pursue project design at that point. Mr. Oliver described the recent meeting on the project. He said he was encouraged that the MPCA Commissioner committed to finding a solution with the caveat that the City, Commission, and MPCA likely will not get everything they each are looking for and that the solution needs to be able to be applied state-wide. He described a forum that will occur later in the summer and said he'll keep the Commission apprised.

Mr. Oliver said that the City is waiting on a proposal for the design of the project and that the Commission will see the proposed agreement at the next Commission meeting. He said that he hopes that the project will be built this year.

**D. Update on Next Generation Watershed Management Plan Development**

- i. Plan Steering Committee Meeting Notes from 5/19/14 and 6/9/14

Plan Steering Committee Chair Linda Loomis provided an update on the recent meetings and the planning process.

- ii. Commission Workshop Monday, August 11 4:00 p.m. to 6:00 p.m. , Golden Valley City Hall

There was discussion of the goals of the workshop. The Commission set the workshop for Monday, August 11 from 4:00 to 6:00 p.m. at Golden Valley City Hall.

**E. Approval to Request Extension of Clean Water Fund Grant for 2012 Main Stem Restoration Project**

Commissioner Welch reported that the 2012 Main Stem Restoration Project in Wirth Park has been delayed due to a delay in receiving a permit from the U.S. Army Corps of Engineers. He summarized the project and its funding and contracting. He said that he would provide an update again at next month's Commission meeting. Commissioner Welch moved approval of requesting an extension of the Clean Water Fund grant for the 2012 Main Stem Restoration Project. Commissioner Black seconded the motion. Upon a vote, the motion carried 7-0 [Cities of Minnetonka and Robbinsdale absent from vote].

**6. COMMUNICATIONS**

**A. Administrator:** No Administrator Communications

**B. Chair:** No Chair Communications

**C. Commissioners:** No Commissioner Communications

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

**E. Committees:** No Committee Communications

**F. Legal Counsel:** No Legal Communications

**G. Engineer:**

- i. Engineer Chandler reported that the Commission Administrator asked for a follow up on reports

of a sewage discharge into Bassett Creek. Engineer Chandler said that she received confirmation of the discharge into Bassett Creek, just downstream of the Medicine Lake Outlet at the manhole on the east side of the creek. Engineer Chandler said that the report confirmed that the discharge was 1,000 gallons over an 18-hour period due to the lift station being at capacity so everything was backing up.

- ii. Engineer Chandler said that the Commission Engineer asked the Metropolitan Council to perform a trend analysis on the chloride results at the WOMP station. She said that the Met Council has done the analysis, which shows that over the 10 to 12-year sample period there is an increasing trend in chloride concentration. She said that the analysis appears to show a leveling off in more recent years but more years of data are needed before a conclusive trend can be detected. Engineer Chandler said that the Metropolitan Council says that a report will be coming.
- iii. Engineer Chandler announced that Hennepin County started a water consortium and the first meeting is on July 22. She said that she plans to attend the meeting in Administrator Jester’s absence.
- iv. Engineer Chandler noted that the recent water level of Medicine Lake reached 889.44, which perhaps wasn’t even the peak level and which is the highest measured since 1991. She reported that the recent water level on Sweeney Lake was the highest since 2005 and that the water elevations at the structure at Wirth Lake Golf Course were still high but below the levels of the 10-year event.
- v. Engineer Chandler said that she has the Department of Natural Resources June hydrology report and can have staff forward it to Chair de Lambert.

**7. INFORMATION ONLY (Available at <http://www.bassettcreekwmo.org/Meetings/2014/2014-July/2014JulyMeetingPacket.htm>)**

- A. Grant Tracking Summary and Spreadsheet
- B. WCA Notices, Plymouth
- C. Metro Blooms Collaboration with Blue Thumb
- D. WMWA April and May Meeting Minutes

**8. ADJOURNMENT**

