



## Memorandum

**To:** Bassett Creek Watershed Management Commission  
**From:** Technical Advisory Committee  
**Subject:** October 7, 2013 Technical Advisory Committee Meeting  
**Date:** October 8, 2013

The Technical Advisory Committee (TAC) met on October 7, 2013. The following TAC members, city representatives, BCWMC commissioners, and BCWMC staff attended the meeting:

City	TAC Members/Alternates	Other City Representatives
<b>Crystal</b>	Absent	
<b>Golden Valley</b>	Jeff Oliver, Joe Fox	
<b>Medicine Lake</b>	Absent	Commissioner Clint Carlson
<b>Minneapolis</b>	Lois Eberhart	
<b>Minnetonka</b>	Liz Stout	
<b>New Hope</b>	Chris Long, Bob Paschke	Alt. Commissioner Pat Crough
<b>Plymouth</b>	Derek Asche	
<b>Robbinsdale</b>	Richard McCoy	
<b>St. Louis Park</b>	Perry Edman	
<b>BCWMC Staff</b>	Jim Herbert and Karen Chandler (Barr Engineering), Laura Jester (Administrator)	

Oliver opened the meeting at 8:34. Introductions were made around the table. There were no communications by members to report.

The Technical Advisory Committee (TAC) forwards the following recommendations to the Commission for its consideration. This memorandum presents the TAC's recommendations relating to 1) the use of Commission development reviews by member cities; 2) the development of criteria for feasibility studies; and 3) review of the revised memo on the XP-SWMM model.

### 1. Cities Report on Their Use of Commission Development Review Process

Each city (except Crystal and Medicine Lake) answered the following questions at the meeting. See responses below.

1. Do you send proposed development and/or redevelopment projects to the Commission for review?
2. At what point in your city's permitting process do you require/recommend the Commission's review?

3. Is the Commission's project review a requirement for proposed developments/redevelopments in your city?
4. How does your city use the Commission's review within its permitting program?
5. Do you believe the Commission's review adds value to your permitting program and/or ultimately aids in the improvement or protection of water resources? Why or why not?
6. Do you have recommendations for improving the Commission's role in project reviews?

**Golden Valley:** The city screens all projects and sends those projects to the Commission that fall within the triggers as specified in the Commission's Requirements for Improvements and Developments Document (Requirements Document). The City makes sure all city concerns are addressed (such as grading, rate control, storm water management) and then forwards to the Commission Engineer for review. The city permit is not issued until the project has Commission approval.

It was noted that there is a difference between the Commission's administrative review which does not require Commission action, and other projects that DO require Commission action such as work in a floodplain or on a streambank. Crough wondered if the commissioners receive enough notification about projects happening in their cities that require Commission review. It was noted that the current process was developed after careful consideration by the Commission and TAC. Jester noted that now would be a good time to revise the process if that is the Commission's desire and that this topic would be the subject of discussion at next week's Commission workshop.

Oliver indicated that the Commission's review process adds value to their permitting program and ultimately aids in the improvement of water quality. This is particularly true because the Commission acts as the regulator rather than the city which is sometimes more effective. The city does not recommend changes to the review process.

**Plymouth:** The city reviews projects either through staff or a City Planning Commission and suggests revisions to the developer. Revised plans are then sent to the Commission Engineer for review per the triggers in the Requirements Document. Plymouth sometimes finds it cumbersome the varying rules and review triggers of the four watersheds in the city. Asche noted this is also difficult for developers.

Asche reported that Commission reviews do add value to the city's process. Both Commission and City comments on the plans are used by developers to make revisions. He hoped there would be (at least) a conversation between/among neighboring watersheds about make uniform triggers for review. Asche noted the MPCA's Construction Activity threshold of one acre of disturbed land would be an easy and consistent trigger threshold for the Commission to consider.

[Aside: Cities are working with property owners to maintain practices that are required by the Commission to make sure practices continue to work properly but this is a big challenge.]

**Minneapolis:** Project review processes between city and Commission are complementary and parallel. However, the City doesn't look for evidence that the project has been reviewed by the Commission and thus does not require Commission review and approval. It's the responsibility of the applicant to come to the Commission. There are very few projects within the Commission's portion of Minneapolis. However, the Commission's role was invaluable with the Twins Stadium development, the Van White bridge project, and a townhouse project (that's now outside the current Commission boundaries). Eberhart noted that although the city is in different watersheds, the geography is different among the watersheds so different review triggers are not a problem.

Eberhart noted that nothing about current process is troublesome and she appreciates that the Commission Engineer asks the City when the Commission review should take place. When the Commission does review and comment on Minneapolis projects, there is value added when it comes to issues with the tunnel and rate control. Eberhart had no recommendations for improvement of the process. She noted the process works well, is respectful, and she is impressed with continuity of the Commission's Administrative reviews.

**New Hope:** The City reviews plans and determines if Commission review is necessary. If so, the developer is asked to contact the Commission. City staff meet with the applicant, then the applicant meets with the City's Planning Commission. The Commission review could be going on concurrently with city reviews. Typically, Commission comments are received in time to be reviewed by the City's Planning Commission before final approval. City approvals are contingent on Commission comments. Long reported the Commission's review process does add value and had no recommendations for improvement. He noted that the city is in two different watersheds (Shingle and Bassett) but did not find the different review triggers an issue.

**Robbinsdale:** The City has very few projects in the watershed that meet the thresholds of the review process as that part of the city is almost entirely residential. The most recent city projects that required Commission review were city street reconstruction projects. If a project does meet thresholds, the city would advise the developer to get Commission review and would use any approval conditions from Commission in city permit approval. McCoy reported the review process is a useful resource, and had no recommended changes.

**St. Louis Park:** Same comments as Robbinsdale. Edman noted that the city won't process any permits without watershed approval.

**Minnetonka:** Again, not many projects in the city in the watershed. However, there have been some larger projects that were reviewed by the Commission. Although Commission comments are considered for the project (and are reportedly helpful, especially for larger projects), city permits are not contingent on Commission approval due to legal advice by the city attorney. The city tends to have stricter requirements. Stout did not have any recommendations for improvements to the review process.

## **Recommendations**

The TAC recommends the following with regards to the Commission's Development Review Process.

1. The Commission review process is not duplicative of city review processes and should continue without major changes.
2. Commission should review and update "alternate methods" and include them as "approved" in the Requirements Document as many of the practices are commonplace and should not be considered "alternate."
3. The use of underground treatment and other "alternate methods" that are now commonplace should go through an administrative review instead of review and approval by the Commission. Administrative review carries just as much weight as a Commission review but often aids in providing timely approval, especially to residential permit applicants. Other Commission review thresholds are still appropriate.

There was discussion about the Commission's standards and the possible updating of the Requirements Document. It was noted the Requirements Document is a "free standing document" and could be revised

outside of the Watershed Management Plan Update process. Eberhart commented that revisions outside of the Watershed Management Plan Update process could trigger additional, unscheduled Local Surface Water Management Plan updates by member cities. Therefore there was consensus that if standards are to change, ideally those changes would be incorporated into the updated Plan, rather than on a separate timeline.

## **2. Develop Criteria for Feasibility Studies**

Asche began the discussion stating the Commission was looking for a way to have similar components in all Commission feasibility studies. Eberhart voiced concern whether limiting preparation of feasibility studies to firms in the Commission's Engineering Pool, and requiring detailed alternatives analysis, would duplicate work already done by cities, adding time and cost to projects without adding additional value. Oliver commented that the Commission is the union of the cities and that perhaps this is being forgotten. He noted the cities are not doing projects that are counter to Commission goals, but in harmony with Commission goals. There were further comments that the watershed formed as a joint powers organization to streamline programs and be more efficient; it should be in sync with its member cities. Oliver noted the proposed list of feasibility study criteria as stated in the TAC agenda were already routine components of the studies. Eberhart commented that cities should be not required to use only engineering firms on the Commission's Engineering Pool if cities are using different consultants on the projects since this would entail additional time and cost. She would like more flexibility to use different firms.

There was discussion of the relatively new CIP flowchart and how the Commission will be able to review and offer comments about projects at more points along a project's implementation. There was also discussion about various criteria that could be included for feasibility studies.

Engineer Chandler reminded the group that Barr Engineering does not review feasibility studies in detail on behalf of the Commission (because they have not been so directed). It was noted that a Barr review for the Commission would result in additional up-front costs of each project.

### **Recommendations**

The TAC recommends the following criteria for feasibility studies of Commission-funded projects:

1. Commission-funded feasibility studies will be performed by a firm within the Commissions' engineering pool or by city staff
2. Feasibility studies will include permitting requirements of alternatives
3. Feasibility studies will clearly analyze multiple alternatives for the desired outcome with enough specificity for the Commission to judge the merits of each alternative
4. Feasibility studies will clearly analyze and report pros and cons of each alternative
5. Feasibility studies will include estimates for annualized costs per pound pollutant removal
6. Feasibility studies will identify which Commission objectives (from Watershed Management Plan) are being addressed by various options, including multiple objectives (e.g. flood control, water quality, aesthetics, habitat, recreation, education)
7. Feasibility studies will address estimates of costs for each alternative that are appropriate for the level of detail in the study
8. Feasibility studies will include the estimated life span of the alternatives
9. Feasibility studies will include a "30-year cost" for alternatives (for consistency among projects and alternatives) no matter the estimated life span of the project
10. Feasibility studies will evaluate new and/or innovative approaches or technologies, as appropriate

An additional related TAC recommendation: The Commission should update, reorganize, and maintain its website so that all documents and updates for a particular CIP project could be easily found in one location on the website.

### **3. Review Revised XP-SWMM Memo**

The group discussed the revised draft memo that would go to the Commission from the TAC regarding the completed XP-SWMM model. Engineer Chandler noted that the revised memo includes details on why updates to the model are needed. Jester recommended adding headings using the words “Uses of the Model” and “Limitations of the Model” so it’s more clear to Commissioners. Eberhart suggested defining and describing “calibration.” The group agreed that the third recommendation should be revised to eliminate mention of the FEMA floodplain maps, as it’s premature and instead should focus on sharing revised flood level information with the cities and the Commission. The group agreed the recommendations section of the memo should be strengthened to better indicate the importance (to the cities) of the updated models and the fact that this project is a good example of efficiency and consistency gained through the work of the Commission. This would indicate a strong support of future expenditures. Eberhart wondered if cities could handle a large one-time expense to complete the model updates. Jester noted that was a good discussion to have when considering the 2015 budget. There was some discussion about the recommended stream gaging and whether or not that could fit into the 2014 budget. Additionally, Table 1 should be referenced in the recommendations section and vice versa.

### **Recommendations**

The TAC recommended that the Commission Engineer make the requested changes to the memo and forward to the Commission at their November or December meeting.

The TAC meeting adjourned at 10:30 a.m. The next TAC meeting will likely be held on November 7<sup>th</sup> at 1:30 p.m. Agenda items for that meeting include the preliminary development of the 5-year CIP list and some items related to the Watershed Plan development.

### **Future TAC Meeting agenda items:**

1. Developing guidelines for annualized costs per pound pollutant removal for future CIP projects (Commissioner Carlson wondered if this was a more pressing item in light of the City of Plymouth’s recent issues with the Four Season’s Mall Area Water Quality Project. The TAC agreed there are more pressing issues dealing with the Watershed Management Plan right now, but that this item would definitely be addressed as soon as time allowed.)
2. Stream identification signs at road crossings
3. Blue Star Award for cities
4. ~~Emerald Ash Borer and how ash tree removal should be considered during restoration projects (Rainbow Tree Care has offered to give a presentation)~~ This item was removed from the future agenda items at the request of the TAC. Individual cities can receive presentations from Rainbow Tree Care if they wish. Minneapolis is concerned about unintended environmental impacts of insecticide use for ash trees.
5. Look into implementing “phosphorus-budgeting” in the watershed – allow “x” pounds of TP/acre.
6. Discuss issues/topics arising Next Generation Plan process.