



Bassett Creek Watershed Management Commission

A g e n d a

11:30 a.m., Thursday, June 17, 2010

Golden Valley City Hall – 7800 Golden Valley Road, Golden Valley 55427

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA AND CONSENT AGENDA** - Items marked with an asterisk (*) will be acted on by consent with one motion unless a commissioner requests the item be removed from the consent agenda.
3. **CITIZEN INPUT ON NON-AGENDA ITEMS**
4. **ADMINISTRATION**
 - A. Presentation of May 20, 2010, Meeting Minutes *
 - B. Presentation of Financial Statements *
 - C. Presentation of Invoices for Payment Approval
 - i. Kennedy & Graven – Legal Services thru April 30, 2010
 - ii. Barr Engineering – Engineering Services thru May 28, 2010
 - iii. Watershed Consulting, LLC – Geoff Nash Administrator Services thru May 31, 2010
 - iv. Amy Herbert – May Administrative Services
 - v. D'amico Catering - June 2010 Meeting Catering
 - vi. HCES – Participation in River Watch 2009
 - vii. MMKR – Audit Progress Billing Through April 30, 2010
 - D. Approval of BCWMC's Annual Liability Insurance Renewal and Motion to Waive or Not Waive the Monetary Limits on Municipal Tort Liability
5. **NEW BUSINESS**
 - A. General Mills Pedestrian Bridge: Golden Valley (*see Barr memo*)
 - B. Request from City of Medicine Lake to Conduct Hydrologic/ Hydraulic Analysis and Environmental Assessment of the Medicine Lake Dam at Bassett Creek (*see Barr memo*)
6. **OLD BUSINESS**
 - A. Medicine Lake Local Water Management Plan (*see Barr memo*)
 - B. Weir on Sweeney Lake (*verbal update*)
 - C. Approval of BCWMC's draft 2011 Budget (*see June 9th draft 2011 budget & levy tables. Full Budget and Levy document posted online*)
 - D. TAC Recommendations (*see TAC memo – posted online*)
 - E. TMDL Updates:
 - i. Sweeney Lake TMDL (*verbal update*)
 - ii. Medicine Lake TMDL (*verbal update*)
 - iii. Wirth Lake TMDL (*verbal update*)
 - F. Update on 2010 Clean Water Fund Grant for Plymouth Creek and Bassett Main Stem Restoration Projects (*verbal update*)
 - G. Education Committee (*see June 4, 2010, meeting minutes*)
 - i. Approval of Agreement for Administrative Services for WMWA (*see Agreement*)
 - ii. Approval of Education and Public Outreach Expenditures for documenting Oral History of the BCWMC and the Bassett Creek Watershed
 - iii. Update on WMWA Education and Outreach Plan (*see Plan*)
 - H. BCWMC's Major Plan Amendment – Update/ Timeline
7. **COMMUNICATIONS**
 - A. Chair
 - B. Administrator
 - C. Commissioners
 - D. Committees
 - E. Counsel *
 - F. Engineer

(CONTINUED)

8. INFORMATION ONLY

A. Administrative Reviews and Erosion Inspections (*see memo*)

9. ADJOURNMENT

Bassett Creek Watershed Management Commission

Minutes of the Meeting of May 20, 2010

1. Call to Order

The Bassett Creek Watershed Management Commission (BCWMC) was called to order at 11:30 a.m., Thursday, May 20, 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>	<i>Not represented</i>	<i>Engineer</i>	Karen Chandler
<i>Minneapolis</i>	<i>Not represented</i>	<i>Recorder</i>	Amy Herbert
<i>Minnetonka</i>	<i>Not represented</i>		
<i>New Hope</i>	<i>Not represented</i>		
<i>Plymouth</i>	Commissioner Ginny Black, Vice Chair		
<i>Robbinsdale</i>	Commissioner Wayne Sicora		
<i>St. Louis Park</i>	Commissioner Jim deLambert		

Arrived after roll call: Alternate Medicine Lake Commissioner Ted Hoshal; Minneapolis Commissioner Michael Welch, Treasurer; New Hope Commissioner John Elder

Also present: Derek Asche, BCWMC Technical Advisory Committee, City of Plymouth
Jack Frost, Metropolitan Council Environmental Services
Kari Geurts, Golden Valley Resident
Dave Hanson, Alternate Commissioner, City of Golden Valley
Tom Mathisen, BCWMC Technical Advisory Committee, City of Crystal
Richard McCoy, BCWMC Technical Advisory Committee, City of Robbinsdale
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
Jim Vaughn, BCWMC Technical Advisory Committee, City of St. Louis Park

2. Approval of Agenda and Consent Agenda

Commissioner Black moved to approve the Consent Agenda, which included the presentation of the April 15, 2010, minutes, the May 2010 financial report, and the communications from the BCWMC's Counsel. Commissioner Sicora seconded the motion. The motion carried unanimously with five votes in favor [Cities of Medicine Lake, Minneapolis, Minnetonka, and New Hope absent from vote].

Chair Loomis requested the addition to the Agenda of item Cvii – an invoice from MMKR for audit services. Commissioner Black moved to approve the agenda as amended. Commissioner Langsdorf seconded the motion. The motion carried unanimously with five votes in favor [Cities of Medicine Lake, Minneapolis, Minnetonka, and New Hope absent from vote].

3. Citizen Input on Non-Agenda Items

No citizen input on non-agenda items.

4. Administration

- A. Presentation of the April 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 May 2010 Financial Report:

Checking Account Balance	665,521.17
<i>TOTAL GENERAL FUND BALANCE</i>	<i>665,521.17</i>
Construction Account Cash Balance	2,066,786.35
Investment due 10/18/2010	533,957.50
Investment due 1/21/2015	500,000.00
<i>TOTAL CONSTRUCTION ACCOUNT BALANCE</i>	<i>3,100,743.85</i>
<i>-Less: Reserved for CIP projects</i>	<i>2,764,883.52</i>
<i>Construction cash/ investments available for projects</i>	<i>335,860.33</i>

- C. Presentation of Invoices for Payment Approval.

Invoices:

- i. Kennedy & Graven – Legal Services through March 31, 2010 - invoice for the amount of \$2,781.04.
- ii. Barr Engineering Company – Engineering Services through April 30, 2010 - invoice for the amount of \$34,958.25.
- iii. Watershed Consulting, LLC – Administrator Services April 15 – April 30, 2010 – invoice for the amount of \$1,831.69.
- iv. Amy Herbert – April Administrative Services - invoice for the amount of \$4,263.26.
- v. D'amico Catering – April 2010 meeting catering – invoice for the amount of \$393.91.
- vi. Hamline University – 2010 participation with Metro WaterShed Partners – invoice for the amount of \$5,000.00.
- vii. MMKR – Audit Services – Third progress billing – invoice for the amount of \$2,500.

[Alternate Commissioner Hoshal arrived.]

Commissioner Black moved to approve all invoices including the added invoice vii – MMKR – Audit Services. Commissioner Langsdorf seconded the motion. By call of roll, the motion carried unanimously with five votes in favor. [City of Medicine Lake abstained from the vote; Cities of Minneapolis, Minnetonka, and New Hope absent from vote].

[Commissioner Elder arrived].

5. New Business

- A. **2010 Plymouth Street Reconstruction Project: Plymouth.** Ms. Chandler explained that the project is in front of the Commission because the project consists of street reconstruction that will disturb more than five acres and she reminded the Commission that street reconstruction projects of less than five acres do not come in front of the Commission. She stated that the project is located near Parkers Lake and involves 3.4 miles of residential street reconstruction. Ms. Chandler said that 18 acres of the watershed will be disturbed and that the project will decrease the impervious surface area by 0.33 acres because some roads and intersections will be narrowed.

Ms. Chandler reported that the Commission Engineer recommends adding one more sump manhole than was proposed and that the Commission Engineer recommends approval of the permit with the recommendations a- f that are listed in the Engineer's May 13, 2010, memo describing the permit review.

Commissioner Black moved to approve the permit contingent on the recommendations of the Commission Engineer. Commissioner Elder seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minneapolis and Minnetonka absent from vote].

- B. **South Shore Drive Emergency Utility Repair: Plymouth.** Ms. Chandler explained that the location of the needed repair is south of Medicine Lake. She said that south of South Shore drive there is a Metropolitan Council sanitary sewer line that is failing. She explained that this is an emergency project to replace a sagged PVC pipe and a fractured reinforced concrete pipe and that since it is an emergency repair, the project could proceed without the Commission's review but the timing of the repair and the Commission's meeting provide the Commission with an opportunity to provide feedback on the proposed repair. Ms. Chandler said the approach proposed for repairing the pipe includes replacing the fractured pipe with ductile iron pipe, which will be supported in order to compensate for movement, which was the cause of the sagging and fracture in the pipe.

Ms. Chandler said the Commission Engineer has not seen the design plan so the Commission Engineer recommends that the Commission make a conditional approval based on the Engineer's review and approval of the final plans, including the diversion and dewatering plans, prior to the repair.

Alternate Commissioner Hoshal moved to approve the repair project contingent on the Engineer's review and approval of the plans. Commissioner Sicora seconded the motion. The motion carried unanimously with seven votes in favor [Cities of Minneapolis and Minnetonka absent from vote].

- C. **South Shore Drive Bridge: Plymouth.** Ms. Chandler reminded the Commission that it discussed this project in February 2010 and the Commission conditionally approved the project and sent a letter to the City of Plymouth requesting that the low chord of the bridge be raised to be at or above the 100-year flood level and requesting that other conditions be met as detailed in the Engineer's May 13, 2010, memo. Ms. Chandler reported that the Commission Engineer has received a response from the City of Plymouth stating that the City does not want to raise the bridge due to various concerns. Ms. Chandler said the Commission Engineer is waiting for the receipt of information from the City's consulting engineer regarding what, if any, impact the proposed bridge would have on the flood level. She said the project is coming back in front of the Commission since the City did not meet the Commission's request regarding raising the bridge above the 100-year flood level and so the Commission needs to address the issue again. Ms. Chandler said the Commission could table the discussion until it receives the technical data due from the City's consultant, or the Commission could conditionally approve the design contingent on final review and approval of the Commission Engineer and the Engineer's satisfaction that there will not be impacts on the flood level upstream, or the Commission could request that the City of Plymouth revise the bridge design so that the low chord is above the 100-year flood level.

[Commissioner Welch arrived.]

Commissioner Black said that her concern is regarding the residents on either side of the bridge, whose homes are lower than the current bridge elevation. She commented that her concern is whether an elevation change to the bridge would cause runoff into those properties and homes. Commissioner Black stated that City staff want to keep the bridge at the elevation it is at in the Mn/DOT-approved plan and she added that if that elevation changes, then Mn/DOT would likely have to review the plan again and reapprove it.

Mr. Mathisen asked if Mn/DOT was okay with the plan the way its drawn and with the low chord level being below the 100-year flood level. Commissioner Black responded that Mn/DOT approved the plan. Ms. Chandler added that in the approved plan there is an error in the listed 100-year flood level. She said the plan lists the 100-year flood level as 889.4 feet, which is incorrect for the upstream side of the bridge. Ms. Chandler said the correct elevation is 890.3 feet. Mr. Mathisen asked if Mn/DOT has seen that correction and Ms. Chandler replied that she did not know and that perhaps the City's consultant for the project would know.

Mr. Oliver asked Mr. Asche if the cross sectional area would be increasing or decreasing for flow. Mr. Asche replied that the City received verbal information from Bonestroo, the City's consultant on the project, that the existing cross-sectional opening is 81 square feet and the proposed opening is 93 square feet, which would be a little more area for water to pass under. Ms. Chandler commented that the existing structure's low chord is above the 100-year flood level, which means it is a free flow, but the Commission Engineer does not yet know if there would be pressure underneath the bridge that could cause the water to back up. Mr. Asche stated that Bonestroo has verbally communicated to the City that the new bridge could handle 1,000 or higher cubic feet per second and that the 100-year flow would be 192 cubic feet per second. Mr. Asche said that the delay in getting information to the watershed is because Bonestroo needs to rerun a model, which it has started. Mr. Asche said the City staff prefers the Commission to make a conditional approval based upon providing data to the Commission Engineer that satisfies the watershed that the flow under the bridge would not be a problem.

Ms. Chandler said the Commission Engineer has not seen enough information to recommend approving the permit but would be comfortable with a conditional approval that would be based upon the Engineer's review of the data when it arrives and the satisfaction of the Engineer from the review that the water would not flood any higher. She said if the Commission Engineer was not satisfied after the review of the technical data then the Engineer would bring the issue back to the Commission. Ms. Black moved to approve the permit contingent on the Commission Engineer's approval. Commissioner Sicora seconded the motion. The motion carried unanimously with seven votes in favor [City of Minneapolis abstained from the vote. City of Minnetonka was absent from the vote].

- D. Request from Medicine Lake to review its Local Water Management Plan (LWMP). Ms. Chandler explained that last week the Commission received the LWMP from Medicine Lake for the Commission's review and comment. Ms. Chandler added that if Barr is authorized to review the plan, the review could likely be completed in time for discussion at the June Commission meeting. Commissioner Welch moved to authorize staff to review the Medicine Lake Local Water Management Plan for conformance to the Commission's *Watershed Management Plan* and to bring recommendations and comments back to the Commission at its June meeting. Commissioner Elder seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from the vote].

6. Old Business

- A. **Weir on Sweeney Lake.** Ms. Chandler reminded the Commission that at its last meeting the Commission directed the Commission Engineer to look into modifications made at the Sweeney Lake outlet. Ms. Chandler pointed out features of the Sweeney Lake outlet structure photos in the May 13, 2010, Engineer's Memo. She said that the modification was put in at about two-tenths of a foot higher than the original structure, which may have been installed because erosion on the south side of the weir has lowered the lake outlet elevation approximately six inches. Ms. Chandler said the Commission Engineer's recommendation is that the original structure should be replaced with one that is tied into the earth on either side to eliminate erosion. She said that in the meantime the Commission should consider directing the removal of the modification and directing the replacement of the original control structure while ensuring that the original outlet elevation is maintained. Ms. Chandler said the Minnesota Department of Natural Resources (DNR) did not have any record of a permit for either of the structures and indicated that the newer, masonry wall could be removed without a permit and that if there is temporary shoring up of the original structure that needs to occur then it could be done without a permit. She said that the DNR stated that replacing the outlet structure would require a permit. Ms. Chandler said that as far as the Commission Engineer could find out, no one owns the outlet.

Commissioner Welch commented that work in public waters requires a permit. He said he thinks the Commission should find the official mapped elevation of the lake because theoretically there are FEMA and floodplain issues associated with the work. Commissioner Welch also thought the Commission should get a ballpark cost estimate of the project broken down by component.

Mr. Oliver commented that the City of Golden Valley would like to see a more detailed study on options for the next step. He said the City would be willing to do the removal of the masonry wall and short-term wing wall expansion although the City would ask for funding participation on the maintenance given the fact that this is a major flood storage area for the watershed. He requested that the Commission authorize additional investigation in order to determine what is practical and the cost scope.

Commissioner Black said the Commission needs to find out the official elevation of the outlet. Chair Loomis said the City has that information. Commissioner Black said she assumes that any new structure that goes in would need to be at that official elevation. Commissioner Black moved to have the City of Golden Valley make any minor modifications that they deem helpful and to explore options for what should go in there as well as what are some of the funding options available. Mr. Oliver requested that the Commission Engineer would generate the report on the options. Ms. Black amended her motion to state that the City make any minor modifications to the structure that the City deems necessary at this time and for the Commission Engineer to evaluate options for replacement and to include cost estimates and to identify potential partners. Commissioner deLambert seconded the motion but asked what the City of Golden Valley would do for a short-term stabilization. Mr. Oliver remarked that if this motion is approved, the City would like to meet with the Commission Engineer to talk about what would be an effective interim measure to stop the flow around the weir and then to implement that measure.

Commissioner Welch commented that the Commission can't direct the City to take action about repairing the weir. Commissioner Welch requested a friendly amendment to the motion to ask the Commission Engineer to work with the City to develop options and the range of cost for short, medium, and long-term solutions and to address the permitting and ownership issues and any other legal information the DNR may have and for the Commission Engineer to report back at the June meeting. Commissioner Black stated that she approved the friendly amendment. Commissioner Welch asked if there is a certain budget line to which to allocate the work described in the motion. Ms. Chandler suggested that the cost could be allocated to the surveys and studies budget. Administrator Nash asked if the Commission wanted him to do anything with this item. Chair Loomis commented that he could work it out with the Commission Engineer. Commissioner

Welch asked Ms. Chandler to carbon copy Administrator Nash on communications. The motion carried with eight votes in favor [City of Minnetonka absent].

- B. **Order Feasibility Reports for Main Stem and North Branch Projects Listed in Major Plan Amendment.** Chair Loomis said that the reach of the Main Stem listed in the Engineer's memo is incorrect and that the project actually is from Duluth Street to Westbrook Road. She reminded the Commission that the Main Stem and the North Branch channel restoration projects were in the Commission's CIP for 2012 but because of the grant awards, the Commission decided to move the two projects to 2011, which is why the Commission needs the feasibility reports prepared. Mr. Mathisen reported that the City of Crystal's City Council had a work session this week on the North Branch project and he asked if the funds for the project will be collected in 2011. Mr. LeFevere said if the project is certified to the County to be levied this year, the BCWMC would receive the funds from the County in July and in December of 2011. Ms. Herbert commented that the Commission had previously discussed that its goal is to have its major plan amendment for these two projects approved this year in time for the two projects to be included in the Commission's certification of the levy that is due to the County by October 1st. Commissioner Welch commented that he had volunteered to follow up on the plan amendment with Brad Wozney of BWSR and will do so and will also convey to him the Commission's schedule.

Commissioner Welch moved to approve staff to complete the two feasibility reports at a cost of \$29,970.00. Alternate Commissioner Hoshal seconded the motion. Commissioner Black stated that she is uncomfortable with the Commission not going out for a bid on this work. She said she knows that in this case creating a request for proposals and going out for a bid would delay the process and the Commission does not have time for a delay but she would like the Commission in the future for these kinds of things that are outside of development review to go through an RFP process. Alternate Commissioner Hoshal asked if the Commission has a stated policy on going out for bidding. Commissioner Black said no. Alternate Commissioner Hoshal commented that perhaps the Commission should have such a policy. Commissioner Sicora added that moving forward he would like to see the Commission use an RFP process but that the Commission should also reserve the right to direct staff to conduct the studies. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

Commissioner Welch moved to establish a Commission policy of issuing electronic requests for bids for all feasibility studies. Commissioner Black seconded the motion. Commissioner Welch modified his motion to direct staff to create a policy regarding the Commission submitting RFPs for feasibility studies. Commissioner Black approved the friendly motion. Mr. Mathisen suggested that the Commission consider establishing a pool of consultants to which the Commission would send the RFPs in order to ensure the bids come in from consultants that have the areas of technical expertise that the Commission wants and to also reduce the number of RFPs that the Commission would need to evaluate for each bid. Commissioner Welch commented that staff can structure the process in that way. Mr. Oliver remarked that he understands the Commission's concept but stated that the RFP process can be very expensive and recommended that the Commission forward the issue to the TAC to discuss and make recommendations on the process and potential consultant pool. Administrator Nash commented that he thought that the TAC's opinion on this issue would be important. Commissioners Welch and Black agreed with the friendly amendment to ask the TAC to review the issue and develop recommendations for the Commission. The motion carried with eight votes in favor [City of Minnetonka absent from vote].

C. **TAC Recommendations.**

- i. **CIP Work Group.** Mr. Oliver reported that the TAC recommends that at least two if not three TAC members participate in the group. He said that the TAC members from Plymouth and Golden Valley are the representatives. Commissioner Welch commented that it would be nice to have a third representative and requested that the TAC name a

third representative. Chair Loomis directed Administrator Nash to organize a meeting of the CIP Work Group.

- ii. **Medicine Lake TMDL.** Mr. Asche reported that the TAC reviewed the draft Medicine Lake TMDL and added that the review was outside of the 30-day comment period and the MPCA afforded the Commission the review opportunity. He explained that the May 11, 2010, memo to the Commission from the TAC states the TAC recommended changes to the text of the TMDL. He said that in summary the comments highlight questions to the MPCA about internal loading details, monitoring details such as how the monitoring should take place, and implementation plan details. Commissioner Black asked about the TAC's questions regarding internal loading. Mr. Asche replied that the TMDL discusses three major forms of internal loading and the TAC's concern is that with the current language in the TMDL even though the MPCA doesn't have regulatory oversight of the internal load, the TMDL as written will affect the MS4s abilities to meet the goals of the TMDL.

Commissioner Welch asked Ms. Chandler if the Commission Engineer agrees that the comments listed in the TAC memo are the right comments to send to the MPCA to address the Commission's concerns. Ms. Chandler responded that staff is comfortable with submitting these comments. Commissioner Black stated that she feels that the comments are irritating to the MPCA and that it doesn't seem like a good idea to irritate the MPCA keeping in mind that the Commission submits funding requests to the MPCA. Mr. Oliver replied that the TAC's goal was not to aggravate the MPCA but to ask the MPCA for clarification in the TMDL in order to provide long-term assurances that will protect the MS4s and the Commission. Mr. Asche suggested that the Commission present official comments to the MPCA in a way that is more workable to the MPCA. Commissioner Welch agreed with the idea of addressing the matter of the tone of the Commission's comments. Administrator Nash reported that he spoke on the phone with Ms. Asleson of the MPCA this morning and that he sensed that she is frustrated and that she commented that the internal load issues will not be modified in the TMDL because they are beyond the MPCA's leeway. Administrator Nash remarked that if the Commission officially sends in the comments that it shouldn't be surprised if they result in no changes to the TMDL. Ms. Chandler added that Ms. Asleson communicated to Mr. Kremer of Barr Engineering that "the MPCA doesn't mean that the MS4s will be required to reduce the internal load." Ms. Chandler explained that the TAC wants that assurance captured in the TMDL.

Commissioner Black moved to approve submitting Commission comments to the MPCA by modifying the comments in the TAC memo as follows: Eliminating section 4.1, eliminating section 4.3, revising the first comment of section 5 to state that "the Commission will coordinate the sampling and collection of data," eliminate in the implementation plan section 1.5 and the final comment of section 2.3. Commissioner Welch made a friendly amendment to Commissioner Black's motion to authorize Administrator Nash to work with the Commission Engineer to modify the Commission's comments and to draft a cover letter that emphasizes that the Commission's paramount goal is to continue working with the MPCA to improve the water quality of Medicine Lake and that the Commission recognizes that internal loading is a difficult issue that needs to be addressed by all parties. Alternate Commissioner Hoshal seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

D. TMDL Updates:

- i. **Sweeney Lake TMDL.** Ms. Chandler introduced the table prepared by Ron Leaf of SEH that addressed the Commission's comments and the comments from the TAC, the City of

Golden Valley, Commissioner Welch, and Alternate Commissioner Hanson. She pointed out that the TAC's comments to the MPCA include the Commission's comment that the TMDL change the proposed external load reduction back to the originally stated 99 pounds from the MPCA's recommended increase to 150 pounds. Commissioner Welch remarked that the Commission requested that table that lists load allocations on page 29 be removed and asked again that it be removed. He also stated that comment S4 on page 1 should not state that the "BCWMC has determined to choose the categorical allocation option with full understanding of the role" but instead should state that "the Commission is proceeding in good faith to coordinate among all parties on how to implement the TMDL."

Commissioner Welch moved for the Commission Engineer to deliver the Commission's changes to the comments to Ron Leaf of SEH for revision of the TMDL and submittal of the revised TMDL to the MPCA and for all communications to be carbon copied to Administrator Nash. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].

- ii. **Wirth Lake TMDL.** Ms. Chandler reported that the Commission received the draft Wirth Lake TMDL last week after the meeting packet had been sent out but that the electronic copy was part of the online meeting packet for Commission review. She stated that comments are due back to the MPCA by May 28th and that a public meeting is planned for early June unless a stakeholder quickly takes the action to ask the MPCA for a longer comment period, in which case the public meeting could be delayed. The Commission indicated that it did not feel the need to request any delay.

- E. **Discuss and Approve BCWMC 2009 Annual Report.** Commissioner Black recommended two changes to the Executive Summary. Commissioner Welch remarked that a footnote to the pie chart explaining the categories would be nice if it fit. Commissioner Welch moved to approve the BCWMC's 2009 annual report with the changes noted by Commissioner Black and for staff to submit the report to BWSR. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].
- F. **Request from the Mississippi WMO to review draft revised Watershed Management Plan.** Ms. Chandler reported that the Commission received notice that the plan will be sent to the Commission. She said the Commission Engineer recommends that the Commission spend less than \$1,000 for the Commission Engineer to make a cursory review of the plan. Commissioner Welch said he would be interested in hearing highlights from the plan. Commissioner Elder moved to approve that the Commission Engineer conduct the review and provide comments to the Commission with a cost limit of \$1,000. Commissioner Black seconded the motion. The motion carried unanimously with eight votes in favor [City of Minnetonka absent from vote].
- G. **BCWMC's Draft 2011 Budget.** Commissioner Welch asked Ms. Chandler about the \$18,000 budget for line item 8: 2011 Commission and TAC meetings. Ms. Chandler explained that the budget assumes that the TAC will meet monthly in 2011 but if the TAC reverts to its every-other-month meeting schedule then the budget figure could be reduce to \$13,000 and line item 6: 2011 Technical Services be reduced to \$110,000 based on the same TAC meeting reduction. The Commission decided to make those two changes. Commissioner Sicora recommended that line item 36: TMDL Studies be reduced to 0 and the Commission agreed to make that change. Commissioner Langsdorf recommended reducing line item 28: Watershed Education Partnerships to \$14,500 in anticipation of working through the West Metro Watershed Alliance to contribute to NEMO. The Commission agreed to make the change. Ms. Chandler reported that the Commission has been notified by the Three Rivers Park District (TRPD) that it will not be able to provide sampling work or water quality analysis in 2011 and that for the Commission to use someone else

to collect samples and to use a commercial lab to analyze the samples would require a \$4,000 increase in line 10: Water Quality/ monitoring. The Commission agreed to increase line 10 to \$34,000 and directed Ms. Chandler to inquire with the TRPD about its unavailability to do the work in 2011 and to investigate the costs of having the Metropolitan Council Environmental Services do the work.

[Commissioners Sicora and Welch depart the meeting.]

- H. **Approval of BWSR Grant Agreement.** Commissioner Black moved to approve the signing of the agreement. Commissioner Elder seconded the motion. The motion carried unanimously with six votes in favor [Cities of Minneapolis, Minnetonka, and Robbinsdale absent from vote].
- I. **Update on 2010 Clean Water Fund Grant for Plymouth Creek and Bassett Main Stem Restoration Projects.** Ms. Chandler reported that the Commission Engineer submitted the work plan into BWSR's eLINK system but BWSR has requested additional information. The Commission Engineer will revise the work plan and will resubmit it after obtaining the additional information that was requested.
- J. **Education Committee.** Deferred to Committee Communications.
- K. **Update on Cultural Resource Review Protocol.** Earlier in the agenda Commissioner Welch remarked that he would like to be involved in finalizing the cultural resource protocols. The Commission consented.

7. Communications

A. Chair:

- i. Chair Loomis reported that the BCWMC received a late invitation to participate in this Saturday's Golden Valley Days.
- ii. Chair Loomis reported that she received an e-mail inquiry from a resident regarding removal of goose droppings from private property, buckthorn removal, and the potential for a second monitoring site in Sweeney Lake for the 2010 CAMP program.
- iii. Chair Loomis stated that the BCWMC's draft financial audit is ready for Commission review. Commissioner Black moved to approve that Administrator Nash work with Commissioner Welch to review the audit, to communicate any changes to the Deputy Treasurer and to finalize the report so the Deputy Treasurer can submit it to the necessary bodies. Alternate Commissioner Hoshal seconded the motion. The motion carried unanimously with six votes in favor [Cities of Minneapolis, Minnetonka, and Robbinsdale absent from vote].
- iv. Chair Loomis reported that the Commission received after the May meeting packet mailing a letter from the City of Medicine Lake requesting a hydraulic and hydrologic evaluation of the dam at the headwaters of Bassett Creek/ the Medicine Lake Outlet and that the request will be part of the June meeting agenda.

B. Administrator:

- i. Administrator Nash discussed the draft policy manual format and the table of contents and the sample policy included in the meeting packet.
- ii. Administrator Nash addressed the draft work plan for the Administrator and reported that the Administrative Services Committee needs to meet again to complete the work plan.

- iii. Administrator Nash reported that he attended a meeting with Joel Settles of Hennepin County regarding the process of developing a ground water protection plan.
- iv. Administrator Nash delivered to each attendee a copy of the history book of the Nine Mile Creek Watershed District as an example of a communication piece.
- v. Administrator Nash announced the Minnesota Association of Watershed District's Summer Tour and noted that the announcement was forwarded to the Commission via e-mail and that historically Commission members have paid their own way to attend such events.
- vi. Administrator Nash reported that he received notice about a \$75,000 grant from the Department of Natural Resources.

C. Commissioners: No commissioner communications.

D. Committees:

- i. Education Committee: Commissioner Langsdorf reported that the Commission's seed packets have all been handed out or allocated and asked if anyone knows of additional education activities at which they want to hand out seed packets because the Education Committee would have to order more seeds.
- ii. Administrative Services Committee: The Commission directed staff to set up an Administrative Services Committee meeting.

E. Counsel: No communications

F. Engineer: Ms. Chandler reported that the Twin Lake sediment cores were collected on May 19, 2010.

9. Adjournment

Chair Loomis adjourned the meeting at 2:55 p.m.

Linda Loomis, Chair Date

Amy Herbert, Recorder Date

Pauline Langsdorf, Secretary Date

Bassett Creek Watershed Management Commission General Account

General Fund (Administration) Financial Report

Fiscal Year: February 1, 2010 through January 31, 2011

MEETING DATE: June 17, 2010

4B

CHECKING ACCOUNT 0100339

BEGINNING BALANCE 11-May-10 665,521.17

ADD:

General Fund Revenue:

Interest		22.17	
Permits:			
City of Plymouth	Street Reconst	1,000.00	
City of Plymouth	So Shore Dr Rehab	1,000.00	
Reimbursed Construction Costs		9,806.00	
	Total Revenue and Transfers In		11,828.17

DEDUCT:

Checks:

2249 MMKR	Audit Services	2,500.00	
2250 Amy Herbert	May Secretarial Services	4,071.24	
2251 Barr Engineering	May Engineering Servcies	39,307.10	
2252 D'Amico	June Meeting	316.68	
2253 Henn Cty Dept of Envir Sci	River Watch-Educ Partner	2,000.00	
2254 Kennedy & Graven	April Legal	2,055.95	
2255 Watershed Consulting, LLC	May Administrator	2,537.68	
	Total Expenses		52,788.65

ENDING BALANCE 8-Jun-10 624,560.69

	2010/2011 BUDGET	CURRENT MONTH	YTD 2010/2011	BALANCE
OTHER GENERAL FUND REVENUE				
ASSESSMENTS	414,150	0.00	414,150.00	0.00
PERMIT REVENUE	55,000	2,000.00	5,000.00	50,000.00
REVENUE TOTAL	469,150	2,000.00	419,150.00	50,000.00
EXPENDITURES				
ENGINEERING				
ADMINISTRATION	110,000	12,957.31	40,999.97	69,000.03
PLAT REVIEW	60,000	9,420.50	21,441.50	38,558.50
COMMISSION MEETINGS	13,000	1,176.00	4,335.50	8,664.50
SURVEYS & STUDIES	20,000	1,067.01	6,325.76	13,674.24
WATER QUALITY/MONITORING	20,000	223.00	2,319.00	17,681.00
WATER QUANTITY	11,000	980.00	2,945.50	8,054.50
WATERSHED INSPECTIONS	8,000	948.00	2,180.00	5,820.00
ANNUAL FLOOD CONTROL INSPECTIONS	10,000	0.00	5,713.50	4,286.50
REVIEW MUNICIPAL PLANS	4,000	257.50	2,612.00	1,388.00
ENGINEERING TOTAL	256,000	27,029.32	88,872.73	167,127.27
ADMINISTRATOR	15,000	2,537.68	4,369.37	10,630.63
LEGAL COSTS	18,500	2,055.95	5,686.94	12,813.06
AUDIT, INSURANCE & BONDING	15,000	2,500.00	7,100.00	7,900.00
FINANCIAL MANAGEMENT	3,000	0.00	53.55	2,946.45
MEETING EXPENSES	5,000	316.68	1,753.68	3,246.32
SECRETARIAL SERVICES	45,000	5,337.27	16,558.41	28,441.59
PUBLICATIONS/ANNUAL REPORT	4,000	475.00	5,168.50	(1,168.50)
WEBSITE	4,500	14.25	185.25	4,314.75
PUBLIC COMMUNICATIONS	3,000	0.00	0.00	3,000.00
WOMP	10,000	716.50	3,994.00	6,006.00
DEMONSTRATION/EDUCATION GRANTS	5,000	0.00	180.00	4,820.00
EDUCATION AND PUBLIC OUTREACH	4,000	0.00	-730.09	4,730.09
WATERSHED EDUCATION PARTNERSHIPS	15,000	2,000.00	7,000.00	8,000.00
EROSION/SEDIMENT (CHANNEL MAINT)	25,000	0.00	0.00	25,000.00
LONG TERM MAINTENANCE (moved to CF)	25,000	0.00	0.00	25,000.00
TMDL STUDIES (moved to CF)	10,000	0.00	0.00	10,000.00
GRAND TOTAL	463,000	42,982.65	140,192.34	322,807.66

BCWMC Construction Account (802-1119576)
Fiscal Year: February 1, 2010 through January 31, 2011
June 2010 Financial Report

Beginning Balance	11-May-10	\$2,066,786.35
ADD:	Interest:	
	Interest	68.85
		<u>68.85</u>
DEDUCT:		
	Construction Costs	9,806.00
		<u>9,806.00</u>
Ending Balance:	8-Jun-10	<u>\$2,057,049.20</u>

Investments

Federal Home Loan Mtg Corp - Purchased 7/22/09 - Due 10/18/2010 - 0.55% (Current mkt value \$508,251.17)	\$533,957.50
Federal National Mtg Assoc-Purchased 01/21/2010-Due 01/21/2015-2% (Current mkt value -\$501,095.00)	500,000.00
Total Investments	1,033,957.50
Construction Account - Cash Balance (detailed above)	2,057,049.20

Total: Construction Fund Cash/Investments	3,091,006.70
Less: Reserved for CIP Projects	2,755,077.52
Construction Cash/Investments Available for projects	<u>\$335,929.18</u>

BCWMC Second Generation Projects	Budget	Current	YTD	Project Total	Balance
Approved CIP Projects:					
2006 Parkers Lake Water Quality Project	42,000	0.00	0.00	3,434.24	38,565.76
Twin Lake-expected completion 2006	140,000	0.00	0.00	5,724.35	134,275.65
Westwood Lake - will closed in 2010	312,000	0.00	0.00	225,864.90	86,135.10
Proposed CIP Projects:					
Lakeview Park Pond-expected completion 2007		0.00	0.00	637.50	(637.50)
West Medicine Lake Park Pond	1,100,000	0.00	501,685.74	524,389.80	575,610.20
Budget Increase Resolution 08-07 (200,000)					
Northwood Lake East Pond	107,250	0.00	0.00	71,831.27	35,418.73
Twins Stadium	0	0.00	38.20	17,363.42	(17,363.42)
Ramada Pond (Crane Lake)	90,000	0.00	0.00	39.00	89,961.00
Plymouth Creek Restoration	550,000	1,579.00	2,598.00	69,759.55	480,240.45
Bassett Creek Feasibility Study	0	0.00	544.35	12,113.40	(12,113.40)
Plymouth Creek Feasibility	0	0.00	0.00	1,936.00	(1,936.00)
Crystal-Regent Avenue (2010 CR)	0	1,707.50	2,152.50	2,152.50	(2,152.50)
Wisc Ave/Duluth Street-Crystal	0	2,378.00	4,518.50	4,518.50	(4,518.50)
North Branch (2011 CR-NB)	0	2,008.50	3,456.50	3,456.50	(3,456.50)
Resource Management Plan	0	0.00	1,533.00	57,094.21	(57,094.21)
TMDL Projects					
TMDL Studies	125,000	1,153.00	8,861.00	96,443.90	28,556.10
Sweeney Lake TMDL	119,000	980.00	9,213.00	190,225.36	(71,225.36)

Annual Flood Control Projects:					
Flood Control Emergency Maintenance	500,000	0.00	0.00	0.00	500,000.00
Flood Control Long-Term Maintenance	773,373	0.00	0.00	13,566.33	759,806.67

Annual Water Quality					
Channel Maintenance Fund	200,000	0.00	0.00	2,994.75	197,005.25
	4,058,623	9,806.00	534,600.79	1,303,545.48	2,755,077.52

Project Reimbursements					
Twins Stadium		0.00	6,564.20	26,959.64	
Sweeney Lake TMDL		0.00	0.00	154,123.94	

Tax Levy Revenues								
	County Levy	Abatements / Adjustments	Adjusted Levy	Current Received	Year to Date Received	Inception to Date Received	Balance	BCWMO Levy
2010 Tax Levy	935,000.00		935,000.00			0.00	935,000.00	935,000
2009 Tax Levy	800,000.00	(1,254.26)	798,745.74			788,720.28	10,025.46	800,000
2008 Tax Levy	908,128.08	(850.59)	907,277.49			901,483.61	5,793.88	907,250
2007 Tax Levy	190,601.74	(200.27)	190,401.47			189,794.47	607.00	190,000
2006 Tax Levy	531,095.47	(1,134.64)	529,960.83			528,646.69	1,314.14	519,000
2005 Tax Levy	450,401.40	(1,429.91)	448,971.49			448,704.78	266.71	438,000
2004 Tax Levy	1,000,790.48	(6,332.23)	994,458.25			995,220.43	(762.18)	
							952,245.01	

	Parkers Lake Water Quality (Circle Pond)	Twin Lake	Westwood Lake	Flood Control Emergency Maintenance	Flood Control Long-Term Maintenance	Channel Maintenance	West Medicine Lake Park Pond	Lakeview Park Pond	Northwood Lake East Pond	Crane Lake - Ramada Inn Pond	Plymouth Creek Channel Restoration	Plymouth Creek Feasibility	Bassett Creek Feasibility	Twins Stadium	Crystal - Regent Ave	Wisc Ave (Duluth Str)- Crystal	North Branch	Resource Mgmt Plan	TMDL Studies	Sweeney Lake TMDL
Original Budget	42,000.00	140,000.00	312,000.00	500,000.00	773,373.00	200,000.00	1,100,000.00	0.00	107,250.00	90,000.00	550,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	125,000.00	119,000.00
Expenditures:																				
Feb 2004 - Jan 2005	0.00	1,983.50	0.00	0.00	0.00	0.00	0.00	637.50	0.00	0.00	0.00		0.00	0.00					0.00	0.00
Feb 2005 - Jan 2006	983.75	1,716.70	11,724.12	0.00	3,954.44	2,994.75	0.00	0.00	0.00	0.00	0.00		0.00	0.00					0.00	0.00
Feb 2006 - Jan 2007	150.00	375.70	162,645.36	0.00	9,611.89	0.00	1,789.25	0.00	0.00	0.00	0.00		0.00	0.00					0.00	0.00
Feb 2007 - Jan 2008	0.00	36.00	0.00	0.00	0.00	0.00	1,835.70	0.00	858.45	0.00	0.00		0.00	156.75					637.20	0.00
Feb 2008 - Jan 2009	0.00	0.00	0.00	0.00	0.00	0.00	18,392.11	0.00	60,218.68	39.00	59,777.60		0.00	13,312.47					23,486.95	89,654.49
Feb 2009 - Jan 2010	2,300.49	1,612.45	51,495.42	0.00	0.00	0.00	687.00	0.00	10,754.14	0.00	7,383.95	1,936.00	11,569.05	3,856.00				6,809.50	31,590.12	47,041.86
Feb 2010 - Jan 2011	0.00	0.00	0.00	0.00	0.00	0.00	501,685.74	0.00	0.00	0.00	2,598.00	0.00	544.35	38.20	2,152.50	4,518.50	3,456.50	48,751.71	31,868.63	44,316.01
Total Expenditures:	3,434.24	5,724.35	225,864.90	0.00	13,566.33	2,994.75	524,389.80	637.50	71,831.27	39.00	69,759.55	1,936.00	12,113.40	17,363.42	2,152.50	4,518.50	3,456.50	57,094.21	96,443.90	190,225.36
Project Balance	38,565.76	134,275.65	86,135.10	500,000.00	759,806.67	197,005.25	575,610.20	(637.50)	35,418.73	89,961.00	480,240.45	(1,936.00)	(12,113.40)	(17,363.42)	(2,152.50)	(4,518.50)	(3,456.50)	(57,094.21)	28,556.10	(71,225.36)

	Parkers Lake Water Quality (Circle Pond)	Twin Lake	Westwood Lake	Flood Control Emergency Maintenance	Flood Control Long-Term Maintenance	Channel Maintenance	West Medicine Lake Park Pond	Lakeview Park Pond	Northwood Lake East Pond	Crane Lake - Ramada Inn Pond	Plymouth Creek Channel Restoration	Plymouth Creek Feasibility	Bassett Creek Feasibility	Twins Stadium	Crystal - Regent Ave	Wisc Ave (Duluth Str)- Crystal	North Branch	Resource Mgmt Plan	TMDL Studies	Sweeney Lake TMDL
Project Totals By Vendor																				
Barr Engineering	2,819.94	3,758.10	11,320.87	0.00	9,549.32	0.00	6,486.91	592.50	0.00	39.00	30,286.80	1,936.00	10,604.50	12,064.49	2,152.50	4,518.50	3,456.50	57,094.21	93,586.55	74,173.17
Kennedy & Graven	614.30	1,966.25	503.25	0.00	24.75	354.75	1,427.15	45.00	858.45	0.00	649.40	0.00	1,508.90	5,298.93	0.00	0.00	0.00	0.00	1,145.20	2,902.59
City of Golden Valley	0.00	0.00	0.00	0.00	0.00	2,640.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
City of New Hope	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	70,972.82	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
City of Plymouth	0.00	0.00	0.00	0.00	0.00	0.00	516,475.74	0.00	0.00	0.00	38,823.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
City of St. Louis Park	0.00	0.00	214,040.78	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Com of Trans	0.00	0.00	0.00	0.00	3,992.26	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
City of Minneapolis	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
S E H	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Misc	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,375.60
Total Expenditures	3,434.24	5,724.35	225,864.90	0.00	13,566.33	2,994.75	524,389.80	637.50	71,831.27	39.00	69,759.55	1,936.00	12,113.40	17,363.42	2,152.50	4,518.50	3,456.50	57,094.21	96,443.90	190,225.36

Amy Herbert · Virtual Administrator Services

733 Preakness Lane, Chanhassen, MN 55317

bcra@barr.com · 952-832-2652

June 3, 2010

Bassett Creek Watershed Management Commission (BCWMC)

Attn: Sue Virnig, Deputy Treasurer

7800 Golden Valley Road

Golden Valley, MN 55427

For contracted services May 1, 2010 through May 31, 2010

Administrative Services to BCWMC

- Created the May 20th BCWMC meeting agenda; organized packet materials for copying, copied, and assembled meeting packets, delivered meeting packets to Barr Engineering mail room for Barr to weigh, add postage, and mail; posted meeting packet on BCWMC's Web site and e-mailed link to Commission; e-mailed agenda to agenda list and e-mailed approved meeting minutes to distribution list.
- Maintained BCWMC files; Communicated with BCWMC attorney, engineers, Administrator, Deputy Treasurer, Chair, commissioners, and committee members; Coordinated with Commission Engineer distribution of tasks assigned at BCWMC meeting, final draft of BCWMC annual report, and June 3rd TAC meeting agenda
- Organized BCWMC monthly invoices; Distributed invoice payments;
- Updated draft Administrator Work Plan with revisions as directed by Admin Services Committee; Communicated invitation to participate in Golden Valley Days; Supplied TIN number to Qwest; Forwarded comments on draft 2011 budget to Budget Committee; Contacted Brian Johnson, CAMP coordinator about 2010 CAMP costs and resident interest in additional sampling site on Sweeney Lake; Forwarded BWSR grant funds agreement to Chair Loomis for signature as approved by BCWMC at May 20th mtg; Forwarded copy of BCWMC's major plan amendment request to Nick Tiedeken, Mn/DOT, upon request; Forwarded copy of BCWMC's letter to Brooke Asleson with Medicine Lake TMDL final comments to Commission; Coordinated printing of BCWMC's 2009 annual report and distribution of hard copy of report to Brad Wozney, BWSR; Forwarded BCWMC comments on draft 2009 Audit to Deputy Treasurer
- Prepared meeting notices for: June 3rd TAC meeting and June 4th Education Committee meeting;

56.25 hours @ \$57.00 per hour \$3,206.25

BCWMC Annual Report

Prepared final draft of Executive Summary and report for Commission review at its May meeting by making revisions directed by commissioners and conducting final edit; Coordinated printing of annual report and distribution

8 Hours @ \$57.00 per hour \$456.00

BCWMC Meetings

Coordinated and attended May 17th conference call with Chair Loomis, Karen Chandler, and Geoff Nash; Set up and attended May 20th BCWMC meeting (coordinated room reservation; ordered and received catering; coordinated agenda, prepared and provided handouts not provided in meeting packet; recorded meeting); Met with Geoff Nash to discuss BCWMC draft Policy Manual

6.75 hours @ \$57.00 per hour \$384.75

Web Site Services to BCWMC

Updated meeting minute archive and meeting calendar,

0.25 hours @ \$57.00 per hour \$14.25

Expenses

No May expenses..... \$0.00

Mileage

Mileage from Chanhassen to Golden Valley City Hall for March 18th meeting (16.76 miles x 0.50 = \$8.38); Mileage from Barr to Hillcrest Lane for meeting with Geoff Nash on Policy Manual (3.22 miles x 0.50 = \$1.61);

\$9.99

Subtotal Administrative Services \$4,056.99

Subtotal Web Site Services \$14.25

Total Current Billing: \$4,071.24

I declare, under penalty of law, that this account, claim or demand is just and correct and that no part of it has been paid.



Signature of Claimant



Bassett Creek WMO
7800 Golden Valley Road
Golden Valley, MN 55427

Page # 1
Invoice # 23270051-2010-4
Project # 23/27-0051
Client # 59
June 4, 2010

Invoice of Account with
BARR ENGINEERING COMPANY

For professional services during the period of
May 1, 2010 through May 28, 2010

ENGINEERING

TECHNICAL SERVICES

Calls/emails to or from the Commissioners, administrator, watershed communities, developers in the watershed, Minneapolis Park and Recreation Board (MPRB), Three Rivers Park District (TRPD), Mississippi Watershed Management Organization, Minnesota Department of Transportation (Mn/DOT), Hennepin County, Minnesota Board of Water and Soil Resources (BWSR), Metropolitan Council Environmental Services (MCES), Minnesota Pollution Control Agency (MPCA), Corps of Engineers and interested citizens; prepared 2011 proposed engineering budgets and reviewed questions from budget committee; email to Golden Valley regarding BCWMC data for its NPDES permitting; reviewed water quality budgets; prepared letter to BWSR; coordination regarding Sweeney Lake outlet; emails to/from Dave Hanson regarding Twin Lake sediment testing; telephone call from Plymouth staff regarding NL-2 project and possible grant; email to Administrator regarding TRPD lab question; reviewed aerial photos of Sweeney Lake outlet; email to Administrator regarding topics for CIP work group meeting

James P. Herbert, Principal Engineer/Scientist	
9.5 hours @ \$140.00 per hour	\$ 1,330.00
Leonard J. Kremer, Principal Engineer/Scientist	
5.2 hours @ \$160.00 per hour	\$ 832.00
Karen L. Chandler, Senior Consultant	
22.1 hours @ \$140.00 per hour	\$ 3,094.00
Timothy J. Anderson, Senior Consultant	
0.7 hours @ \$140.00 per hour	\$ 98.00
Technicians/Administrative	\$ 445.00
Expenses (Iron Mountain)	\$ 34.81
Subtotal, Technical Services	\$ 5,833.81

PRELIMINARY SITE REVIEW/CORRESPONDENCE

Telephone conversations regarding proposed developments; provided watershed hydraulic information, flood profiles and BCWMC development requirements to applicants; telephone conversation with Bonestroo regarding test pump in Plymouth; telephone conversation and email regarding proposed project at 7415 Wayzata Blvd in St. Louis Park; telephone conversation with Alliant Engineering regarding Plymouth site; telephone conversation with VAA, LLC regarding proposed General Mills pedestrian bridge.

James P. Herbert, Principal Engineer/Scientist

4.0 hours @ \$140.00 per hour \$ 560.00

Subtotal, Preliminary Site/Corr \$ 560.00

MONTHLY MEETING PREPARATION

Preparation of monthly memorandum for BCWMC meeting; reviewed draft BCWMC meeting minutes, agenda and packet materials and discussed comments with Bassett Creek Recording Administrator; conference call with BCWMC Chair and Administrator regarding meeting agenda; communications with Bassett Creek Administrator and Recording Administrator; internal meetings regarding agenda, to-do list and meeting packet and May, 2010 meeting; prepared permit figures.

James P. Herbert, Principal Engineer/Scientist

15.6 hours @ \$140.00 per hour \$ 2,184.00

Leonard J. Kremer, Principal Engineer/Scientist

5.0 hours @ \$160.00 per hour \$ 800.00

Karen L. Chandler, Senior Consultant

12.5 hours @ \$140.00 per hour \$ 1,750.00

Technicians/Administrative \$ 37.50

Subtotal, Monthly Memorandums \$ 4,771.50

TAC MEETING PREPARATION

Preparation for June, 2010 TAC meeting; prepared background materials; coordinated and communicated with Chair Loomis, Bassett Creek Recording Administrator and Bassett Creek Administrator regarding TAC agenda; prepared draft memo of TAC recommendations and provided to TAC members for review.

Leonard J. Kremer, Principal Engineer/Scientist

9.1 hours @ \$160.00 per hour \$ 1,456.00

Karen L. Chandler, Senior Consultant

2.4 hours @ \$140.00 per hour \$ 336.00

Subtotal, TAC Meeting Preparation \$ 1,792.00

Subtotal Technical Services \$ 12,957.31

PLAT REVIEW Note: Projects in **Bold** have provided review fees to offset review costs. Projects not in **Bold** are either in a preliminary stage or were submitted prior to implementation of the fee schedule.

Co. Rd. 9 & 61 Erosion Repair

Erosion control inspection.

Technicians/Administrative \$ 40.00

Subtotal, Co. Rd. 9 & 61 Erosion Repair \$ 40.00

Hen Co Plymouth Library

Erosion control inspection.

Hen Co Plymouth Library

Erosion control inspection.

Technicians/Administrative	\$	48.00
Subtotal, Hen Co Plymouth Library	\$	48.00

Zero-Max

Erosion control inspection.

Technicians/Administrative	\$	48.00
Subtotal, Zero-Max	\$	48.00

Hennepin Co. Regional Trail – Phase 2

Erosion control inspection.

Technicians/Administrative	\$	64.00
Subtotal, Hen Co Regional Trail – Ph 2	\$	64.00

Beacon Academy

Erosion control inspection.

Technicians/Administrative	\$	40.00
Subtotal, Beacon Academy	\$	40.00

W Medicine Lake Park Site Imp

Erosion control inspection.

Technicians/Administrative	\$	80.00
Subtotal, W Medicine Lake Park Site Imp	\$	80.00

Timber Creek

Erosion control inspection.

Technicians/Administrative	\$	80.00
Subtotal, Timber Creek	\$	80.00

4700 Nathan Lane

Erosion control inspection.

Technicians/Administrative \$ 56.00

Subtotal, 4700 Nathan Lane \$ 56.00

2009 Mtka St Rehab-Sherwood Forest Neighborhood

Erosion control inspection.

Technicians/Administrative \$ 80.00

Subtotal, 2009 Mtka St Rehab-Sherwood Forest Neighborhood \$ 80.00

26th Ave/Plymouth Creek Culvert Replacement

Erosion control inspection.

Technicians/Administrative \$ 64.00

Subtotal, 26th Ave/Plymouth Creek Culvert Replacement \$ 64.00

Laurel Hills Condo

Erosion control inspection.

Technicians/Administrative \$ 112.00

Subtotal, Laurel Hills Condo \$ 112.00

SP 2772-81 (TH 169 Medicine Lk Rd ramp)

Erosion control inspection.

Technicians/Administrative \$ 48.00

Subtotal, SP 2772-81 (TH 169 Med Lk Rd ramp) \$ 48.00

36th Avenue Reconstruction

Erosion control inspection.

Technicians/Administrative \$ 40.00

Subtotal, 36th Avenue Reconstruction \$ 40.00

Trustone Federal Credit Union

Erosion control inspection.

Technicians/Administrative	\$	88.00
Subtotal, Trustone Federal Credit Union.	\$	88.00

South Shore Drive Bridge Reconstruction & South Shore Drive Mill & Overlay

Several telephone conversations and email messages to city staff and its consultant; telephone conversation with BCWMC attorney regarding policy interpretation; reviewed proposed South Shore Bridge Reconstruction plans and supporting documentation; prepared email to city with comments; reviewed revised supporting documentation from City of Plymouth and its consultant; prepared report to BCWMC.

Reviewed road reconstruction plans and erosion control plan for the South Shore Drive Mill & Overlay project; prepared preliminary comments to the City of Plymouth.

James P. Herbert, Principal Engineer/Scientist		
13.6 hours @ \$140.00 per hour	\$	1,904.00
Karen L. Chandler, Senior Consultant		
2.9 hours @ \$140.00 per hour	\$	406.00
Rita A. Weaver, Senior Engineer/Scientist		
3.8 hours @ \$95.00 per hour	\$	361.00
Subtotal, So Shore Dr Reconstruction/Bridge.	\$	2,671.00

Golden Valley 2010 Pavement Mgmt Proj

Erosion control inspection.

Technicians/Administrative	\$	96.00
Subtotal, GV 2010 Pavement Mgmt Proj	\$	96.00

Wirth Park Pedestrian Bridge

Erosion control inspection.

Technicians/Administrative	\$	64.00
Subtotal, Wirth Park Pedestrian Bridge	\$	64.00

Hilde Performance Center

Several telephone conversations and email messages to city staff and its consultant; reviewed grading, drainage and erosion control plans and supporting documentation for site improvement project; reviewed historical submittals for City Center site and Hilde Performance Center; prepared letter of recommendation to City of Plymouth; conference call with city's consultant regarding BCWMC comments; reviewed revised drawings; detailed review of water quality model and calculations; provided recommended modifications to P8 model and prepared comments to City.

James P. Herbert, Principal Engineer/Scientist	
9.0 hours @ \$140.00 per hour	\$ 1,260.00
Rita A. Weaver, Senior Engineer/Scientist	
13.2 hours @ \$95.00 per hour	\$ <u>1,254.00</u>
Subtotal, Hilde Performance Center	\$ 2,514.00

Glenwood Ponds Direction Bore

Communications with applicant and city staff; reviewed proposed plans for directional boring beneath the edge of Glenwood Pond; prepared letter of approval to City of Golden Valley.

James P. Herbert, Principal Engineer/Scientist	
4.0 hours @ \$140.00 per hour	\$ 560.00
Technicians/Administrative	\$ <u>75.00</u>
Subtotal, Glenwood Ponds Direction Bore	\$ 635.00

Plymouth 2010 Street Reconstruction: East Parkers Lake

Telephone conversations with City staff; reviewed road reconstruction and erosion control plans for the referenced street reconstruction project; prepared report to the BCWMC, prepared letter of recommendation to the City of Plymouth.

James P. Herbert, Principal Engineer/Scientist	
4.3 hours @ \$140.00 per hour	\$ 602.00
Karen L. Chandler, Senior Consultant	
1.0 hours @ \$140.00 per hour	\$ 140.00
Rita A. Weaver, Senior Engineer/Scientist	
8.3 hours @ \$95.00 per hour	\$ <u>788.50</u>
Subtotal, Plymouth 2010 St. Recon	\$ 1,530.50

So Shore Dr Emergency Utility Repair

Several telephone conversations with applicant and City staff; preliminary review of proposed project; prepared report to the BCWMC; prepared letter of recommendation to the City of Plymouth.

James P. Herbert, Principal Engineer/Scientist	
6.7 hours @ \$140.00 per hour	\$ 938.00
Karen L. Chandler, Senior Consultant	
0.6 hours @ \$140.00 per hour	\$ <u>84.00</u>
Subtotal, So Shore Dr Emer Utility Repair	\$ 1,022.00

Subtotal Plat Review	\$ 9,420.50
----------------------	--------------------

COMMISSION MEETINGS

Attended May 20, 2010 Commission meeting.

Leonard J. Kremer, Principal Engineer/Scientist 3.5 hours @ \$160.00 per hour	\$ 560.00
Karen L. Chandler, Senior Consultant 4.3 hours @ \$140.00 per hour	\$ 602.00
Expenses (Mileage/misc)	\$ 14.00
Subtotal, Commission Meetings	\$ 1,176.00

SURVEYS AND STUDIES

Communications with Dave Hanson regarding Twin Lake monitoring; performed sediment sampling at Twin Lake and reviewed data from February/March water quality sampling.

James P. Herbert, Principal Engineer/Scientist 0.5 hours @ \$140.00 per hour	\$ 70.00
Leonard J. Kremer, Principal Engineer/Scientist 2.0 hours @ \$160.00 per hour	\$ 320.00
Margaret R. Rattei, Senior Consultant 0.3 hours @ \$115.00 per hour	\$ 34.50
Kevin D. Menken, Senior Engineer/Scientist 2.8 hours @ \$95.00 per hour	\$ 266.00
Technicians/Administrative	\$ 312.00
Expenses (canoe/LCD depth locator/sediment corer/snap top sediment container/ mileage/2WD field vehicle)	\$ 64.51
Subtotal, Surveys and Studies	\$ 1,067.01

WATER QUALITY MONITORING

Communications with Three Rivers Park District (TRPD) staff regarding 2011 monitoring of Westwood and Crane Lake; coordination regarding 2010 monitoring of Medicine Lake.

Margaret R. Rattei, Senior Consultant 1.8 hours @ \$115.00 per hour	\$ 207.00
Technicians/Administrative	\$ 16.00
Subtotal, Water Quality Monitoring	\$ 223.00

WATER QUANTITY

Measured and reviewed lake level elevations as part of the lake-gauging program; obtained photographs of Northwood and Sweeney Lake outlets and reviewed lake levels.

James P. Herbert, Principal Engineer/Scientist	
1.0 hours @ \$140.00 per hour	\$ 140.00
Technicians/Administrative	\$ 744.00
Expenses (Equipment/mileage/2WD field vehicle)	<u>\$ 96.00</u>
Subtotal, Technical Services	\$ 980.00

WATERSHED INSPECTION

Performed erosion control inspections of construction sites; prepared letter regarding inspections and improvements required for effective erosion control.

James P. Herbert, Principal Engineer/Scientist	
1.3 hours @ \$140.00 per hour	\$ 182.00
Technicians/Administrative	\$ 616.00
Expenses (Equipment/mileage)	<u>\$ 150.00</u>
Subtotal, Watershed Inspection	\$ 948.00

REVIEW MUNICIPAL PLANS (City of Medicine Lake)

Communications with city consultant regarding Medicine Lake Local Water Management Plan (LWMP); reviewed LWMP and prepared comments for BCWMC meeting.

Karen L. Chandler, Senior Consultant	
1.5 hours @ \$140.00 per hour	\$ 210.00
Sterling G. Williams, Senior Engineer/Scientist	
0.5 hours @ \$95.00 per hour	<u>\$ 47.50</u>
Subtotal, Municipal Plans	\$ 257.50

TOTAL ENGINEERING \$ 27,029.32

SECRETARIAL SERVICES

SECRETARIAL SERVICES EXPENSES

Administrative expenses requested by Amy Herbert including: copies, color copies for meeting packet; postage, CD duplication, video digital capture/conversion and BCWMC meeting catering; packet assembly; report assembly.

Technicians/Administrative	\$ 150.00
Expenses (B&W/color copies/postage/report binding/WebEx)	\$ 1,130.28
Catering (BCWMC meeting date)	\$ <u>-0-</u>
TOTAL SECRETARIAL SERVICES EXPENSES	\$ 1,280.28

ANNUAL REPORT

ANNUAL REPORT

Preparation of 2009 Annual report and executive summary; assembly of final copy and sent to BWSR.

Leonard J. Kremer, Principal Engineer/Scientist 1.0 hours @ \$160.00 per hour	\$ 160.00
Technicians/Administrative	\$ <u>315.00</u>
TOTAL ANNUAL REPORT	\$ 475.00

WATERSHED OUTLET MONITORING PROGRAM (WOMP)

WATERSHED OUTLET MONITORING PROGRAM (WOMP)

Coordination with Met Council regarding rating curve at WOMP station; performed rating curve analysis and modified curve using newest stage-flow measurements; obtained water quality data/chemical analysis list from WOMP station; coordination with Met Council staff regarding WOMP station and assessment of WOMP data.

Christopher Bonick, Senior Engineer/Scientist 6.5 hours @ \$105.00 per hour	\$ 682.50
Expenses (2WD field vehicle/mileage)	\$ <u>34.00</u>
TOTAL WOMP	\$ 716.50

CAPITAL IMPROVEMENT PROJECTS

PLYMOUTH CREEK RESTORATION PROJ (2010 CR)

Coordination regarding clean water grant application; summarized CIP status and prepared work plan; coordination with BCWMC attorney.

Karen L. Chandler, Senior Consultant	
1.1 hours @ \$140.00 per hour	\$ 154.00
Jeffrey D. Weiss, Senior Engineer/Scientist	
15.0 hours @ \$95.00 per hour	\$ 1,425.00
Subtotal, Plymouth Creek Restoration Project	\$ 1,579.00

BASSETT CREEK: CRYSTAL-REGENT AVE (2010CR)

Coordination regarding clean water grant application; summarized CIP status and prepared work plan; coordination with BCWMC attorney; coordination with Golden Valley staff and its consultant.

Karen L. Chandler, Senior Consultant	
1.0 hours @ \$140.00 per hour	\$ 140.00
Jeffrey D. Weiss, Senior Engineer/Scientist	
16.5 hours @ \$95.00 per hour	\$ 1,567.50
Subtotal, Bassett Crk: Crystal-Regent Ave(2010CR)	\$ 1,707.50

BASSETT CREEK: WISCONSIN AVENUE – CRYSTAL (2011 CR)

Prepared scope of work for feasibility study/RMP protocol requirements; reviewed project schedule, feasibility study scope, and cost estimate for BCWMC meeting; prepared memo regarding feasibility study for BCWMC meeting; prepared cost estimate for wetland review.

Karen L. Chandler, Senior Consultant	
3.7 hours @ \$140.00 per hour	\$ 518.00
Jeffrey T. Lee, Senior Consultant	
5.4 hours @ \$130.00 per hour	\$ 702.00
Cheryl D. Feigum, Senior Consultant	
1.9 hours @ \$120.00 per hour	\$ 228.00
Subtotal, Bassett Crk: Wisconsin Ave– Crystal (2011 CR)	\$ 1,448.00

FEASIBILITY STUDY: BASSETT CREEK (2011CR)

Project coordination; internal staff meeting to kick-off project; preparation for wetland delineation and MNRAM; field mapping for delineation.

Leonard J. Kremer, Principal Engineer/Scientist	
2.2 hours @ \$160.00 per hour	\$ 352.00
Karen L. Chandler, Senior Consultant	
0.8 hours @ \$140.00 per hour	\$ 112.00
Jeffrey D. Weiss, Senior Engineer/Scientist	
0.7 hours @ \$95.00 per hour	\$ 66.50
Genesis M. Humphrey, Senior Engineer/Scientist	
3.2 hours @ \$90.00 per hour	\$ 288.00
Karen S. Wold, Senior Engineer/Scientist	
0.7 hours @ \$95.00 per hour	\$ 66.50
Technicians/Administrative	\$ 45.00
Subtotal, Feasibility Study: Bassett Creek (2011CR)	\$ 930.00

NORTH BRANCH (2011CR-NB)

Prepared scope of work for feasibility study/RMP protocol requirements; reviewed project schedule, feasibility study scope, and cost estimate for BCWMC meeting; prepared memo regarding feasibility study for BCWMC meeting; prepared cost estimate for wetland review.

Karen L. Chandler, Senior Consultant	
3.7 hours @ \$140.00 per hour	\$ 518.00
Jeffrey T. Lee, Senior Consultant	
5.4 hours @ \$130.00 per hour	\$ 702.00
Cheryl D. Feigum, Senior Consultant	
1.8 hours @ \$120.00 per hour	\$ 216.00
Jeffrey D. Weiss, Senior Engineer/Scientist	
2.5 hours @ \$95.00 per hour	\$ 237.50
Subtotal, North Branch (2011CR-NB)	\$ 1,673.50

FEASIBILITY STUDY: NO BRANCH (2011CR-NB)

Project coordination; internal staff meeting to kick-off project; preparation for wetland delineation and MNRAM; field mapping for delineation.

Karen L. Chandler, Senior Consultant	
0.8 hours @ \$140.00 per hour	\$ 112.00
Jeffrey D. Weiss, Senior Engineer/Scientist	
0.7 hours @ \$95.00 per hour	\$ 66.50
Genesis M. Humphrey, Senior Engineer/Scientist	
0.5 hours @ \$90.00 per hour	\$ 45.00
Karen S. Wold, Senior Engineer/Scientist	
0.7 hours @ \$95.00 per hour	\$ 66.50

Technicians/Administrative \$ 45.00

Subtotal, Feasibility Study: No Branch (2011CR-NB) \$ 335.00

TOTAL CAPITAL IMPROVEMENT PROJECTS \$ 7,673.00

TMDL STUDIES

MEDICINE LAKE TMDL

Coordination regarding Medicine Lake TMDL; communications with MPCA staff; reviewed and provided comments on draft TMDL and implementation plan; prepared draft memo to TAC regarding Medicine Lake TMDL; summarized TMDL status and work plan.

Leonard J. Kremer, Principal Engineer/Scientist
3.5 hours @ \$160.00 per hour \$ 560.00

Karen L. Chandler, Senior Consultant
2.7 hours @ \$140.00 per hour \$ 378.00

Technicians/Administrative \$ 75.00

Subtotal, Medicine Lake TMDL \$ 1,013.00

SWEENEY LAKE TMDL

Provided follow-up assistance regarding BMP options in the Sweeney Lake TMDL; reviewed table of comments and provided BCWMC comments to SEH.

Leonard J. Kremer, Principal Engineer/Scientist
4.2 hours @ \$160.00 per hour \$ 672.00

Karen L. Chandler, Senior Consultant
2.2 hours @ \$140.00 per hour \$ 308.00

Subtotal, Sweeney Lake TMDL \$ 980.00

WIRTH LAKE TMDL

Coordination regarding Wirth Lake TMDL; summarized TMDL work plan.

Karen L. Chandler, Senior Consultant
1.0 hours @ \$140.00 per hour \$ 140.00

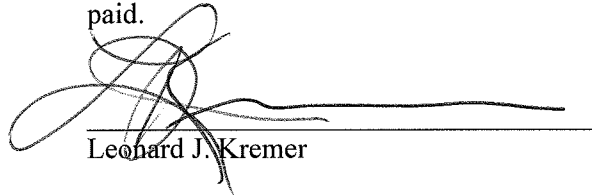
Subtotal, Wirth Lake TMDL \$ 140.00

TOTAL TMDL STUDIES \$ 2,133.00

SUMMARY TOTALS

Total Engineering	\$ 27,029.32
Total Secretarial Services Expenses	\$ 1,280.28
Total Annual Report	\$ 475.00
Total WOMP	\$ 716.50
Total Capital Improvement Projects	\$ 7,673.00
Total TMDL Studies	<u>\$ 2,133.00</u>
TOTAL PAYABLE	\$ 39,307.10

Barr declares under the penalties of law
that this account, claim or demand
is just and that no part of it has been
paid.


Leonard J. Kremer

ACE Drop-Off Catering

Invoice

VB Box 132
PO Box 9202
Minneapolis, MN 55480-9202
612/238-4016 ahoffer@damico.com

INVOICE #

46284

SHIP TO

Golden Valley City Hall-2nd Fl-Council Rm
7800 Golden Valley Road
Site Contact: Judy N 763/593-3991
PO#23270512008300
952/832-2652 fax: 832-2601

BILL TO

Barr Engineering
Amy Herbert
4700 W 77th Street
Edina, MN 55435-4803

P.O. NUMBER	TERMS		DELIVERY DATE	DAY	PPL	DELIVERY TIME
see above	Due on receipt		6/17/2010	Thursday	19	11 AM (10:45-11:15)

QUATY	DESCRIPTION	PRICE EA...	AMOUNT
19	Cold Monthly Special Buffet	10.95	208.05T
1	Vegetarian Asian Wrap with Napa Cabbage, Red Peppers, Scallions, Carrots, Sunflower Seeds with Sweet & Spicy Sauce on the Side	0.00	0.00T
6	Southwest Chicken Wrap with Black Beans, Roasted Corn, Shredded Cheese, Onions, Lettuce, Salsa and Chipotle Ranch Sauce on the Side	0.00	0.00T
6	Smoked Turkey Caesar Wrap with Chopped Romaine Lettuce, Parmesan Cheese and Caesar Dressing on the Side	0.00	0.00T
3	Sliced Ham and Mozzarella Wrap	0.00	0.00T
3	Sliced Beef, Caramelized Onion & Havarti Cheese Wrap	0.00	0.00T
19	Gourmet Pasta Salad	0.00	0.00T
19	Seasonal Fresh Fruit	0.00	0.00T
19	Bowl of Potato Chips	0.75	14.25T
19	Assorted Bars & Cookies	0.00	0.00T
1	Dozen-Assorted Bars & Cookies-Sets aside for break-Different than above	18.00	18.00T
8	Assorted Sodas - 2 Coke, 2 Diet Coke, 2 Sprite & 2 Mineral Water	1.25	10.00T
22	Spring Water	1.00	22.00T
2	Lemonade	1.45	2.90T
	Subtotal		275.20
	Delivery Charge	20.00	20.00T
	Metro Sales Tax	7.275%	21.48

Picnic Menus Available!!

Total \$316.68

Please note NEW PO BOX as of July 2009

Please make checks payable to "D'Amico Catering".

Reference the invoice # and delivery date on your check, unless paid by credit card.

Thank you for your business.

Agreed to by (customer)_____

INVOICE

INVOICE DATE: 6/8/10

Geoff Nash, Watershed Consulting, LLC
6920 Hillcrest Lane
Edina, MN 55435
952-925-5119

Client: Bassett Creek Watershed
Management Commission

Dates: May 1-31, 2010

Task/Project	5/3/10	5/4/10	5/5/10	5/6/10	5/7/10	5/10/10	5/11/10	5/12/10	5/13/10	5/14/10	5/17/10	5/18/10	5/19/10	5/20/10	5/21/10	5/24/10	5/25/10	5/26/10	5/27/10	5/28/10	Month
Commission Meeting/Prep.		1.0									2.0	1.0		4.0							8.0
Administrative		2.0											1.5								3.5
Administrative Committee Meeting/Preparation			2.0																		0.0
Budget Committee Meeting/Prep.																					0.0
Education/Outreach Committee meeting/prep.	1.5			2.5																	2.0
TAC Meeting																					1.5
Medicine Lk. TMDL																					0.0
Sweeney Lk. TMDL				0.5	1.0																0.0
Hennepin Co. Groundwater Planning																					0.0
Communication with Commission/Consultants																					0.0
Policy Manual	1.0		2.0				1.0				2.0	1.0	2.0	1.0				1.0	1.0	2.0	7.5
Major Amendment WMP							1.5														16.5
Annual Report 2009	1.0						2.0														2.0
Third-party meeting																					2.0
Daily Total:	3.5	3.0	4.0	3.0	1.0	2.5	3.5	2.0	2.5	3.5	3.0	2.0	3.5	5.0	0.0	0.0	0.0	3.5	4.0	2.0	51.5
Weekly Hours:					14.5					14.0					13.5					9.5	
Monthly Hours:																					
Hourly Charges (at \$47/hr):																					\$2,420.50

Expenses:	5/3/10	5/4/10	5/5/10	5/6/10	5/7/10	5/10/10	5/11/10	5/12/10	5/13/10	5/14/10	5/17/10	5/18/10	5/19/10	5/20/10	5/21/10	5/24/10	5/25/10	5/26/10	5/27/10	5/28/10	Month
Telephone						15			17		13	5	8							6	\$53.93
Printing-black&white (\$0.15/sheet)	2		9																		\$11.25
Printing-color (\$0.50/sheet)									5												\$2.50
Postage (\$0.44 ea.)																					
Mileage (\$0.50/mile)	47													20				32			\$49.50
Expenses:																					\$117.18

Total invoice amount:

\$2,537.68

Watershed Consulting, LLC
6920 Hillcrest Lane
Edina, MN 55435
(952) 925-5119 office
(952) 240-3025 cell.

See attached Verizon invoices.
Note: May Verizon Invoice - previous Verizon invoice = BCWMC monthly billed amount.



777 BIG TIMBER ROAD
ELGIN, IL 60123

Manage Your Account

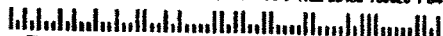
Account Number

Date Due

Invoice Number

2406232653

10047555 02 AT 0.482 **AUTO T8 0 4122 55435-180620 1 34 E GTPL2200



6920 HILLCREST LN
EDINA, MN 55435-1606

Geoff Nash
Watershed Consulting, LLC

Quick Bill Summary

Apr 23 - May 22

Previous Balance (see back for details)	\$185.74
Payment - Thank You	-\$185.74
Balance Forward	\$0.00
Monthly Access Charges	\$159.96
Usage Charges	
Voice	\$2.45
Data	\$0.00
Verizon Wireless' Surcharges and Other Charges & Credits	\$9.24
Taxes, Governmental Surcharges & Fees	\$16.51
Total Current Charges	\$188.16

Total Charges Due by June 17, 2010

\$188.16

Previous Invoice → 134.23
Current Month → \$53.93

Verizon Wireless News

Save Time with Auto Bill Pay

Pay your bills automatically every month,
and never be late on a payment again!
It's easy to enroll in Auto Bill Pay. See
back of Payment Coupon below for
details.

Pay from Wireless

Pay on the Web

Questions:



6920 HILLCREST LN
EDINA, MN 55435-1606

Bill Date

May 22, 2010

Account Number

Invoice Number

2406232653

Total Amount Due by June 17, 2010

Make check payable to Verizon Wireless
Please return this remit slip with payment

\$188.16

\$.

P.O. BOX 25505
LEHIGH VALLEY, PA 18002-5505



Check here and fill out the back of this slip if your billing address
has changed or you are adding or changing your email address.

2406232653010880670335000010000188160000188169



Hennepin County Department of Environmental Services

417 North Fifth Street, Suite 200
Minneapolis, Minnesota 55401-1397

612-348-3777, Phone
612-348-8532, Fax
612-348-6500, Facility **INFO** Line
www.hennepin.mn

To:	Bassett Creek Watershed Management Commission C/O Barr Engineering 4700 W 77th Street Minneapolis, MN 55435-4803
From:	Hennepin County Department of Environmental Services 417 N. Fifth Street, Suite 200 Minneapolis, MN 55401-1397 Phone: 612-596-9129

May 17, 2010

Support was provided to maintain monitoring efforts on the following Bassett Creek sites. Funds were used for program coordination, teacher support and training, substitute teacher reimbursement, transportation, all necessary equipment and supplies, and measures for quality control.

Site
13
"GM"

Participating School
Cooper High School
Blake Academy

\$2,000 ---Total 2009 Bassett Creek Watershed Commission Contribution

Please send contribution payment to the attention of:

Mr. Joel Settles
Department of Environmental Services
417 North 5th Street
Minneapolis, MN 55401-1397

Kennedy & Graven, Chartered

200 South Sixth Street
Suite 470
Minneapolis, MN 55402

(612) 337-9300
Tax ID No. 41-1225694

May 14, 2010

Statement No. 95918

Bassett Creek Water Management Commission
Sue Virnig

7800 Golden Valley Road
Golden Valley, MN 55427

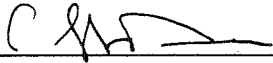
Through April 30, 2010

BA295-00001 General

2,055.95

Total Current Billing: 2,055.95

I declare, under penalty of law, that this
account, claim or demand is just and correct
and that no part of it has been paid.



Signature of Claimant

Kennedy & Graven, Chartered

200 South Sixth Street

Suite 470

Minneapolis, MN 55402

Bassett Creek Water
Sue Virnig

April 30, 2010

BA295-00001 General

Through April 30, 2010

For All Legal Services As Follows:

			Hours	Amount
4/7/2010	CLL	Phone call from J. Nash regarding administrator's contract	0.35	66.85
4/8/2010	CLL	Review draft minutes, revise maintenance policy, work on consultant service policy; email maintenance policy draft to A. Herbert and Barr; email consultant policy to A. Herbert; exchange emails and revise policy	2.25	429.75
4/9/2010	CLL	Email administrative committee regarding status of contract with G. Nash	0.10	19.10
4/14/2010	CLL	Phone call to G. Nash regarding agreement; review insurance information; revise and email draft agreement	1.10	210.10
4/15/2010	CLL	Email final Nash contract; phone call to G. Nash; phone call from L. Kremer regarding plan amendment; review agenda materials; attend commission meeting	4.90	935.90
4/21/2010	CLL	Phone call from K. Chandler regarding plan amendment procedure	0.55	105.05
4/28/2010	CLL	Phone call from L. Kremer regarding plan amendment; email S. Virnig regarding legal budget	0.80	152.80
Total Services:			\$	1,919.55

For All Disbursements As Follows:

	Photocopies	131.40
3/17/2010	Charles L. LeFevere; Mileage expense	5.00
Total Disbursements:		\$ 136.40

Total Services and Disbursements:\$ 2,055.95

MMKR

CERTIFIED PUBLIC
ACCOUNTANTS

5353 Wayzata Boulevard • Suite 410 • Minneapolis, MN 55416
Telephone: 952-545-0424

MALLOY
MONTAGUE
KARNOWSKI
RADOSEVICH
& Co., P.A.
Fax: 952-545-0569

Ms Sue Virnig
Bassett Creek Water Management Commission
City of Golden Valley
7800 Golden Valley Road
Golden Valley, MN 55427

Invoice No. 26852

Date 04/30/2010
Client No. 6355

FOR PROFESSIONAL SERVICES

Progress billing for services completed through 04/30/2010 on audit of financial statements for the year ended 01/31/2010.

\$ 2,500.00

RECEIVED
MAY 13 2010
CITY OF GOLDEN VALLEY

SECTION I: LIABILITY COVERAGE WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

If the city does not waive the statutory tort limits, an individual claimant would be able to recover no more than \$500,000. on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.

If the city waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could potentially recover up to \$1,500,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000., regardless of the number of claimants.

If the city waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. **Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage.** For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

Bassett Creek Watershed Management Commission accepts liability coverage limits of \$ 1,500,000 from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

- ☐ The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.
- ☐ The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting _____

Signature _____

Position _____

Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044



Barr Engineering Company
4700 West 77th Street • Minneapolis, MN 55435-4803
Phone: 952-832-2600 • Fax: 952-832-2601 • www.barr.com *An EEO Employer*

Item
5A

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO • Bismarck, ND

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 5A – General Mills Pedestrian Bridge: Golden Valley
BCWMC June 17, 2010 Meeting Agenda
Date: June 9, 2010
Project: 23/27 0051 2010 003

5A. General Mills Pedestrian Bridge Replacement: Golden Valley

Summary

Proposed Work: Pedestrian Bridge Replacement over Bassett Creek

Basis for Commission Review: Work in floodplain

Change in Impervious Surface: decrease of 560 sq. ft.

Recommendation: Approval

General Background & Comments

A request was received by the City of Golden Valley for constructing a pedestrian bridge across Bassett Creek, removing an existing pedestrian bridge and associated trail modifications. The project is located on General Mills property, along the main stem of Bassett Creek, approximately 500 feet upstream of General Mills Boulevard and 100 feet upstream of the existing bridge. The existing bridge is in disrepair and will be replaced to accommodate maintenance vehicles. The new bridge will be approximately 8 ft. wide by 46 ft. long. The City of Golden Valley will remove the existing bridge and approximately 1,580 square feet of associated bituminous trail after the new bridge is installed. The City will also construct approximately 1,020 square feet of the new associated trail. The project will result in a net decrease in impervious surface of 560 square feet.

Floodplain

The BCWMC regulatory floodplain elevation is 888.4 ft. at the proposed location. The low structural member will be placed at elevation 888.4 ft. at the south abutment and 889.4 ft. at the north abutment, thus, the low structural member of the new bridge will span above the floodplain. Insignificant grading will occur in the floodplain at the south abutment during construction. Minor disturbance in the floodplain may also occur during removal of the existing bridge. Although the existing bridge (to be removed) was not recently surveyed, review of historic survey data by the applicant indicates the existing bridge deck was installed in the floodplain at about 887.2 ft..

Wetlands

N.A

Stormwater Management

N.A.

Water Quality Management

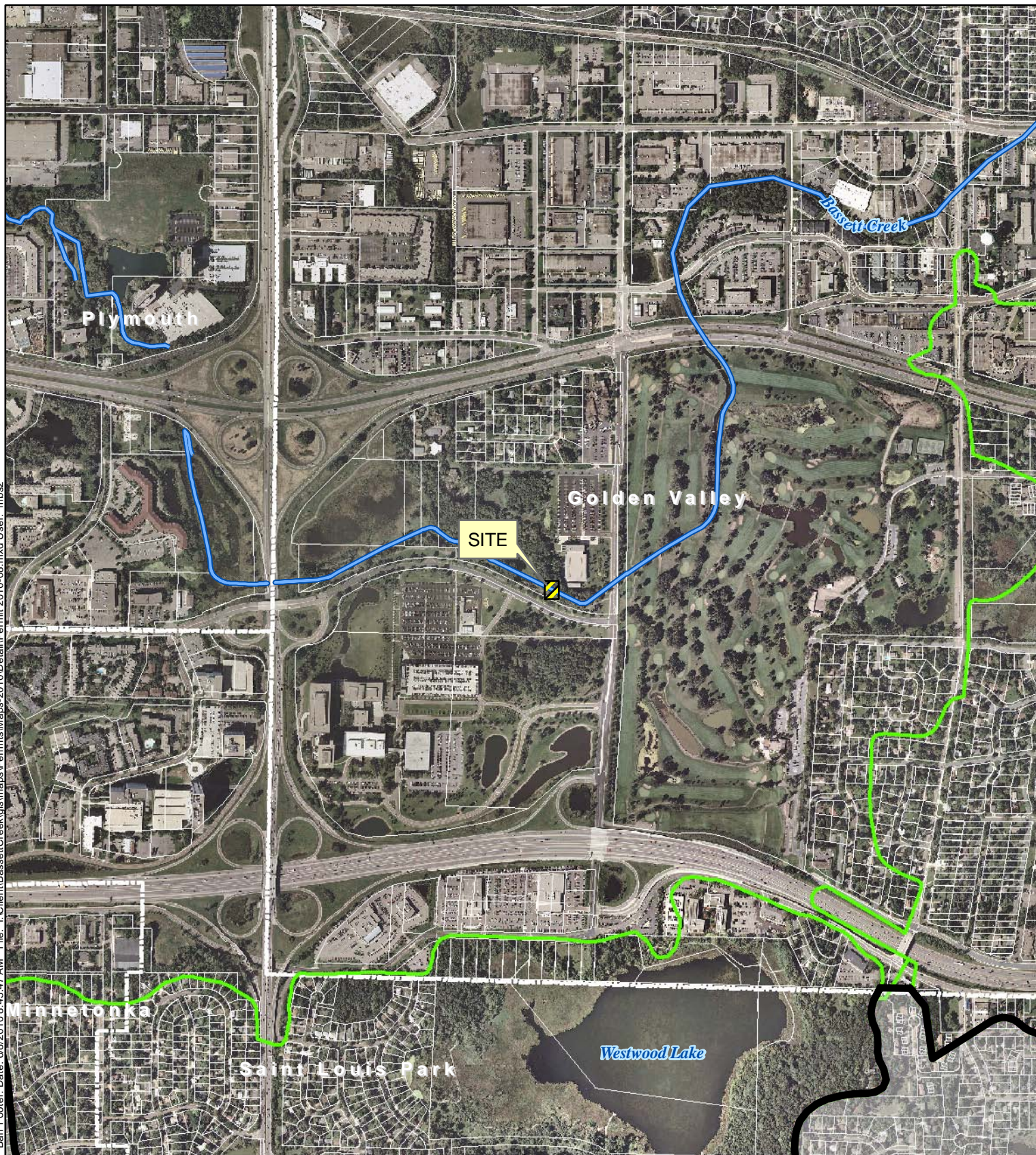
N.A.

Erosion and Sediment Control

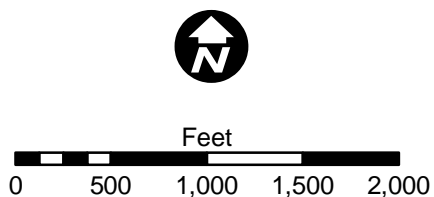
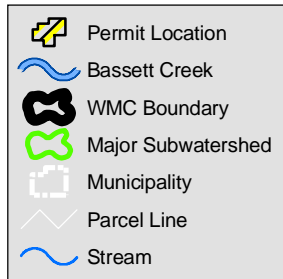
Erosion and sediment control features include silt fence around disturbed areas, erosion control blanket at abutments. Silt curtain is proposed downstream of the existing and new bridge.

Recommendation

Approval



Imagery Source: Aerials Express, 2009



LOCATION MAP
APPLICATION 2010-08
General Mills
Pedestrian Bridge
Golden Valley, MN



City of Medicine Lake

10609 South Shore Drive • Medicine Lake, Minnesota 55441 • (763) 542-9701 • (763) 746-0142 fax

Item
5B

May 13, 2010

Ms. Linda Loomis
Chair, Bassett Creek Watershed Management Commission
c/o City of Golden Valley
7800 Golden Valley Road
Golden Valley, MN 55427

RE: Request for hydraulic and hydrologic evaluation and environmental assessment of the Bassett Creek headwater dam at Medicine Lake, Hennepin County, Minnesota

Dear Ms. Loomis:

The City of Medicine Lake respectfully requests that the Bassett Creek Watershed Management Commission (BCWMC) conduct a hydraulic and hydrologic performance evaluation and environmental assessment of the Bassett Creek dam at Medicine Lake. The City is interested in learning whether the dam, since its installation in 1996, releases water too quickly under its current design and whether a variable release or actively managed release modification to the structure or change in runout elevation is merited.

The scope of this work shall meet the application standards of the MnDNR Division of Waters request for alterations to existing dams. The City of Medicine Lake may work with the City of Plymouth and Three Rivers Parks districts to generate a cooperative petition of shoreline residents if, after reviewing the BCWMC findings, such actions to modify the dam (or adjust the rates and volumes of which its waters are released) are deemed environmentally sound and pose little additional significant risk to public and private property.

Background

Some members of the Association of Medicine Lake Area Citizens (AMLAC), the lake association for Medicine Lake, expressed a concern that Medicine Lake lake levels have remained exceeding low for extended periods during the summer months for a number of years since the Bassett Creek dam was built. Low waters have forced many lakeshore property owners to either extend their docks, pair them with neighbors' docks or forgo having their boats and lifts available throughout the season. These persons believe that the lake water charge from rainfall and runoff is released too quickly under the current dam design. It is their contention that while some rainfall events may cause a rapid bounce in lake levels, these waters are not retained long enough in the lake to be of consistent recreational benefit. A copy of the AMLAC newsletter in which two viewpoints are addressed is attached for your reference (Fall 2009 Newsletter, p. 4).

AMLAC Chairperson, Terrie Christian, expressed their members' concerns to the BCWMC in October 2009. The Commission's engineer, Barr Engineering, answered in a BCWMC memo dated October 22, 2009 that it was their belief that the dam has performed adequately; attributing

low lake water levels to recent regional drought conditions over the past two years. That analysis and supporting documentation are attached for your reference (see <http://www.bassettcreekwmo.org/Meetings/2009-November/7E-Eng%20Commun-AMLAC%20Medicine%20Lake%20Memo.pdf>)

The low water levels concern was again raised to the Medicine Lake City Council at their December 2009 meeting. The Medicine Lake City Council made motion directing their BCWMC representative to draft a letter requesting further investigation of the dam and of lake levels in general. An excerpt of those meeting minutes (Page 4, New Business) is included for your reference. This letter and attached supporting materials shall satisfy the Council's request.

Questions

- Is sufficient daily water level data currently being collected at this headwater point to identify how many days a year water flows over the dam (and at what volumes) to model its adequacy? What is the frequency of current lake level monitoring?
- Would a "V-notch", or other variable release design modification, achieve the goal of retaining higher lake levels without increasing the regional flood risk?
- Would a slower release of lake waters impact the functionality of the stormwater retention ponds recently constructed around the lake?
- What are the ecological impacts of retaining marginally higher average lake levels over time?
- Would changes in the rate of release of the waters affect the established Ordinary Highwater Level (OHWL) of Medicine Lake?
- Will the 15 year runout threshold for this dam alter the historical OHWL for Medicine Lake (see <http://files.dnr.state.mn.us/waters/publications/lakeoutlet.pdf>) and if so, by what measure? Should any additional reviews be directed before 2011?
- What is the computed daily evaporation rate for Medicine Lake, the flow discharge rate (per inch elevation) above the normal water level, the annual rainfall to the Medicine Lake subwatershed and runoff volume (in inches per year). Please list which area precipitation monitoring point or points are used to compute total rainfall.
- What does the short term precipitation trend line show for Medicine Lake and the Twin Cities Metropolitan areas (greater than normal or less than normal precipitation) since the installation of this dam? What does the lake level trend line reveal?
- Should this dam receive a three year periodic performance evaluation as is similarly conducted with the Grays Bay dam at Lake Minnetonka?

The Medicine Lake City Council would find it very helpful if one of the BCWMC consulting engineers could attend a future Medicine Lake City Council meeting, present an overview of your findings and field questions and answers of attendees. Mayor Mary Anne Young can be reached at 763-544-3285 to schedule a meeting time and date.

Please copy me any communications or responses shared with the City. Thank you very much for your consideration!

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Hoshal". The signature is fluid and cursive, with the first name "Ted" and last name "Hoshal" clearly distinguishable.

Ted Hoshal
BCWMC Alternate Commissioner, Medicine Lake

Enclosures

cc Medicine Lake City Council
Amy Herbert, BCWMC Recording Administrator
Derek Asche, Water Resources Manager, City of Plymouth
Randy Lehr, Senior Manager of Water Resources, Three Rivers Parks District

Medicine Lake is deemed a general development lake by the MnDNR for development and zoning standards. According to the dam size (less than six feet in height), the Bassett Creek dam is exempt from state dam safety rules. Minnesota Statutes 103G regulate dam alterations in Minnesota; a DNR permit is required. The City of Medicine Lake is a Plan A Statutory City of the Fourth Class.

This letter and request is written on behalf of the City of Medicine Lake and may not represent the prior consent, direction or authority of the BCWMC, AMLAC, the City of Plymouth, Three Rivers Park District, Barr Engineering or any additional stakeholders or their associated contracting service providers.

Lake Outlet Dams

History

DNR Waters owns and maintains 300+ dams in Minnesota. Most were built in the 1930's for two reasons: to conserve water during the drought years and to provide work for the unemployed during the Great Depression. Dams generally featured several 5 foot wide openings called bays with provisions to add and remove wooden stop logs (see diagram on page 2). The level of the water maintained by a dam was dependent on the number of stop logs placed in each bay.

Stop logs were adjusted by local observers/operators at each lake for 10-12 years after these dams were built. However, when precipitation suddenly (and unpredictably) returned to normal and above normal, flooding occurred around many lakes resulting in claims for damages by lakeshore property owners. It became apparent that operation of these small dams could not maintain uniform lake levels, which fluctuate due to variable water supply (rain and snow) and other natural conditions (drought). Complaints of damages continued until a decision was made to stop dam manipulation, either by leaving them open (without stop logs) or permanently setting stop logs at a specific runout elevation.

The decision to set an authorized stop log elevation for each dam was preceded by an inspection of the dam, an examination of the shore of the affected lake and an analysis of all water level records and other

information about the lake. The goal was to set the stop logs at an elevation that would retain as much water as possible, yet eliminate complaints of high water and associated claims of damage from flooding. The authorized stop log setting for each dam has been maintained by DNR Waters for over 40 years and is the legal runout elevation.

Legal Considerations

DNR Waters is obliged to maintain each of its 300+ dams in a safe and functional condition. Since 1946-1947, DNR Waters has attempted to maintain a set runout elevation with free flowing conditions at each dam. The primary goals of this management plan are to protect existing shoreland owners' rights as well as downstream owners' rights to water available within natural precipitation variations. Regular inspections of dams are conducted in order to restore the authorized stop log setting, repair/replace damaged or worn out appurtenances and remove obstructions as necessary.

It is the goal of the DNR to maintain natural flow and natural water level conditions to the maximum feasible extent. When a dam with a set runout has changed the natural level of a lake for a long period of time (more than 15 years), then the runout elevation maintained by the dam becomes the legal runout for the lake. Unauthorized tampering with set runouts is an ongoing problem at dams in Minnesota.

According to Minnesota Statutes Chapter 103G, it is unlawful to change the runout elevation of a dam without prior permit authorization from the DNR. Persons found to be responsible for unauthorized changes to a dam are subject to criminal enforcement action. Along with the criminal action is the potential of lawsuits brought by aggrieved shoreland owners for flooding, lack of access or downstream damages due to flow changes resulting from the illegal tampering.

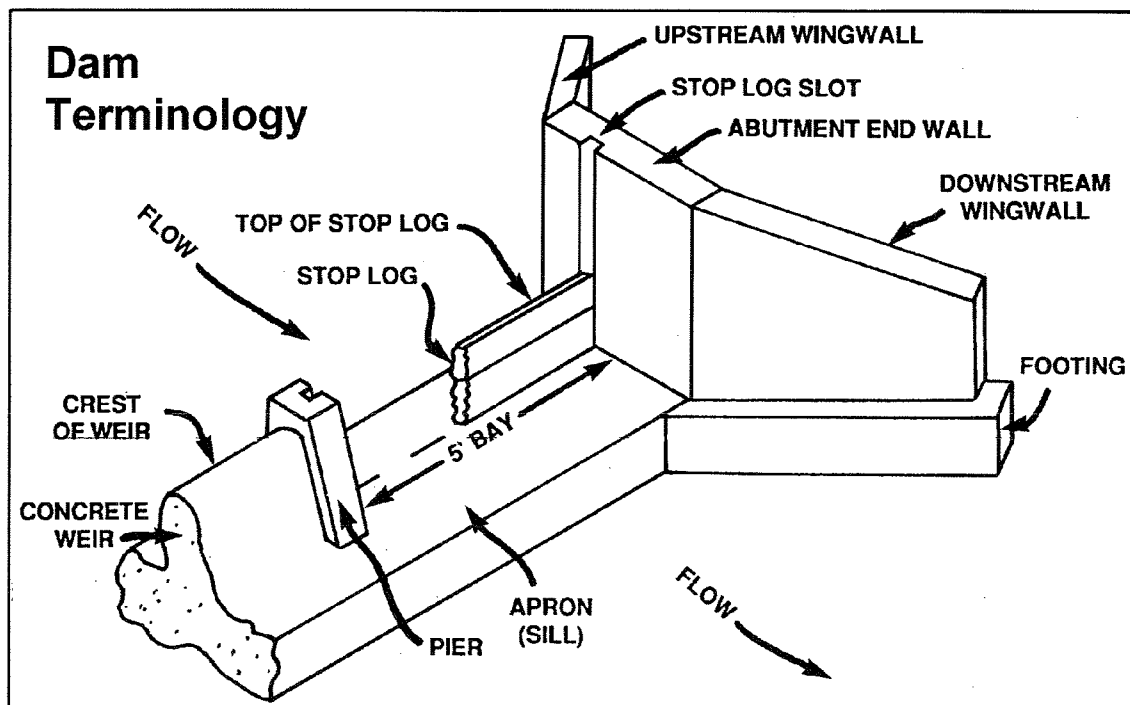
Permit Requirements

The state cannot legally alter a stop log elevation in response to individual requests due to high or low water level conditions. To raise a runout would cause water to cover land it did not previously cover which may be taking a land without compensation. It is unconstitutional for government to take private property without due

process. DNR Water's position and legal obligation is to maintain the authorized stop log setting and allow water levels to fluctuate in response to precipitation that falls within a lake's watershed.

A formal permit process exists for those shoreland owners who may wish to pursue a permanent change in a runout elevation. It must be clearly understood that no permit decision by DNR is required until complete information is provided by the applicants. The following steps are not all inclusive, but do set forth essential permit application requirements:

- 1) A permit application signed by a majority of riparian owners requesting a permanent change in runout elevation.
- 2) Engineering plans that show the proposed changes to the dam.
- 3) A hydrologic/hydraulic analysis to document anticipated changes in lake



levels and stream flows.

- 4) Surveys showing all shoreland and existing development that would be impacted by the proposed change.
- 5) Purchase or donation of flowage easements and consents from owners of **ALL** land riparian to the lake and any connected waters that would also be impacted.
- 6) An environmental assessment documenting impacts to wetland habitat, fish spawning areas, waterfowl and songbird nesting areas as well as strategies to address shore erosion due to wave action and winter ice push.

Costs associated with design, engineering, flowage easements and structure improvements are the responsibility of the applicants, or a local governmental unit acting on behalf of the applicants.

Summary

Proposals to change water levels are difficult to accomplish due to the legal, environmental and financial realities. Shoreland owners have varied opinions about “desirable” lake levels and each tends to favor a specific range of acceptable levels. There are potentially serious consequences in changing a dam’s runout elevation such as navigation problems, shore erosion, ice damage and flooding. Changing a runout to solve a problem generally creates new problems which may be unacceptable to other owners or future owners. Regardless of the runout elevation, lake levels will continue to fluctuate due to variations in precipitation which cannot be controlled.

Equal opportunity to participate in and benefit from programs of the Minnesota Department of Natural Resources is available to all individuals regardless of race, color, national origin, sex, sexual orientation, marital status, status with regard to public assistance, age or disability. Discrimination inquiries should be addressed to: MN DNR, 500 Lafayette Rd, St. Paul, MN 55155-4031; or Equal Opportunity Office, Department of the Interior, Washington, DC, 20240.

This information is available in an alternate format upon request.

DNR Information Center Phone Numbers:

Twin Cities: (651)296-6157

MN Toll Free: 1-888-646-6367 (or 888-MINNDNR)

Telecommunication Device for the Deaf:

(651)296-5484, 1-800-657-3929 MN Toll Free

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Lake Outlet Dams



PERMIT REQUIREMENTS TO CHANGE RUNOUT ELEVATIONS

The following steps are not all-inclusive but do list *essential* permit application requirements, under Minnesota Statutes 103G, for changing the runout elevation of a dam.

Permit Application. A permit application must be signed by a majority of riparian owners requesting a permanent change in runout elevation.

Flowage Easements. Purchase or donation of flowage easements and consent from *all* owners of riparian land abutting the lake, as well as any connected waters that would also be affected, are required.

Environmental Assessment. An environmental assessment must be prepared that documents impacts on wetland habitat, fish spawning areas, waterfowl and songbird nesting areas, as well as strategies to address shore erosion due to wave action and winter ice push.

Engineering. Engineering plans must be prepared that show the proposed physical changes to the dam.

Hydrology/Hydraulics. A hydrologic/hydraulic analysis must identify anticipated changes in lake levels and stream flows.

Surveys. Surveys must be prepared that show all shoreland and existing development that would be affected by the proposed change. These surveys must identify compliance with shoreland ordinance standards for both the existing and proposed runout in terms of lot size, structure and sewer system setback, and structure and sewer system elevations above the highest proposed water elevation.

Outlet Dam Maintenance

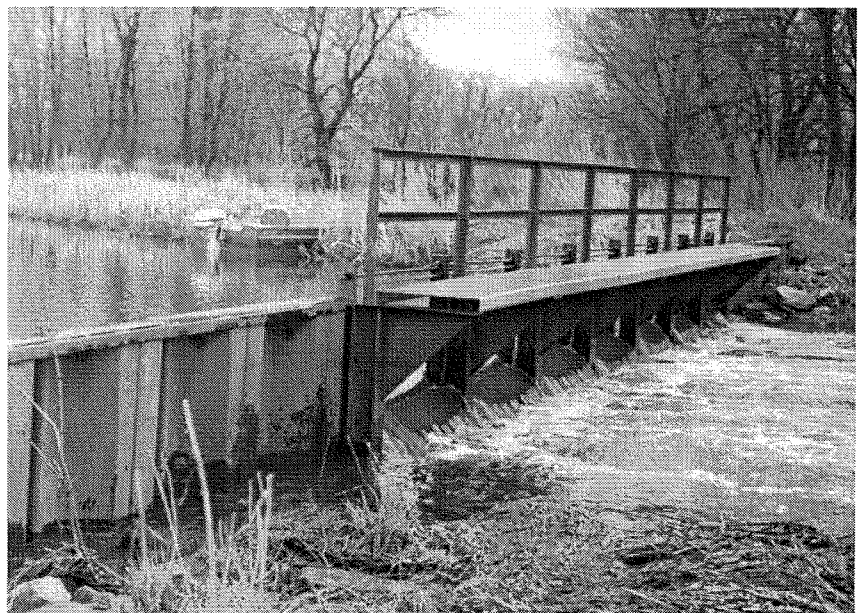
DNR Waters owns and maintains more than 300 lake outlet dams in Minnesota. The primary goals for dam maintenance are to protect existing shoreland owners' rights and downstream owners' rights to water available within natural precipitation variations.

Maintenance involves ensuring that each dam is safe and functional, operates at the authorized runout elevation, and provides free-flowing conditions. Inspections of dams are conducted to ensure that the stop logs are at the authorized setting, to repair or replace damaged or worn equipment, and to remove obstructions as necessary.

Historical Operation of Outlet Dams

Most lake outlet dams, which were built in the 1930s to conserve water, *generally* feature several 5-foot-wide openings, called bays, with provisions to add and remove wooden stop logs. The runout level of a dam depended on the number of stop logs placed in each bay. Stop logs were managed by local observer/operators at each lake for 10-12 years after the dams were built. When precipitation suddenly (and unpredictably) returned to normal and above normal, flooding occurred around many lakes resulting in claims for damages by lakeshore property owners. It became apparent that stop log operation by local observers could not maintain uniform lake levels.

Thereafter, department engineers inspected each dam, examined the shore of the affected lake, and analyzed all water level records and other available information about each lake. A decision was then made to set an authorized stop log level for each dam. The goal was to set the stop logs at an elevation that would retain as much water as possible yet eliminate complaints of high water and the associated claims of damage from flooding. The authorized stop log setting is maintained by DNR Waters as the legal runout elevation.



Outlet dam.

Lake Outlet Dams



DNR maintenance specialist replacing wooden stop logs with steel channels at the Island Lake outlet dam in Crow Wing County (photograph by Ron and Judy Rolfe).

Changing a Runout Elevation

It is the goal of DNR Waters to maintain existing flows and water level conditions at lakes with outlet dams to the maximum feasible extent. However, shoreland owners on a lake may have varied and differing opinions about “desirable” lake water levels. Proposals to change water levels are difficult to accomplish due to legal, environmental, and financial realities (see details in sidebar on page 1).

Potentially serious consequences may result from changing a runout elevation, such as navigation problems, shore erosion, water quality degradation, ice damage, and flooding. Changing a runout to solve a problem may create new problems that are unacceptable to other owners or to future owners. Regardless of the runout elevation of a lake, water levels will fluctuate because of variations in precipitation, which cannot be controlled.

Legal Considerations

Unauthorized tampering with set runouts is an ongoing problem at dams in Minnesota. According to Minnesota

Statutes Chapter 103G, it is unlawful to change the runout elevation of a dam without prior permit authorization from the DNR. Persons found to be responsible for unauthorized changes to a dam are subject to criminal enforcement action. Along with the criminal action is the potential of lawsuits brought by aggrieved shoreland owners for flooding, lack of access, or downstream damages due to flow changes resulting from the illegal tampering.

The state cannot legally alter a stop log elevation in response to individual requests because of high or low water level conditions. To raise a runout would cause water to cover land it did not previously cover, which may be a “taking” of land without compensation. It is unconstitutional for government to take private property without due process. DNR Waters’ position and legal obligation is to maintain the authorized stop log setting and allow water levels to fluctuate in response to precipitation that falls within a lake’s watershed.

A formal permit process exists for those shoreland owners who may wish to pursue a permanent change in runout elevation (see sidebar, page 1). It must be clearly understood that no permit decision by the DNR is required until complete information is provided by the applicant(s). Costs associated with design, engineering, flowage easements, and structural improvements are the responsibility of the applicant(s), or a local governmental unit acting on behalf of the applicant(s).

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DNR Contact Information



DNR Waters website lists Area Hydrologists:
www.dnr.state.mn.us/waters

DNR Waters in St. Paul:
500 Lafayette Road
St. Paul, MN 55155-4032
(651) 296-4800

DNR Information Center

Twin Cities: (651) 296-6157
Minnesota toll free: 1-888-646-6367
Telecommunication device for the deaf (TDD): (651) 296-5484
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Opinion: Change Needed in Dam Design



The dam and waterway leading to it in late summer 2009

by Gary Holter, AMLAC Board Member

Those of us who walk along Medicine Lake find the small dam along South Shore Drive to be an irresistible stopping point. In the spring we watch the water rushing powerfully through the notch in this little dam, churning up the creek below. Discussions about the water levels always follow. Examining the depth gauge inserted next to the notch in the dam, we discuss years past: when the water was this high or that high, or the years when the water gauge was submerged. Whew, the water surely was high that year.

Lately though, things have changed. In recent years, paltry amounts of water flow over the dam's notch. And the season for watching the lake's water flow over the dam is short, ending before the end of May. The lake level now seems consistently low.

The short waterway leading to the dam is no longer a waterway. It looks much the same as the receding shoreline around the lake, a sediment base with

various forms of vegetation trying to claim new territory. (See picture above.)

Water level is definitely lower. Just ask the boaters who trailer their boats to the landing in French Park. Shallow water makes a successful launch extremely challenging. Once a boat is launched, the challenge then becomes avoiding the shallows of the lake, which because of the decreased water levels have moved significantly further into the lake. This is where your outboard's propeller starts to churn up the sediment and weed growth of the lake bottom. After a trip through an engine's impeller and cooling system, this sediment-laden slurry is left to drift and resettle to the lake floor.

Some blame the drought for these conditions, but maybe drought is not the only culprit. As an AMLAC board member the most frequent question I get is not about weeds or weed treatments, but rather, can the level of the dam be raised in an effort to hold water in the lake longer? We've also received creative solutions from AMLAC members. One I

liked was replacing the dam's notch with an elongated Vee. But altering the dam is not up to AMLAC. Any change must come from the Army Corps of Engineers with a formal request from the Bassett Creek

Watershed District. Would you like your watershed district to get involved with a dam modification project?

Email AMLAC at AMLAC@q.com and let us know your thoughts.

Opinion: Keep Dam As Is

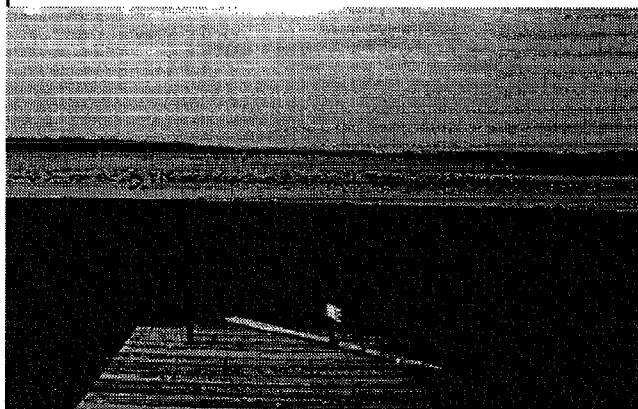
by Terrie Christian, AMLAC Board Member

The dam issue has surfaced many times over the years. The dam has two purposes: to prevent flooding and to retain as much water as possible during low water periods. It's height was determined by taking an average of the high and low water marks. It's good we all work to understand the physics, engineering and weather factors.

In 1987 we had a severe drought. (See photo below.) Then "the storm of the century" bounced the water level up overnight and some properties were flooded. Bounce is important to consider when discussing the height of the dam. As more land has been developed, fewer wetlands exist to slow the flow of water into the lake. Impervious surfaces and gutters to collect stormwater flow directly into the lake decreasing the time it takes for the lake level to rise after a major storm.

We have lived on Medicine lake for over 25 years and have seen this faster bounce. Other longtime residents have told me they have also seen this bounce and we have talked with each other about flooding. On our shoreline we have sandbagged during high water periods because of extreme bank erosion. We then allowed trees to grow on our shoreline and hauled in 40 tons of rock for a more permanent solution. We also have flood insurance because of our concerns in the high water years even though we are not in a floodplain.

Bassett Creek Watershed Commissions is sending AMLAC information in November that will be published on its website. Check it out on www.amlac.org.



Lake level in 1987 during the drought

December 7, 2009

City of Medicine Lake Council Minutes

Present: Mayor Young; Councilors Larson, Helman, Seamans and Holter; Treasurer Kile; Clerk Pauly; Fire Chief Garberg; Parks Commissioner Klar; Planning Commission Pettengill; Bassett Creek Watershed Hoshal; Public Works Commissioner Martinez.

Absent: no one.

Miscellaneous attendees: no one.

Mayor Young called the meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

Minutes and Agenda

- Motion to approve the agenda with a correction to Councilmember Helman's report that it's an Altair 5 forwarded by Councilmember Larson and seconded by Councilmember Seamans. With all in favor, the motion carried.
- Motion to pass the November 2nd, 2009 minutes forwarded by Councilmember Larson and seconded by Councilmember Holter. With all in favor, the motion carried.

Open Forum

- None.

Fire Department Report - Jack Garberg

- Reported no calls for November.
- Reported 22 calls for the year.
- Reported one drill remains for the year.

Public Works Report - Bert Martinez

- Reported the video inspection of the sewer has been delayed. Today he signed an agreement with a contractor who is going to purchase the equipment for \$4000. The first inspection will be in a week and will cost \$1600.
- Reported the sewer line will be flushed annually. It was flushed this week.

Bassett Creek Watershed District Report – Ted Hoshal

- Reported two new members joined. One is a New Hope city council member and the other is a hydrogeologist.
- Reported the water quality projects ponding project that Plymouth has planned for West Medicine Lake Park is scheduled to start December 14th.
- Reported the TMDL will be going to the MPCA, EPA, etc for review.
- Reported that Medicine Lake is set to attend the Technical Advisory Committee meeting in January.
- Reported there was an interesting presentation from a Plymouth intern on Bassett Creek about people's opinions / expectations of the creek. The report is available on Bassett Creek's web site.

Planning Commission Report – Jon Pettengill

- Reported the lake shore patio brochure will be sent with the resending of the When Do I Need a Variance and When Do I Need a Permit fliers. Most likely with the January Laker.

- Motion to approve ordinance 100 an ordinance amending section 42.26 Power and Authority of Inspectors for the City of Medicine Lake forwarded by Councilmember Larson and seconded by Councilmember Seamans. With all in favor, the motion carried.
- Motion to approve ordinance 101 an ordinance providing for securing vacant buildings forwarded by Councilmember Larson and seconded by Councilmember Holter. With all in favor, the motion carried.
- Motion to approve ordinance 102 an ordinance regulating the conduct of peddlers, solicitors, and transient merchants within the city of Medicine Lake, Minnesota forwarded by Councilmember Larson and seconded by Councilmember Seamans. With all in favor, the motion carried.
- Reported the Planning Commission discussed the purchase of the Novickas property. The Planning Commission unanimously agrees that there should be a movement by the City to preserve green space. This is a property the City has wanted to acquire for the purpose of preserving it as green space. To the extent it's approved and the City Council wants to move forward the Planning Commission wholeheartedly support it.
- Mayor Young asked Mr. Pettengill to develop a form for the solicitors.

Parks Report - Chris Klar

- Reported the park is closed and there will be one more garbage pickup and it will occur tomorrow.
- Reported kids were using the tennis court backboard for paintball practice. He'll scrub it down in the spring.

Treasurer's Report-Craig Kile

- Receipts in reporting period: \$180,486
- Receipts year to date: \$370,786
- Disbursements in reporting period: \$38,039
- Disbursements year to date: \$202,908
- Motion to approve the summary spending, receipts and cash balances through December 6, 2009 forwarded by Councilmember Larson and seconded by Councilmember Holter. With all in favor, the motion carried.
- Motion to approve the budget for 2010 as presented for a total of \$383,000 forwarded by Councilmember Seamans and seconded by Councilmember Larson. Motion passed with all in favor.
- Motion to approve \$349,100 as the certified levy amount for 2010 forwarded by Councilmember Larson and seconded by Councilmember Helman. With all in favor, motion carried.

Officer Reports:

Councilmember Holter

- Reported three building permits issued.

Councilmember Seamans

- No report.

Councilmember Helman

- Reported on an Altair 5 Multigas Detector the Fire Department is interested in acquiring. He said he and Chief Garberg have talked with vendors about a device that is easy to use. The Fire Department struggles with recalibrating the current device, which is needs calibration every month. He said if we want to properly work with the lift station then we need a device that both the Fire Department and residents who assist with the lift station can operate easily. He recommends the Altair 5 Multigas Detector. It has an external pump so a hose can be extended down in to the lift station. The detector is \$1125. A calibration unit is \$1300. The total price is approximately \$2800 total price. He further said there is no budget available from the Fire Department and they could either wait until next year

or use money from the sewer budget. The monitor the Fire Department currently has is out of service because of struggles with calibration. Chief Garberg said the Altair 5 also could be used to detect gas leaks. Bert Martinez said he thinks it's a wonderful tool but doesn't think we need this type of sophisticated tool for the lift station and there are some other items needed from the sewer budget. Motion that the City moves forward with the purchase of the Altair 5 Multigas Detector from Metro Fire at a cost not to exceed \$2700 plus including tax and shipping and to be paid for out of the sewer budget forwarded by Councilmember Helman. Motion failed due to the lack of a second.

- Reported on the confined space training given by Hennepin County Tech. He said it was an eye opener for those in attendance. The lift station hoist system is not OSHA approved and the City has to have an engineer sign off on it and have a different wench installed that is not outside in the elements. He asked for council's permission to get estimates. Mr. Martinez said we do not need to go into the lift station as often as we used to and we can call a contractor to take care of issues. Councilmember Helman said no one can go in the lift station until we have an air monitoring device and the existing hoist system cannot be used for people. Mr. Martinez said we have companies in place we can contact if access is needed to the lift station. Mr. Martinez will provide the contact information for these companies so it can be added to the list of city contacts.
- Distributed a StarTribune article titled "Milfoil is foiled by herbicide on Minnetonka Bays" on the great progress Lake Minnetonka is having with chemical treatments.
- Reported rental notices for 2010 will be going out shortly.
- Reported he's having difficulty attending the garbage meetings. Meeting attendance is needed to receive SCORE funds. He asked for Council's direction. Mayor Young said she could attend as her schedule allows.

Councilmember Larson

- Reported he received a call from Mr. Novickas and he said the appraised value of his land went up 2.5 times and his taxes went up. He will sell the property to the City for the tax-assessed value of \$112,000. He would finance it if necessary. Mr. Kile said we have the funds. According to Brad Scheib we do not need a public hearing. Mayor Young contacted Wynn Curtiss and the city can buy the land. The 2010 property taxes (\$2100) have not been paid and it's an outstanding question on who would pay them.
- Motion that the City of Medicine Lake purchase the Novickas property for the assessed value that he is willing to sell it to us and that we work through our City Attorney to make sure we've done everything correctly and pay cash and that we do it before the end of the year forwarded by Councilmember Larson. Seconded by Councilmember Helman. Motion passed with all in favor.

Mayor Young

- Reported she has been in conversation with Steve Gunn. He is interested in purchasing the Johantgen property. However, he is concerned about the fill that is present on the property. He asked if the city could write him a letter providing some type of guarantee that we would not ask him to clean out the fill. She reviewed it with Mr. Curtiss and he said the city could do that. There are organizations and entities that could override our letter. She plans to proceed with this.
- Reported she received a request from a resident that the minutes are out of date on the city website.
- Reported she is a notary and it's up January 31, 2010. She plans to renew it.
- Reported Councilmember Larson donated a used copy machine. Mr. Hoshal will take the old one.
- Motion to approve resolution 9-9 accepting a monetary gift of \$1000 from the Plymouth Lions to benefit the City of Medicine Lake Fire Department forwarded by Councilmember Larson and seconded by Councilmember Holter. Mayor Young, Councilmembers Larson, Seamans and Holter in favor. Councilmember Helman abstained. Motion passed.
- Motion to approve resolution 9-10 accepting a monetary gift of \$100 from RMG to benefit the City of Medicine Lake Fire Department forwarded by Councilmember Larson and seconded by

Councilmember Seamans. Mayor Young, Councilmembers Larson, Seamans and Holter in favor. Councilmember Helman abstained. Motion passed.

Unfinished Business

- Mr. Hoshal gave a thank you to Mike Helman and Gary Holter and others for their work with the Buckthorn removal. He said he hopes the City continues the effort.
- Mr. Hoshal reported that last month two downspouts were added to City Hall.
- Mr. Hoshal reported he and his father installed a 30 mph sign on South Shore Drive.
- Mr. Hoshal reported he received a call from Brian Atherton regarding the Diamond-T fire truck. Mr. Atherton is a certified vehicle appraiser. Mr. Hoshal sent him pictures and Mr. Atherton provided information on the sales process. He advised putting a web page on the city web site and leak it to the American Truck Historical Society and the Diamond-T Collector's web page. Mr. Atherton suggested putting it on eBay and Craig's List.
- Mr. Hoshal reported he brought in two aerial photos. One of his home and the other of Medicine Lake. Mr. Hoshal has the contact information of the person who took the photos. They were taken in the fall of 2008.
- Mr. Hoshal reported he is donating a small file cabinet to be used for the historical voter registration records.
- Mr. Hoshal reported the Laker turns 50 years old in January 2010. He'd like to see the entire Laker collection scanned, possibly for the Minnesota Historical Society. He will discuss it with Kip Leonard.
- Mr. Hoshal reported he plugged in the Christmas tree lights at City Hall. Not all lights on the wreath are working. He will look into it further.

New Business

- Motion that the City of Medicine Lake direct the Bassett Creek Watershed District representatives (Cheri Templeman, Ted Hoshal) to ask the Bassett Creek Watershed District to alter the height of the notch in the damn to decrease the flowage from Medicine Lake over the damn forwarded by Councilmember Holter and seconded by Councilmember Larson. Motion passed with all in favor.
- Nancy Pauly reported that The Chateau Medicine Lake liquor license expires 2/21/2010. The renewal process will be started. It will be voted on at the February meeting.

Motion to adjourn forwarded by Councilmember Larson and seconded by Councilmember Holter. With all in favor, the motion carried at 8:46 p.m.

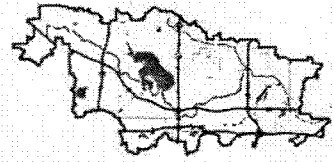
Respectfully submitted,

Nancy Pauly
City Clerk

Approved on Pending

Bassett Creek Watershed Management Commission

www.bassettcreekwmo.org



• Crystal • Golden Valley • Medicine Lake • Minneapolis • Minnetonka • New Hope • Plymouth • Robbinsdale • St. Louis Park

Memorandum

To: Terrie Christian, President, Association of Medicine Lake Area Citizens (AMLAC)
From: Barr Engineering Company
Subject: Medicine Lake Water Levels and Outlet Structure
Date: October 22, 2009
Project: 23/27 051 2009 030

The Bassett Creek Watershed Management Commission (BCWMC) has been requested to comment on the recent low water levels at Medicine Lake and the design of the existing Medicine Lake dam.

Medicine Lake Water Levels

The BCWMC has monitored Medicine Lake water levels since 1972. During the last 37 years, Medicine Lake, as well as other metro lakes, has experienced periods of drought and periods of high water. The period of low water levels observed at Medicine Lake during summer 2009 was typical of several lakes in the metro area. The Minnesota Department of Natural Resources (DNR) Hydrologic Conditions Report for September, 2009 reports that lake levels remained below normal for indicator lakes in the metro area. Indicator lakes with below normal water levels included Lake Minnetonka in Hennepin County, Upper Prior Lake in Scott County, and White Bear Lake, on the border of Ramsey and Washington Counties. White Bear Lake had its lowest September water level on record. Significantly low water levels have also been noted at Parkers Lake in the city of Plymouth. According to the Hydrologic Conditions Report, precipitation for the metro area for the period of April 1, 2009 – September 28, 2009 was 6 to 9 inches below normal; the report is included as an attachment to this memo.

The low water levels in 2009 are not unique; Medicine Lake has experienced similar periods of drought and low water levels in the past, as indicated in Figure 1. Water levels as low, or lower than, 2009 low water levels have been measured at Medicine Lake in 13 of the 37 years of which water levels have been recorded. These 13 dates are called out on Figure 1.

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c/o Barr Engineering Company
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612-385-6885

Charlie LeFevre, Attorney
Kennedy & Graven
470 US Bank Plaza, 200 South Sixth Street
Minneapolis, MN 55402
612-337-9215
612-337-9310 (fax)

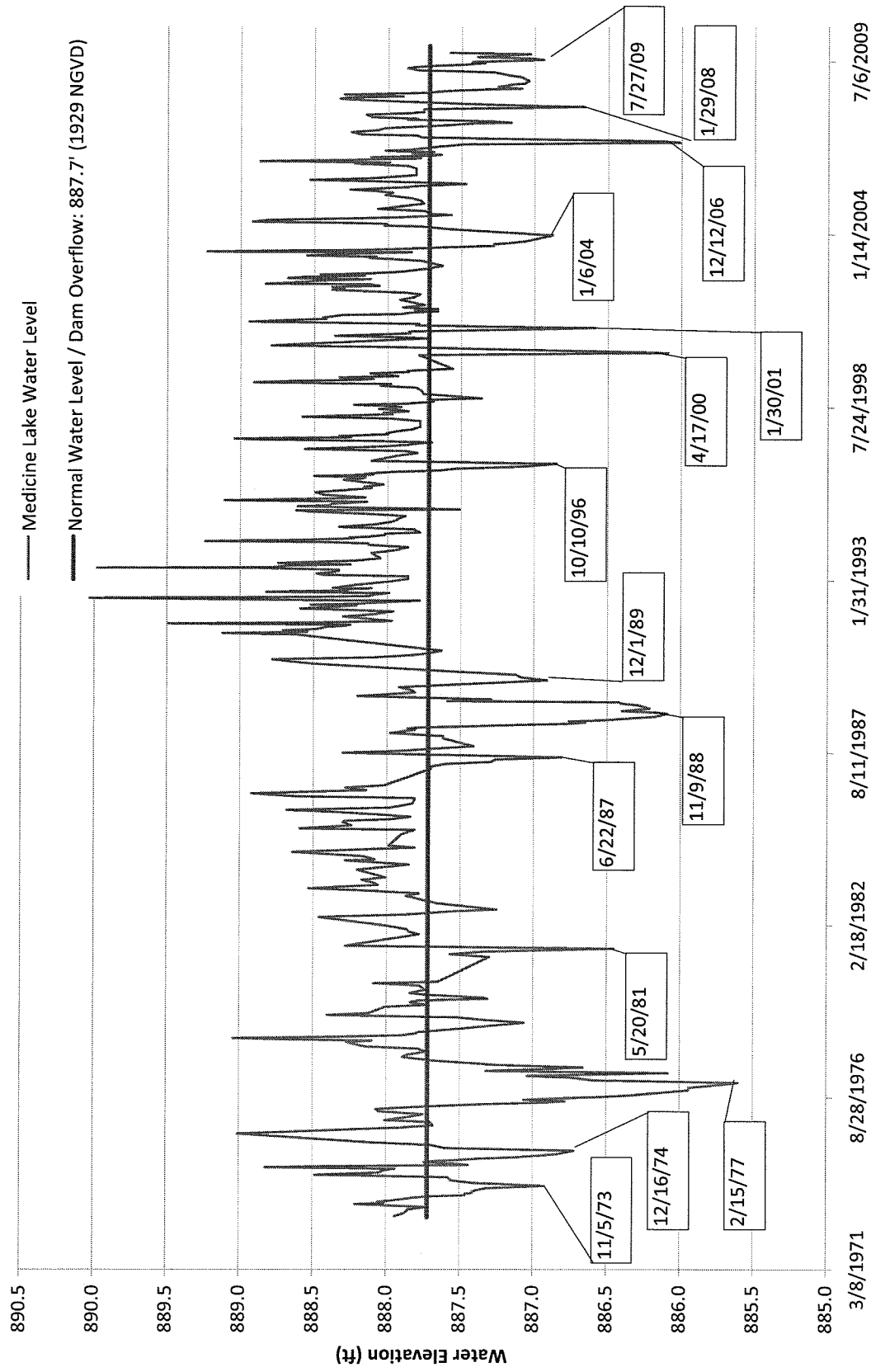
Leonard Kremer, Engineer
Barr Engineering Company
4700 West 77th Street
Minneapolis, MN 55435
952-832-2600
952-832-2601 (fax)

Medicine Lake Outlet/Dam

The Medicine Lake outlet/dam is located at the south end of the main basin of the lake, near South Shore Drive. The outlet/dam is 14 feet wide at the normal level; the structure discharges water from Medicine Lake directly to Bassett Creek. The outlet structure maintains the normal water elevation of Medicine Lake at approximately 887.7 feet (NGVD 29). (The normal water elevation is the elevation at which water will begin to flow out of the lake/over the control structure). The discharge (normal) elevation of the structure is approximately three feet above the level of the creek channel. The BCWMC, City of Plymouth, DNR and Hennepin County replaced the Medicine Lake outlet structure because the old dam had deteriorated and was leaking severely, and because additional capacity was needed for flood flows. The new/current structure was constructed to the same normal water elevation as the previous structure, as required by the DNR permit. The structure was designed to minimize seepage and other leakage from the structure. The “stepped” weir (outlet) of the current structure was designed and installed, in close coordination with the DNR, to address fisheries concerns and to minimize the duration of potential flooding during high flows. Changing the current outlet structure would not have any effect on the current drought conditions because the water level is already below the crest (normal level) of the dam.

Modifying the outlet structure by reducing the width of the dam crest or installing a v-notch weir, would slow the release of water from the lake, and temporarily maintain higher water levels; however, it would also increase the flooding potential at several of the low homes around the lake. Any proposed modifications to the existing structure would require detailed analysis and approval from the DNR, BCWMC, the city of Plymouth, and the city of Medicine Lake to ensure changes do not increase flooding impacts.

Figure 1: Medicine Lake Water Levels 1972-2009
October 19, 2009



Minnesota Department of Natural Resources

Division of Waters

Hydrologic Conditions Report

September 2009

Summary

This is the third installment of the monthly Hydrologic Conditions Report. For comparative purposes please reference the previous 2009 reports at:

http://mndnr.gov/current_conditions/hydro_conditions.html

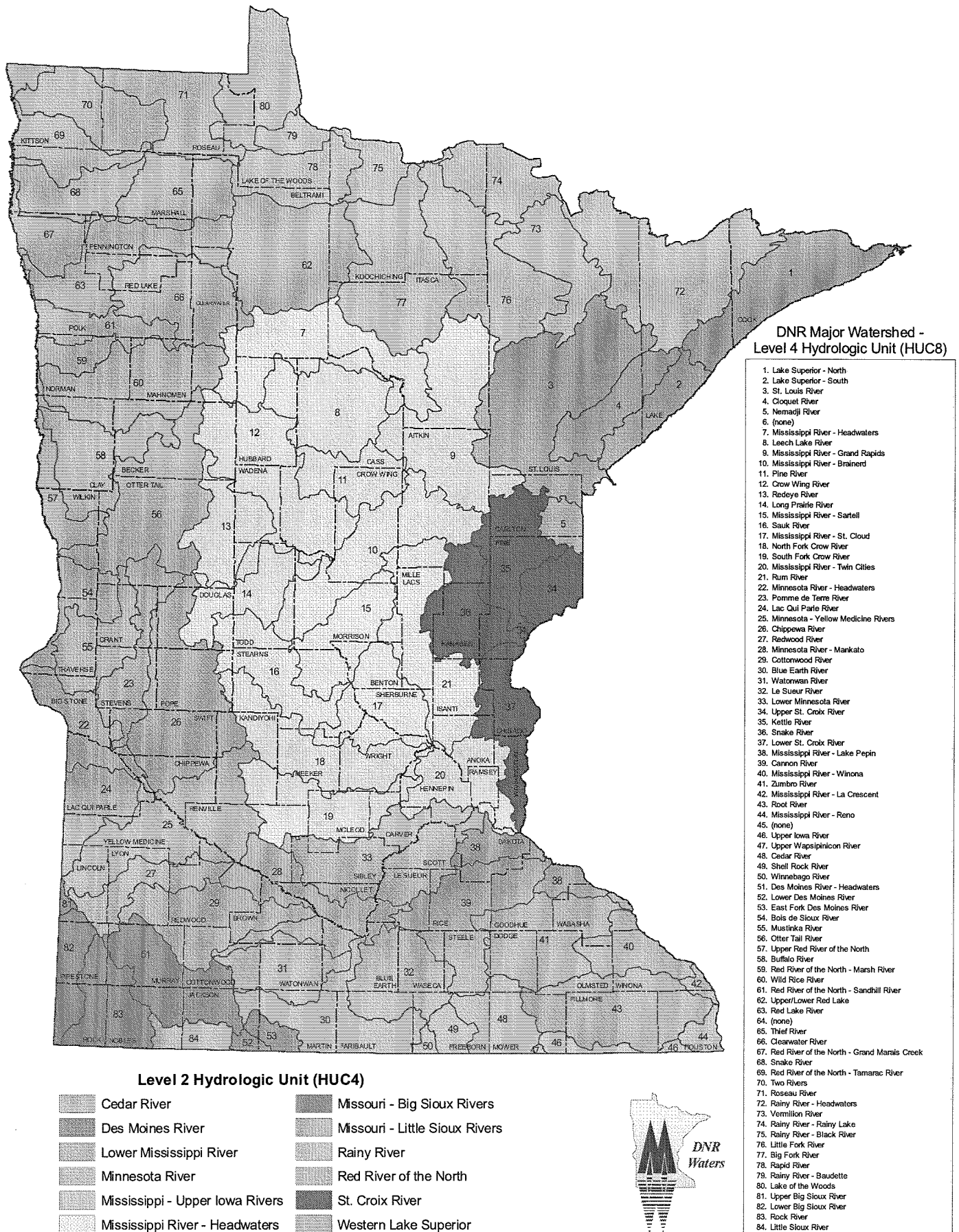
The significant rains in August were followed by the one of the warmest and driest Septembers in the modern record. Precipitation for the growing season (April through September) fell short of normal by five or more inches in many locales.

- By late September, 30% of Minnesota's landscape was placed in "Moderate", "Severe", or "Extreme" drought categories by the U.S. Drought Monitor. In many counties, the 2009 growing season ranked among the 10 driest ever.
- Stream flows in September declined through much of the state. Flows in the central part of the state, upper Mississippi River basin and the southeast fell to below normal or less with flows at some indicator gages below the 10th percentile when compared to historical flows for September.
- Indicator lakes remained below normal in the metro, south central and eastern part of the state. Water levels at White Bear and North Center lakes were the lowest historically recorded in the month of September. Water levels were generally normal to high in the northwest and in the normal range in the northeast part of the state.
- Ground water indicator wells continue to show declining conditions in the metro area. Levels in the southwest rose to the normal range, while levels in indicator wells in the central and northeast part of the state remained in the normal to high range. Ground water levels in wells in the northwest fell to the normal to low water ranges when compared to historical levels.

The information in this report is provided by DNR through long term programs committed to recording and tracking the long term status of our water resources. The current conditions of precipitation, stream flows, lake levels and ground water levels in this report provide valuable information for natural and economic resource management on a state, county and watershed level.

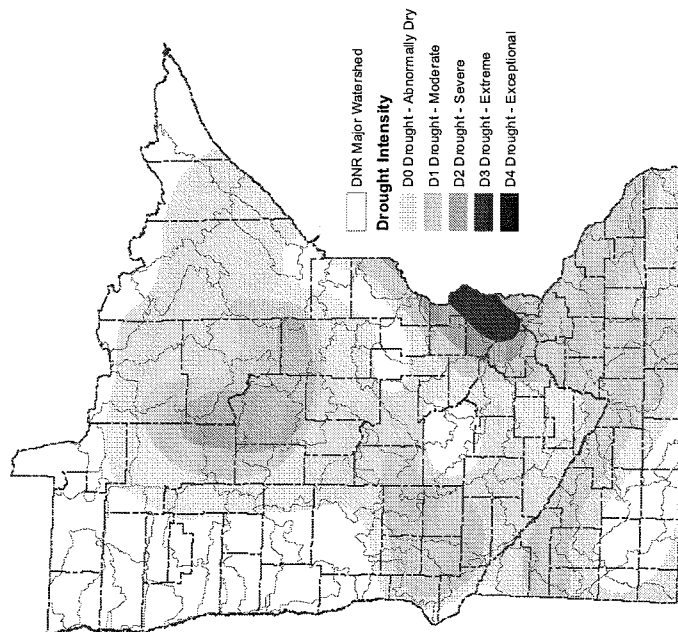
If you have questions on the content of this report please contact Greg Spoden: 651-296-4214, greg.spoden@state.mn.us

Minnesota Counties and Major Watershed Index

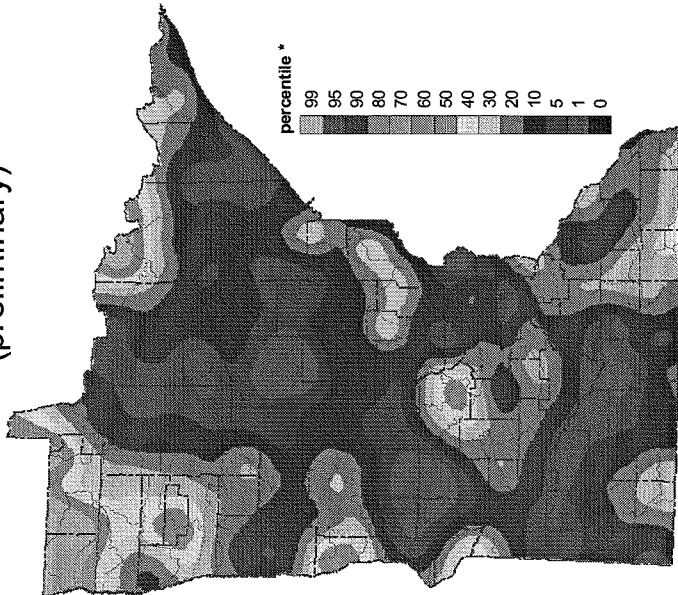


Climatology

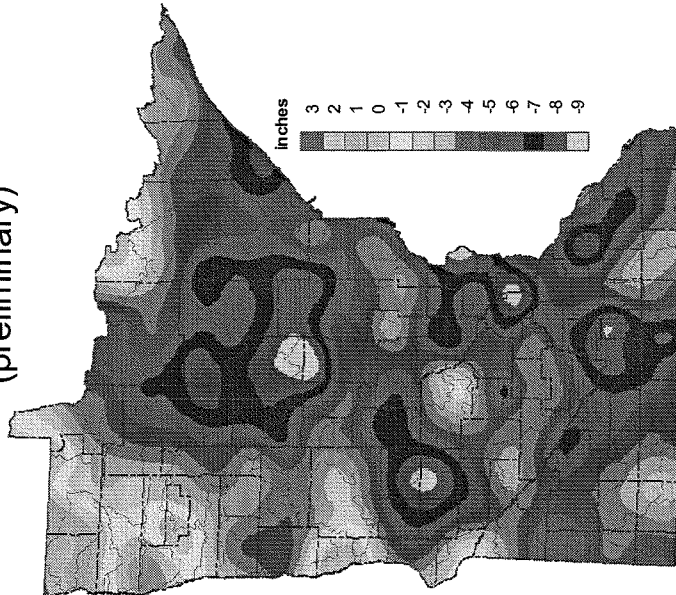
U.S. Drought Monitor
September 29, 2009



Precipitation Ranking
April 1, 2009 - September 28, 2009
(preliminary)



Total Precipitation
Departure from Normal
April 1, 2009 - September 28, 2009
(preliminary)

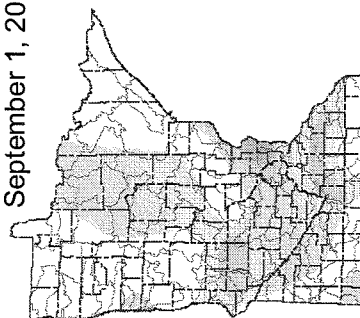


State Climatology Office - DNR Waters

Notes:

- September 2009 was one of the warmest and driest Septembers in the modern record.
- By late September, 30% of Minnesota's landscape was placed in "Moderate", "Severe", or "Extreme" drought categories by the U.S. Drought Monitor.
- In many counties, the 2009 growing season ranked among the 10 driest ever.
- Precipitation during the season fell short of normal by five or more inches in many locales.
- Large sections of the southern two-thirds of Minnesota received at least one inch of rain during the first few days of October. More early-October rainfall was expected as of this writing.
- Should the forecasts verify, significant improvements in the soil moisture situation are expected. Larger hydrologic systems will be slower to respond.

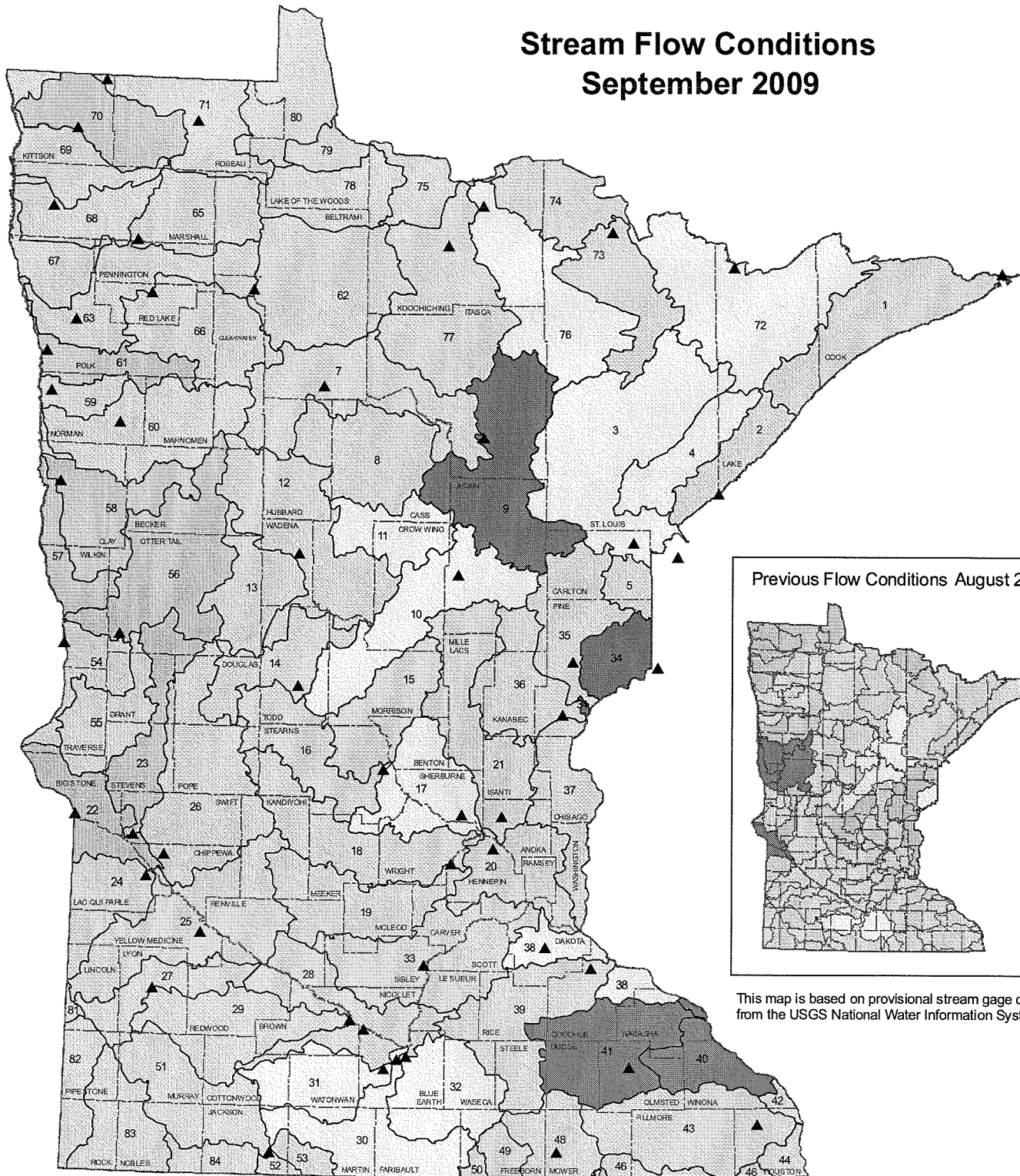
September 1, 2009



* Percentile maps compare current-year seasonal rainfall totals with the long-term climate record. This percentile (ranking) statistic allows the season's rainfall totals to be described using historical context. A location ranked at zero means that the present-year seasonal rainfall total is the lowest found in the historical record; a ranking of 100 indicates the highest on record. A ranking at the 50th percentile (median) specifies that the present-year seasonal rainfall total is in the middle of the historical distribution.



Stream Flow Conditions September 2009



Previous Flow Conditions August 2009

This map is based on provisional stream gage data from the USGS National Water Information System

* Percentile ranking based on mean daily flows for the current month averaged and ranked with all historical mean daily flows for that month.

A watershed ranked at zero means that the present month flow is the lowest in the period of record; a ranking of 100 indicates the highest in the period of record.

A ranking at the 50th percentile (median) specifies that the present-month flow is in the middle of the historical distribution.

Data are current through 9/29/2009.

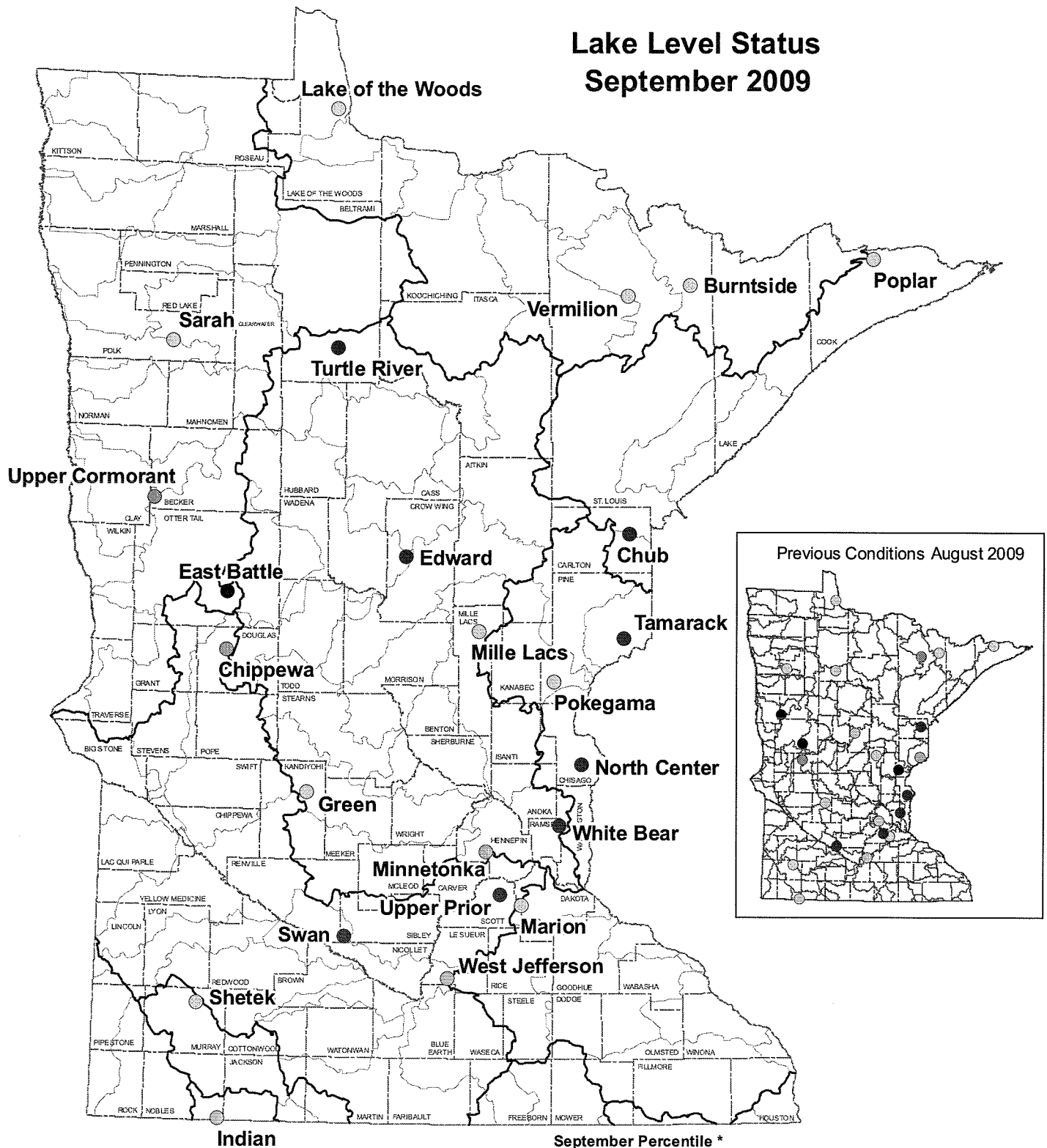
▲ Designated major watershed gage

September Percentile *

- High Flows (>90th percentile)
- Above Normal Flows (75 - 90th percentile)
- Normal Flows (25 - 75th percentile)
- Below Normal Flows (10 - 25th percentile)
- Low Flows (<= 10th percentile)



Lake Level Status September 2009



* Percentile ranking based on last reported reading for the current month compared to all historical reported levels for that month. A lake ranked at zero means that the present reported level is the lowest in the period of record; a ranking of 100 indicates the highest in the period of record.
A ranking at the 50th percentile (median) specifies that the present-month reported lake level is in the middle of the historical distribution.

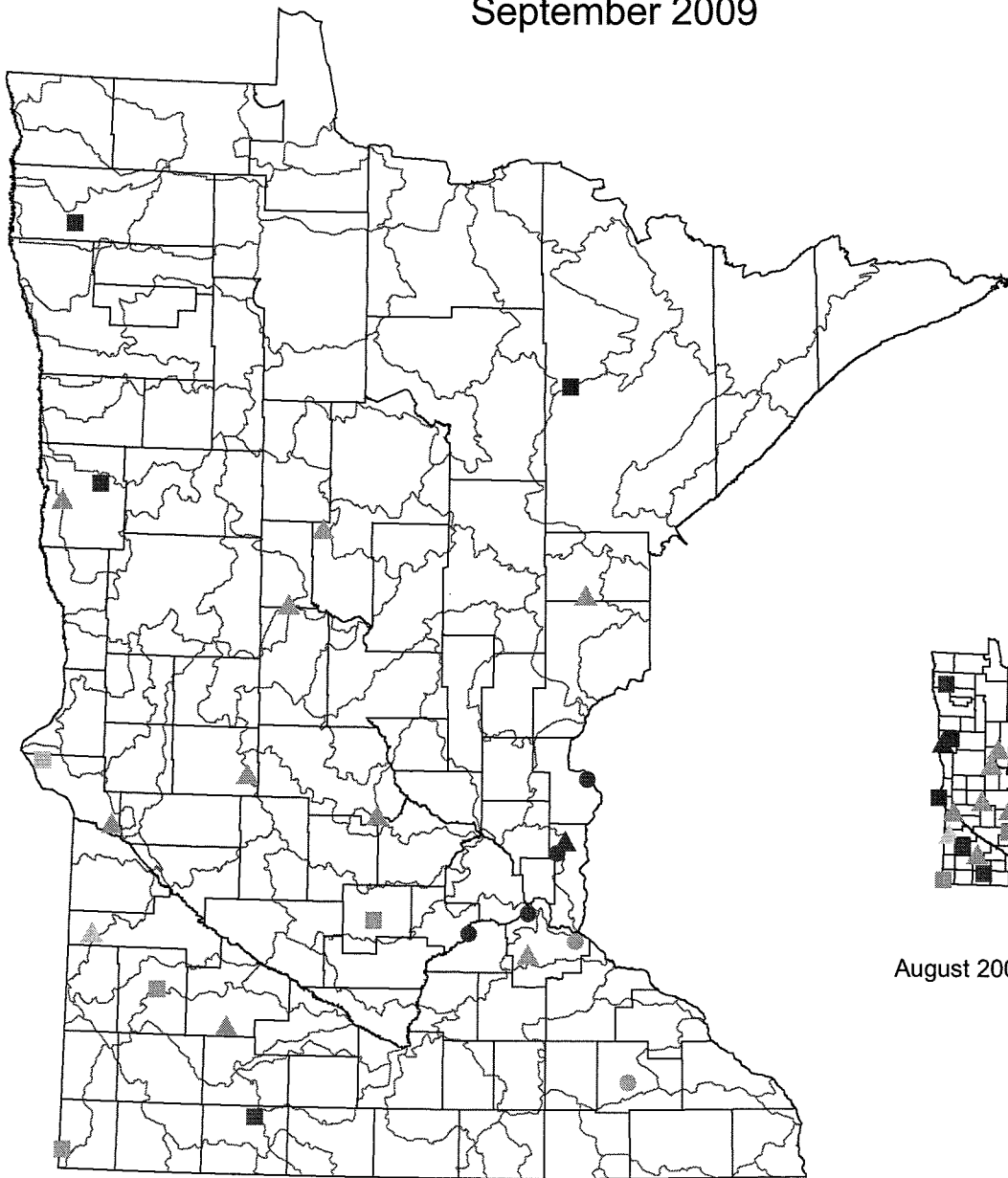
Data are current through 9/30/2009.

Source data from: MN DNR Waters Lake Level Minnesota Monitoring Program



Ground Water

Ground Water Level Historical Rankings September 2009



August 2009 Indicator Wells

Aquifer

- △ Water Table
- Buried Artesian
- Bedrock

Water Level

- High Water Levels (> 90% percentile)
- Above Normal Water Levels (75% - 90% percentile)
- Normal Water Levels (25% - 75% percentile)
- Below Normal Water Levels (10% - 25% percentile)
- Low Water Levels (< 10% percentile)

* Percentile ranking based on last reported reading for the current month compared to all historical reported levels for that month. A water level ranked at zero means that the present reported level is the lowest in the period of record; a ranking of 100 indicates the highest in the period of record.
A ranking at the 50th percentile (median) specifies that the present-month reported water level level is in the middle of the historical distribution.

Source data from: MN DNR Ground Water Level Monitoring Program





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Item 5B

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 5B – Request from City of Medicine Lake to Conduct Hydrologic/Hydraulic Analysis and Environmental Assessment of the Medicine Lake Dam at Bassett Creek
BCWMC June 17, 2010 Meeting Agenda
Date: June 9, 2010
Project: 23270051 2010

Recommended/requested Commission actions:

1. Prior to addressing the City's questions, direct the Commission Engineer to meet with the DNR regarding the City of Medicine Lake's desired modifications to the Medicine Lake dam/outlet and the associated technical issues that would need to be addressed.
2. Direct the Commission Engineer to report back to the Commission with an estimated cost to respond to the city's request and to address any additional DNR-identified concerns.

Background

In a May 13, 2010 letter from the City of Medicine Lake, the city requested that the Commission "conduct a hydraulic and hydrologic performance evaluation and environmental assessment of the Bassett Creek dam at Medicine Lake" (i.e., the Medicine Lake outlet structure). The city wishes to learn if the dam releases water too quickly and if modifications to the structure are warranted. The city's concerns about low water levels in recent years are prompting this request.

The city's letter references the Commission Engineer's October 2009 memo in response to similar concerns expressed at that time by the Association of Medicine Lake Area Citizens (AMLAC).

The Medicine Lake outlet structure was replaced in 1996 as a joint project with the City of Plymouth, Hennepin County, MNDNR and the U.S. Army Corps of Engineers, with sponsorship by the BCWMC. The MDNR contributed \$50,000 to the cost of the project (50% of the construction cost).

The following paragraphs are excerpted from the October 2009 memo:

The Medicine Lake outlet/dam is located at the south end of the main basin of the lake, near South Shore Drive. The outlet/dam is 14 feet wide at the normal level; the structure discharges water from Medicine Lake directly to Bassett Creek. The outlet structure maintains the normal water elevation of Medicine Lake at approximately 887.7 feet (NGVD 29). (The normal water elevation is the elevation at which water will begin to flow out of the lake/over the control structure). The discharge (normal) elevation of the structure is approximately three feet above the level of the creek channel. The BCWMC, City of Plymouth, DNR and Hennepin County replaced the Medicine Lake outlet structure

because the old dam had deteriorated and was leaking severely, and because additional capacity was needed for flood flows.

The new/current structure was constructed to the same normal water elevation as the previous structure, as required by the DNR permit. The structure was designed to minimize seepage and other leakage from the structure. The “stepped” weir (outlet) of the current structure was designed and installed, in close coordination with the DNR, to address fisheries concerns and to minimize the duration of potential flooding during high flows...Modifying the outlet structure by reducing the width of the dam crest or installing a v-notch weir, would slow the release of water from the lake, and temporarily maintain higher water levels; however, it would also increase the flooding potential at several of the low homes around the lake. Any proposed modifications to the existing structure would require detailed analysis and approval from the DNR, BCWMC, the city of Plymouth, and the City of Medicine Lake to ensure changes do not increase flooding impacts.

In their May 13, 2010 letter, the City of Medicine Lake requested that the Commission answer a number of questions and that the Commission Engineer attend a future Medicine Lake City Council meeting to present an overview of the findings and to answer questions of attendees. It would take some effort to answer the questions posed by the city, and DNR permitting requirements would also need to be considered. Therefore, a meeting with the DNR is recommended to identify agency issues and concerns regarding modifications to the Medicine Lake outlet prior to answering the city’s questions. Depending on the feedback from the DNR, additional concerns and issues may need to be addressed beyond the questions posed by the city.

The following technical issues regarding modifications to the Medicine Lake outlet need to be discussed with the DNR:

1. The current stage/discharge relationship for the outlet (i.e., outflow rate at increasing elevations above the outflow elevation).
2. The impact on the regional (100-year) flood and smaller flood events.
3. The impact on the “normal” water level.
4. The ecological (e.g., plants, fish, wildlife) impacts.
5. The impact on the established ordinary high water elevation of Medicine Lake.

To analyze the above issues, the DNR may also want to know:

1. Historical information regarding the frequency and volume of outflow from the lake.
2. Historical information comparing the lake elevation/outflow to rainfall.



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Item 6A

Minneapolis, MN • Hibbing, MN • Duluth, MN • Ann Arbor, MI • Jefferson City, MO • Bismarck, ND

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6A – BCWMC Review of City of Medicine Lake Local Water Management Plan
BCWMC June 17, 2010 Meeting Agenda
Date: June 9, 2010
Project: 23/27-0051 2010 073

Recommended/requested Commission actions:

1. Forward these comments to the City of Medicine Lake regarding the BCWMC's review of the City's Local Surface Water Management Plan.
2. Consider approval of the City's LWMP upon receipt of the City's responses to the issues outlined in this memorandum.

Summary

We have reviewed the City of Medicine Lake's *Local Water Management Plan* (LWMP) for conformance with the BCWMC Watershed Management Plan (Plan). Overall, the LWMP addresses most of the BCWMC's requirements. An important element of the LWMP is the description of the City's cooperative relationship with BCWMC for reviewing and permitting of projects.

Metropolitan Council Comments:

In their May 26, 2010 letter to the BCWMC (attached), the Metropolitan Council stated that the City's LWMP is consistent with the Council's *Water Resources Management Policy Plan*. The Metropolitan Council did identify several areas in which the plan should be improved, including the development of City ordinances to ensure compliance with City and BCWMC standards, and additional detail in the City's CIP.

BCWMC Staff Comments

Staff has reviewed the City's LWMP based on a comparison of the LWMP with the BCWMC Plan requirements. Staff comments follow and are listed in Table 1. This memo concludes with additional staff comments comparing the LWMP to statutory requirements (which are also in the BCWMC Plan). Comments in **bold** indicate issues where revisions to the LWMP are required or recommended. The most significant issues include:

- Discussion of structures located within the FEMA floodplain.
- Clarification of the review/permitting roles of the City and BCWMC, including references to the BCWMC *Requirements for Improvements and Development Proposals*.
- The need for the City to develop an erosion and sediment control ordinance or incorporate similar controls into other City ordinances.

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6A – BCWMC Review of City of Medicine Lake Local Water Management Plan
Date: June 9, 2010
Page: 2

Table 1. Comparison of BCWMC Plan Requirements with the Medicine Lake LWMP Elements.

BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
<p>1. Classify water bodies into one of four BCWMC management categories (Level I – IV) based on water quality goals and recreational uses of the water bodies (Section 4.2.2.1, policy B).</p>	<p>Requirement met.</p> <p>No policy of the LWMP states that the City adopts the management classifications of the BCWMC; however, in Section III D.1, the LWMP mentions that Medicine Lake is defined as a BCWMC Level 1 management classification.</p>
<p>2. Implement (with BCWMC) the water quality improvement options listed in Table 12-2 (Section 4.2.2.1, policy D).</p>	<p>Requirement met.</p> <p>Tasks in the BCWMC Plan 10 year CIP (Table 12-2) that apply to the City of Medicine Lake include the reduction in goose loadings (ML-2) and in-lake herbicide treatment (ML-7).</p> <p>To address the reduction in goose loadings (ML-2), Item B.2.7 of Section IV identifies annual management of the goose population as a corrective action to help improve the water quality in Medicine Lake. Additionally, Item G.2.2 of Section IV identifies encouraging natural unmaintained buffer zones around natural and constructed water bodies to discourage the habitation of lawns by geese.</p> <p>The in-lake herbicide treatment (ML-7) was completed by the City of Plymouth in 2005, 2006, and 2008. It is considered that this CIP item has been completed.</p>
<p>3. List the impaired waters in BCWMC that affect the city, acknowledge the need for a TMDL study at some point in the future, and identify the city's role in completing and/or implementing TMDL studies. In BCWMC, the impaired waters are Bassett Creek, Medicine Lake, Northwood Lake, Parkers Lake, Sweeney Lake, and Wirth Lake (Section 4.2.2.1, policy G).</p>	<p>Requirement met.</p> <p>Item B.8.2 of Section II of the LWMP identifies that Medicine Lake is listed on the MPCA impaired waters list for nutrient/eutrophication biological indicators. Item D.7.2 of Section II also mentions the listing of Medicine Lake on the impaired waters list for mercury with the completion of the regional TMDL. Item D.7.2 of Section II also lists Medicine Lake as impaired by nutrient/eutrophication biological indicators with a draft TMDL in place that has assigned phosphorus reduction goals to all communities within the watershed. Additionally, Policy C.12 of Section III states the goals and policies will be implemented and updated as necessary to meet BCWMC and MPCA's TMDL phosphorous reduction requirements.</p>

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6A – BCWMC Review of City of Medicine Lake Local Water Management Plan
Date: June 9, 2010
Page: 3

BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
<p>4. Identify the water bodies where water quality monitoring is undertaken by the city and by others (Section 4.2.2.1, policy I).</p>	<p>The LWMP does not directly identify the water bodies (Medicine Lake) where water quality monitoring has been undertaken or by whom. Section III, Goal B.11 states that the City will coordinate with BCWMC and the Metropolitan Council on water quality monitoring programs within the community and on Medicine Lake.</p> <p>It is recommended that Section II of the LWMP include a brief summary of water quality monitoring in Medicine Lake.</p>
<p>5. Identify any proposed capital improvement projects beyond those listed in Table 12-2 and Table 12-3, and/or the proposed movement of a water quality improvement project from Table 12-3 to Table 12-2 (Section 4.2.2.1, policy J).</p>	<p>Requirement met.</p> <p>Table 4 of the LWMP (LWMP Implementation Program Priorities) identifies and prioritizes various regulatory controls, management programs, and potential capital improvements projects for the City of Medicine Lake. Section VI.B.1 through VI.B.6 also includes several ongoing implementation items.</p> <p>A timeline or cost for implementation has not been assigned to each of the implementation items. Item H.1.1 of Section IV indicates that the City will be updating its CIP in the near future to further identify and prioritize capital improvements within the community.</p> <p>It is recommended that the LWMP include all implementation tasks in a tabular form. Where possible, a proposed date, cost, and funding source should be included for each item.</p>

BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
<p>6. Comply with the BCWMC's requirement that all regulated stormwater be treated to Level I standards throughout the watershed (Section 4.2.2.2, policy A).</p>	<p>Policy C.1 of Section III of the LWMP states: "All regulated stormwater will be treated from Level 1 standards for new development to non-degradation (no increase in phosphorus load) for redevelopment projects that result in increased impervious surface."</p> <p>It is recommended that the language of Policy C.1 be revised to more clearly distinguish the requirements for new development and redevelopment, or include separate policies for development and redevelopment.</p> <p>Additionally, Policy C.13 of Section III states that the City authorizes the BCWMC to continue to apply its permitting rules and regulations in the city. The BCWMC guidance document <i>Requirements for Improvements and Development Proposals</i> has been incorporated by reference in several locations of the LWMP and has been included as Appendix B.</p> <p>The BCWMC requirements document referenced in this section does not constitute adopted rules and regulations, nor does the BCWMC issue permits. Therefore, policies referencing this document (e.g. Policy C.13) should be revised to accurately reflect the role of BCWMC. For example, Policy C.13 may read "The City authorizes the BCWMC to continue to review development and redevelopment projects according to the guidelines presented in the BCWMC Requirements for Improvements and Development Proposals document..." or similar text.</p> <p>The date associated with the reference to the BCWMC guidance document in several places throughout the LWMP is November 1998, as revised. This reference should be updated to reflect the version included as Appendix B (July 17, 2008, as revised).</p>
<p>7. City shall adopt an ordinance that enforces the Minnesota State Law limiting the use of lawn fertilizers containing phosphorus.</p>	<p>Requirement met.</p> <p>Policy I.6 of Section III of the LWMP states the City will enforce its ordinance relating to lawn fertilizer application control for lawn applications and prohibit phosphorus to be used as fertilizer unless if allowed under Minnesota Statute 18C.60. Also Policy I.6 includes educating about fertilizer use as part of its MS4 permit public education program.</p>

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6A – BCWMC Review of City of Medicine Lake Local Water Management Plan
Date: June 9, 2010
Page: 5

BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
<p>8. Comply with the BCWMC's requirement that there be no increase in phosphorus load (non-degradation) for redevelopment projects that result in increased impervious surface (Section 4.2.2.4, policy A).</p>	<p>Policy C.1 of Section III of the LWMP states: "All regulated stormwater will be treated from Level 1 standards for new development to non-degradation (no increase in phosphorus load) for redevelopment projects that result in increased impervious surface."</p> <p>Additionally, Policy C.13 of Section III states that the City authorizes the BCWMC to continue to apply its permitting rules and regulations in the city. The BCWMC guidance document <i>Requirements for Improvements and Development Proposals</i> has been incorporated by reference in several locations of the LWMP and has been included as Appendix B.</p> <p>See comments from Item 6 regarding clarification of requirements for new development and redevelopment.</p>
<p>9. Include a buffer policy for land adjacent to water resources (including wetlands) (Section 4.2.2.3, policy A; and Section 8.2.2, policy D).</p>	<p>Requirement met.</p> <p>Policy C.8 of Section III of the LWMP states that for proposed land development adjacent to Medicine Lake and wetlands, the City will follow City ordinance requirements for setbacks and buffers. Additionally, Policy E.8 of Section III of the LWMP states the City will encourage placement of native, unmaintained buffer strips adjacent to wetlands to limit erosion and nutrient transportation to the wetlands, and Policy G.3 states the City will encourage native, unmaintained buffer zones around wetlands and ponding areas in new developments were feasible and practical and in conformance with BCWMC requirements with restrictive easements for these buffers. Specific to the Medicine Lake shoreline, Policies H.1 and H.2 encourage the promotion of shoreline buffer creation and shoreline restoration and the enforcement of the ordinance setbacks and buffer requirements on development projects, respectively.</p> <p>Item B.1 of Section IV states that the City will update all ordinances with wetland and Medicine Lake buffers, easements, and setback, coordinating with BCWMC and MDNR requirements. This is also listed in Table 4 of Section VI (Implementation Program Priorities).</p>

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 6A – BCWMC Review of City of Medicine Lake Local Water Management Plan
Date: June 9, 2010
Page: 6

BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
<p>10. Acknowledge control and responsibility for shoreland regulation (Section 4.2.2.3, policy G).</p>	<p>Requirement met.</p> <p>Item A.1 of Section V outlines the City’s Code of Ordinances which includes the City’s Shoreland Ordinance. Item A.5 of Section V states that the City and BCWMC will assume responsibility for shoreland improvements through its Shoreland ordinance.</p> <p>Item B.1 of Section IV states that the City will update all ordinances with wetland and Medicine Lake buffers, easements, and setback, coordinating with BCWMC and MDNR requirements. This is also listed in Table 4 of Section VI (Implementation Program Priorities).</p>
<p>11. Comply with the BCWMC Plan’s goals and policies regarding water quality (Section 4.2.2.2 Policy A, Section 4.2.2.4, policies A & C), flooding and rate control (contained in Section 5.0 of the Plan) (Section 5.2.2.2, policies C & N) acknowledging BCWMC’s authority to review improvements, developments and redevelopment projects and that cities are to forward such projects to the WMO for review.</p>	<p>The LWMP acknowledges the BCWMC water quality performance standards. Policy C.1 of Section III of the LWMP states: “All regulated stormwater will be treated from Level 1 standards for new development to non-degradation (no increase in phosphorus load) for redevelopment projects that result in increased impervious surface.”</p> <p>See comments from Item 6 regarding clarification of requirements for new development and redevelopment.</p> <p>The LWMP complies with the BCWMC flood and rate control policies. The LWMP policies section (Section III) specifies rate control requirements, minimum building elevations, and acknowledges the authority of the BCWMC to review improvements, developments, and redevelopment projects. Policy B.11 of Section III references the BCWMC <i>Requirements for Improvements and Development Proposals</i> (November 1998, as revised). Section V.C states that the City adopts the BCWMC “Rules and Regulations”.</p> <p>See comments from Item 6 regarding reference to the BCWMC requirements document.</p> <p>Section VII of the LWMP states that all new construction and redevelopment projects will require review by the City and BCWMC.</p> <p>It is recommended that the LWMP policy section contain a policy explicitly stating that the City will forward all development and redevelopment plans to the BCWMC for review and reference Section 3 of the BCWMC requirements document (which details projects triggering BCWMC review).</p>

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From: Barr Engineering Company
Subject: Item 6A – BCWMC Review of City of Medicine Lake Local Water Management Plan
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BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
<p>12. Acknowledge city's responsibility for implementing BCWMC's development policies (Section 5.2.2.2. Policy B).</p>	<p>Requirement met.</p> <p>The LWMP acknowledges the BCWMC water quality performance standards and references the <i>Requirements for Improvements and Development Proposals</i> in Policy B.11 of Section III and also includes this reference as Appendix B (version dated July 17, 2008). Policy C.13 of Section III states that the City authorizes BCWMC to continue to apply its permitting rules and regulations in the city.</p> <p>See comments from Item 6 regarding references to the BCWMC requirements document.</p> <p>Section VII of the LWMP states that all new construction and redevelopment projects will require review by the City and BCWMC.</p> <p>See comment from Item 11.</p>
<p>13. Identify any proposed changes to the BCWMC flood control project system (Section 5.2.2.1, a number of policies).</p>	<p>Requirement met.</p> <p>There are no BCWMC flood control projects in the City.</p>
<p>14. Acknowledge city's responsibility for maintaining its stormwater management system, for cleaning the BCWMC flood control project features, and for stream maintenance and repairs that are primarily aesthetic improvements (Section 5.2.2.1, policy F, Section 7.2.2, policy J, and Section 12.4.1).</p>	<p>Requirement met.</p> <p>Policy B.9 of Section III of the LWMP states that public stormwater facilities will be regularly inspected and maintained as necessary for adequate operations and that for private stormwater facilities, the City will require maintenance agreements. Policy C.4 of Section III states that the City will continue their maintenance program that regularly inspects and maintains public stormwater management facilities to assure their effectiveness per the NPDES Phase II MS4 permit requirements.</p> <p>There are no BCWMC flood control projects or BCWMC streams in the City.</p>
<p>15. City must require project proposers to apply BMPs to reduce runoff volume to the maximum extent practical. (Section 5.2.2.2. Policy D).</p>	<p>Requirement met.</p> <p>Section II.D.6 of the LWMP states that the City will comply with the BCWMC Plan goals and policies for rate control. The policies section encourages BMPs which reduce runoff volume and reduced impervious area.</p>
<p>16. City must require rate control in conformance with the flood control project system design and the BCWMC Watershed Management Plan.</p>	<p>Requirement met.</p> <p>Policy B.1 of Section III of the LWMP states that the City will require that proposed stormwater discharges as a result of development be equal to or less than existing conditions and if discharge rates are not specified, the discharge rates will be limited to pre-development rates.</p>

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BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
17. Incorporate the BCWMC's adopted 100-year floodplain elevations for the BCWMC's trunk system (Section 5.2.2.2, policy F).	<p>Requirement met.</p> <p>The LWMP adopts a 100-yr floodplain elevation of 890.3 feet for Medicine Lake (Section II.D.3). It is not stated in the LWMP that the adopted floodplain elevation is consistent with the BCWMC floodplain elevation.</p> <p>It is recommended that the LWMP state that this is equivalent to the BCWMC floodplain elevation for Medicine Lake.</p>
18. Meet policies regarding allowed land uses, structures, non-conforming uses and filling in established floodplains (Section 5.2.2.2. Policies G, H, and I),	<p>Requirement met.</p> <p>The City's Floodplain Ordinance is included as an appendix to the LWMP. The ordinance specifies allowable uses and prohibits any action which reduces the capacity of the floodplain.</p> <p>It is recommended that the LWMP include a policy stating that the City will continue to enforce its floodplain ordinance and specify that permitted land uses are defined in that ordinance.</p>
19. Meet the BCWMC's requirement that the lowest floor of all permanent structures be at least 2 feet above the established 100-year floodplain elevation and incorporate this requirement into city ordinances (Section 5.2.2.2, policy J).	<p>Requirement met.</p> <p>Policy B.5 of the LWMP meets this requirement.</p>
20. Describe existing and proposed city ordinances, permits, and procedures for addressing erosion and sediment control and preparation of erosion control plans (Section 6.2.2, policy G).	<p>The City does not have a regulatory document specific to erosion and sediment control. Section VII.B of the LWMP summarizes the erosion controls for permitting in the City, including reference to the BCWMC requirements.</p>
21. Comply with the BCWMC Plan's goals and policies regarding erosion and sediment control (contained in Section 6.0 of the Plan) (Section 6.2.2, policy H).	<p>The BCWMC Plan requires cities to develop and implement erosion and sediment control ordinances. It is recommended that the implementation section of the LWMP include the development of an erosion and sediment control ordinance, or the incorporation of erosion and sediment control (e.g. Section VII.B of the LWMP) into existing City ordinances as an implementation task.</p> <p>It is recommended that the LWMP include a policy stating that the City requires erosion and sediment control plans to conform to the BCWMC requirements (and Section VII of the LWMP), or similar statement.</p>

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BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
22. Complete and update inventories of significant erosion and sedimentation areas along the Bassett Creek trunk system and share this information with BCWMC. Only those areas identified in such an inventory are eligible for BCWMC funding (Section 7.2.2, policy F).	Requirement met. The City of Medicine Lake does not contain portions of the Bassett Creek trunk system.
23. Comply with the BCWMC Plan's goals and policies regarding stream restoration (contained in Section 7.0 of the Plan) (Section 7.2.2, policy N).	Requirement met. No BCWMC streams in the City of Medicine Lake.
24. Cities shall have a buffer policy for all water resources in their respective stormwater management plans.	Requirement met. Policy H.1 states that the City will promote shoreline buffer creation around Medicine Lake and will enforce buffer requirements for development projects. The LWMP specifies that the City will update its ordinances with wetland and Medicine Lake buffers, easements and setbacks, coordinating with BCWMC and MnDNR requirements. The City will encourage the placement of natural buffers around all City waterbodies.
25. Acknowledge city or BCWMC responsibility as LGU for the Wetland Conservation Act (Section 8.2.2, policy F).	Requirement met. Policy E.1 of Section III of the LWMP states that the BCWMC has responsibility as the Local Government Unit (LGU) for the Wetland Conservation Act in the city. A similar statement is included in Section 5.A.
26. Comply with the BCWMC Plan's goals and policies regarding wetland management (contained in Section 8.0 of the Plan) (Section 8.2.2, policy G).	Requirement met. The policies included in Section III.E state compliance with the BCWMC Plan and WCA.
27. Describe status of wellhead protection planning, if applicable (Section 9.2.2, policy C).	Requirement met. Medicine Lake does not operate a public water system. The City is not included in the MN Department of Health's WHPP Phasing List.
28. Each city is required to prepare a local plan. (Section 12.1.2).	Requirement met.

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BCWMC Local Plan Requirement/Expectation	Medicine Lake LWMP Review
29. The permitting process used by the local government should be outlined in the SWMP. (Section 12.4)	<p>Requirement met.</p> <p>Section V of the LWMP describes the City’s local controls and implementation.</p> <p>It is recommended that Section V of the LWMP clarify that the BCWMC does not issue permits. For those activities for which the LMWP lists the BCWMC and City as permitting authorities, it should be further specified that the BCWMC provides review, but the City issues permits. It is also recommended that the LWMP describe which projects trigger BCWMC review and reference Section 3 of the BCWMC requirements.</p> <p>It is recommended that Section V.A.5 be clarified to indicate that the shoreland management ordinance is a City ordinance, as the BCWMC does not have such an ordinance.</p> <p>It is recommended that Section V.C of the LWMP be revised to identify the BCMWC requirements as guidelines for BCWMC review and not for permitting (see comments from Item 6).</p>
30. Meet the Requirements of Local Watershed Management Plans for identification of regulated areas (Section 12.4.1).	<p>Requirement met.</p> <p>Regulated areas are presented in the inventory section of the LWMP (Section II) and associated figures.</p>

Other Statutory Requirements for Local Watershed Management Plans

31. Along with the above specific requirements from the BCWMC Plan, local watershed management plans are required to conform to Minnesota law (Minnesota Statutes 103B.235), Minnesota rules (Minnesota Rules 8410.0160 and 8410.0170), and the BCWMC Plan. The rules (Minnesota Rules 8410.0160) require (in part) that:

“Each local plan must include sections containing a table of contents; executive summary; land and water resource inventory; establishment of goals and policies; relation of goals and policies to local, regional, state, and federal plans, goals, and programs; assessment of problems; corrective actions; financial considerations; implementation priorities; amendment procedures; implementation program; and an appendix. Each community should consider including its local plan as a chapter of its local comprehensive plan.”

These requirements are met by the LWMP with the exception of the following issues:

The FEMA floodplain map included in the LWMP suggests that there is flooding of homes on the south side of the cul-de-sac on Peninsula Drive. The City’s analysis of detailed topographic data in 2005-2006 revealed that 1 home (potentially), 5 garages, and 2 sheds are located below the jurisdictional floodplain elevation. It is recommended that this information be included in Section II.D.6 or elsewhere in the LWMP.

In May 2010, the City requested that the BCWMC conduct an evaluation of the Medicine Lake outlet structure to see if the dam releases water too quickly and if modifications are warranted.

This issue is not included in Section IV (Assessment of Problems and Corrective Actions) of the LWMP. It is recommended that this issue be included in the LWMP and added to the list of implementation tasks.

32. In accordance with Minnesota rules (Minnesota Rules 8410.0100, Subp. 6), the BCWMC requires that local plans “...assess the need for periodic maintenance of public works, facilities and natural conveyance systems and specify any new programs or revisions to existing programs needed to accomplish its goals and objectives.” The local plans must also assess, at a minimum, the following maintenance issues, also taken from Minnesota rules (Minnesota Rules 8410.0100, Subp. 6):

3. The need and frequency for street sweeping of public and private streets and parking lots.
4. The need and frequency for inspecting stormwater outfalls, skimmers, sumps, and ponds.
5. The adequacy of maintenance programs for stormwater facilities and water level control structures owned by both the city and private parties.
6. The need for other maintenance programs as considered necessary.

These requirements are met by the LWMP (see item 14 above).

33. Besides the above maintenance issues, local water management plans will be required to assess the following (taken from MN Rules 8410.0100, Subp. 6):

7. The need to establish local spill containment cleanup plans.
8. The need for any other necessary management programs.

These requirements are met by the LWMP with the exception of the following issue:

The LWMP does not include reference to a local spill containment plan. It is recommended that the LWMP include a description of how spills are managed within the city.

34. The BCWMC’s general standards for local water management plans are as follows (taken from Minnesota Statutes 103B.235, Subd. 2):

9. Describe existing and proposed physical environment
10. Define drainage areas and the volume rates and paths of stormwater
11. Identify areas and elevations for stormwater storage adequate to meet the performance standards established in the BCWMC Plan.
12. Identify regulated areas.
13. Set forth and implementation program, including a description of official controls and, as appropriate, a capital improvement program.

These requirements are met by the LWMP with the exception of the following issue:

It is recommended that the LWMP include implementation tasks in a tabular form. Where possible, a proposed date, cost, and funding source should be included for each item (see Item 5 in Table 1).

May 26, 2010

Ms. Linda Loomis, Chair
Bassett Creek Watershed Management Organization
c/o Barr Engineering
4700 West 77th Street
Minneapolis, MN 55345

RECEIVED

MAY 27 2010

BARR
ENGINEERING CO.

RE: Medicine Lake Local Water Management Plan (LWMP)

Dear Ms. Loomis:

The Metropolitan Council has completed its review of the above plan dated May 2010. The plan is consistent with the Council's *Water Resources Management Policy Plan* and fulfills the requirement for a local water management plan.

However, there are several areas in which the plan should be improved. While the plan adopts the Bassett Creek Watershed Management Commission's (WMC) rules and requests the WMC to continue administering its permit program and the wetland conservation act, the city still needs to adopt appropriate ordinances to assure compliance with these efforts. Finally, the plan does not have a timeline for implementing the activities identified in the plan or the cost of these activities. In order for the city to properly budget for these activities it is necessary to identify the annual cost of implementation.

Thank you for the opportunity to comment on the city's LWMP. If you have any questions regarding the Council's expectations, please contact Jack Frost, at 651-602-1078. After the city adopts its surface water management plan, a final copy should be forwarded to the Council for our records along with the dates the watershed management organization approved the plan and the date when the city adopts the final plan.

Sincerely,



William G. Moore
General Manager, Environmental Services Division

WGM:jf

cc: Ted Hoshal, City of Medicine Lake
Karen Chandler, Barr Engineering
Roger Scherer, Council Member District 1
Keith Buttleman, Assistant General Manager, Environmental Quality Assurance
Freya Thamman, Metropolitan Council Sector Representative

Bassett Creek Watershed Management Commission
Proposed 2011 Assessment
June 2010

Community	For Taxes Payable in 2010 Net Tax Capacity *	2010 Percent of Valuation	Current Area Watershed in Acres	Percent of Area	Average Percent	2009 Assessment \$449,874	2010 Assessment \$414,150	Proposed 2011 Assessment \$433,150
54 Crystal	\$7,930,685	5.71	1,264	5.09	5.40	\$24,067	\$22,131	\$23,379
28 Golden Valley	\$32,922,331	23.69	6,615	26.63	25.16	\$112,052	\$103,256	\$108,978
79 Medicine Lake	\$999,739	0.72	199	0.80	0.76	\$3,298	\$3,090	\$3,293
1 Minneapolis	\$10,631,597	7.65	1,690	6.80	7.23	\$33,246	\$30,216	\$31,303
34 Minnetonka	\$8,242,785	5.93	1,108	4.46	5.20	\$23,031	\$21,510	\$22,506
86 New Hope	\$8,258,353	5.94	1,252	5.04	5.49	\$24,445	\$22,605	\$23,785
40 Plymouth	\$60,612,394	43.62	11,618	46.77	45.19	\$205,093	\$188,453	\$195,749
44 Robbinsdale	\$2,981,224	2.15	345	1.39	1.77	\$8,077	\$7,417	\$7,654
46 St. Louis Park	\$6,382,445	4.59	752	3.03	3.81	\$16,565	\$15,472	\$16,503
TOTAL	\$138,961,553	100.00	24,843	100.00	100.00	\$449,875	\$414,150	\$433,150

5.64%
5.54%
6.57%
3.60%
4.63%
5.22%
3.87%
3.19%
6.66%
4.59%

Bassett Creek Water Management Commission

2011 Budget and Levy

June 2010

The Joint and Cooperative Agreement establishing the Bassett Creek Water Management Commission (BCWMC) sets forth the procedure required to adopt the annual budget. Article VIII, Subdivision 3, provides that each member agrees to contribute each year to a general fund to be used for administrative purposes and certain operating expenses. Half of the annual contribution of each member is based on assessed valuation of property within the watershed and the other half on the ratio of area of each member within the watershed to the total area of the Bassett Creek watershed. Subdivision 5 of Article VIII further provides: "On or before July 1 of each year, the Board shall adopt a detailed budget for the ensuing year and decide upon the total amount necessary for the general fund." Budget approval requires a two-thirds vote (six Commissioners). Further, the Secretary "shall certify the budget on or before July 1 to the clerk of each member governmental unit, together with a statement of the proportion of the budget to be provided by each member." Each of the nine members then has until August 1 to file an objection to the budget.

The 2011 budget was prepared by a Budget Committee consisting of Commissioner Linda Loomis (BCWMC Chair), Commissioner Ginny Black (BCWMC Vice Chair), Commissioner Michael Welch (Commission Treasurer), and Commissioner Pauline Langsdorf (Commission Secretary), with assistance from Amy Herbert (Recorder), Geoff Nash (Administrator) and Sue Virnig (Deputy Treasurer).

The BCWMC's "Second Generation" Watershed Management Plan was approved by the Minnesota Board of Water and Soil Resources on August 25, 2004, and adopted by the BCWMC on September 16, 2004. That plan includes a capital projects budget, which is funded by ad valorem taxes and has been amended to include channel restoration projects. Commission activities have focused on implementation of the Watershed Management Plan.

The proposed 2011 budget of \$474,150 was adopted by nine commissioners voting in favor of the budget at the BCWMC meeting on June 17, 2010. The proposed 2011 budget is enclosed. Specific items in the budget are discussed below.

1. **Engineering** services are budgeted at \$258,000 in 2011. Many of the individual items have remained the same from the 2010 budget. The following paragraphs summarize each of the Engineering budget items.
 - **Technical Services**—this item covers the day-to-day technical services performed on behalf of the Commission, such as preparing for the Commission and Technical Advisory Committee (TAC) meetings, performing preliminary site reviews and correspondence, and communications with the Commissioners, watershed communities, developers, agencies, and other entities. The proposed 2011 budget is \$110,000, which is the same as the 2010 budget.
 - **Plat Reviews**—at its December 15, 2005, meeting, the BCWMC instated a permit fee effective January 1, 2006, and revised as of January 1, 2009, to cover the expense of reviewing development plans and improvement projects. The proposed 2011 budget for plat reviews is \$50,000, which will largely be offset by permit fees. These expected permit fees are shown in the 2011 budget under "2011 Assessments and Fees;" it is estimated that the BCWMC will receive \$40,000 in permit fees in 2011.
 - **Commission and TAC Meetings**— this item covers the cost for the engineer to attend 12 monthly Commission meetings and six bimonthly TAC meetings. The proposed budget for 2011 is \$13,000, the same as 2010. While the TAC shifted from meeting every other month to monthly in 2010, the 2011 budget reflects the Commission's expectation that, with the

shift from conduct of total maximum daily load studies and drafting plans to implementation, the TAC will be able to return to meeting every other month in 2011.

- Surveys and Studies—the proposed budget for 2011 is \$20,000. The intent of this budget item is to cover the costs of conducting special studies, and addressing unanticipated issues, questions, etc. that arise during the year.
- Water Quality/Monitoring—the proposed budget for 2011 is \$34,000, which includes detailed lake monitoring of Crane Lake in Minnetonka and Westwood Lake in St. Louis Park and Golden Valley, as part of the BCWMC's four-year monitoring cycle. The BCWMC detailed monitoring program includes monitoring one location on each lake on six to twelve occasions for selected parameters. Three Rivers Park District informed the Commission that, effective 2011, they will no longer be able to collect and analyze the samples as part of the BCWMC monitoring program. The Commission is endeavoring to replace these services at comparable costs. The 2011 budget includes sample collection by technical staff and laboratory analysis of total phosphorus, soluble reactive phosphorus, total nitrogen, pH and chlorophyll *a*. The budget also includes collection of phytoplankton and zooplankton samples. Barr will analyze the phytoplankton and zooplankton samples and perform an aquatic plant survey on two occasions. A final report will be prepared.

This task also includes finalizing the 2010 water quality report, and other general water quality tasks, such as reviewing water quality information and previous studies as requested by the BCWMC, member cities, or regulatory agencies.

- Water Quantity—this item covers the work associated with the BCWMC's lake and stream gauging program. The proposed budget for 2011 is \$11,000 (the same as 2010). The readings have proved valuable to the communities for planning future development and as documentation of the response of surface water bodies to above normal and below normal precipitation.
 - The 2011 lake gauging program will consist of measuring water levels on Medicine Lake, Sweeney Lake, Parkers Lake, Westwood Lake, Crane Lake (Ridgedale Pond), Northwood Lake, Bassett Creek Park Pond and Wirth Park storage area. Two readings per month will be taken during the period April 1, 2011 through September 30, 2011. One reading per month will be taken during the other months of the year.
 - The 2011 stream gauging program will consist of periodically reading stages or gauging the stream at the new tunnel entrance, at the Theodore Wirth Park/T.H. 55 outlet structure, at Highway 100 (main stem), at Wisconsin Avenue, at Sweeney Lake outlet, at Medicine Lake outlet, at Winnetka Avenue (north branch), at 26th Avenue (Plymouth Creek fish barrier), and at other selected locations during periods of high flow.

The program also includes periodic surveys of benchmarks to ensure consistency with past readings.

- Inspections—there are two separate budget items under this task:
 - Watershed Inspections—this item covers the BCWMC's construction site erosion control inspection program. The proposed budget for 2011 is \$8,000; permit fees offset a portion of the watershed inspection cost. The inspections are valuable for identifying and correcting erosion and sediment control practices that do not conform with BCWMC policies. Monthly erosion control inspections of active construction sites in the watershed will begin April 2011 and extend through October 2011. Selected sites may be inspected on two-week intervals to verify that requested erosion control modifications have been

completed. Critical work such as wetland or creek crossings and work adjacent to lakes and sensitive wetlands will be inspected as necessary. The conduit inlet in Minneapolis will also be inspected for accumulation of debris. Following each inspection, and where site improvements are required, a letter listing the construction projects and the improvements needed for effective erosion control will be sent to each city.

- Project Inspections—this item covers the BCWMC’s annual inspection of the flood control project system. The proposed budget for 2011 is \$10,000. The inspection program covers the flood control project features completed by the Commission between 1974 and 1996. The objective of the inspection program is to find and address erosion, settlement, sedimentation, and structural issues. In accordance with the Bassett Creek Flood Control Project Operation and Maintenance Manual (except as noted), the following project features require annual inspection:

Minneapolis:

- Conduit (Double Box Culvert) – inspect double box culvert every five years (2004, 2009, 2014, 2019 ...)
- Deep Tunnel – dewater and inspect tunnel every 20 years. This inspection was performed during 2008; the next inspection will be 2028
- Old Tunnel (not included in BCWMC inspection program)
- Open Channel

Golden Valley

- Highway 55 Control Structure & Ponding Area
- Golden Valley Country Club Embankment (Box Culvert, Overflow Weir, and downstream channel)
- Noble Avenue Crossing
- Regent Avenue Crossing
- Westbrook Road Crossing
- Wisconsin Avenue Crossing
- Minnaqua Drive Bridge Removal

Crystal

- Box Culvert and Channel Improvements (Markwood Area)
- Edgewood Embankment with Ponding
- Highway 100/Bassett Creek Park Pond
- 32nd Avenue Crossing
- Brunswick Avenue Crossing
- 34th Avenue Crossing
- Douglas Drive Crossing
- Georgia Avenue Crossing
- 36th-Hampshire Avenue Crossing
- Channel Improvements

Plymouth

- Medicine Lake Outlet Structure
 - Plymouth Fish Barrier
- **Municipal Plan Review**—this item covers the cost to review the member cities local water management plans for conformance with the BCWMC Watershed Management Plan. It is anticipated that all of the member cities will have BCWMC-approved plans in place by the end of 2010. The proposed budget for 2011 is \$2,000. These funds are budgeted to cover expenses that may be incurred reviewing member cities' local plan amendments.
2. **Administrator**—this was a new budget item in 2008. In 2010 the commission entered a contract with an administrator to coordinate all commission activities, with a focus on working with member cities, the Minnesota Department of Transportation, Hennepin County and other stakeholders to implement total maximum daily load plans; development and organization of commission policies; communications; and strategic planning. The administrator budget item was \$15,000 in 2010, as the commission completed an analysis of its systems and functions, and worked on carefully defining a role for an administrator. The budget in 2011 is \$35,000. The commission, at the time of adoption of the 2011 budget, has begun honing the scope of duties for the administrator and appropriately shifting tasks among its contracted service providers. The commission anticipates that administrator tasks will be well defined at the outset of the 2011 budget year, and that operational efficiencies will balance costs of expanding the administrator's scope of duties.
 3. **Legal**—this item covers basic legal services, which are budgeted at \$18,500 for 2011, remaining level from 2010.
 4. **Financial Management**—this item covers services provided by the Deputy Treasurer at the City of Golden Valley, which are budgeted for \$3,000 in 2011.
 5. **Liability Insurance, Auditing and Bonding**—this item is budgeted at \$15,000 for 2011, the same as 2010.
 6. **Administrative Services**—this item covers administrative, secretarial, and recorder services. The Administrative Services budget remains \$45,000 for 2011.
 7. **Public Relations & Outreach**—there are three separate budget items under this task:
 - **Publications/Annual Report**—\$2,000 is budgeted in 2011 for preparing the BCWMC's 2010 annual report
 - **Website**—\$4,500 is budgeted in 2011 for maintaining, updating, and making improvements to the BCWMC website
 - **WOMP**—\$10,000 is budgeted for 2011, which covers the BCWMC's costs related to the Watershed Outlet Monitoring Program (WOMP) station on Bassett Creek. The Minneapolis Park and Recreation Board has been running the WOMP station for the last several years in a cooperative effort with Metropolitan Council Environmental Services. The MPRB handles the sample and data collection tasks, MCES performs maintenance, and Barr provides assistance with the rating curve. The 2011 budget includes \$5,000 for MPRB to operate the WOMP station.
 8. **Demonstration/Education Grants**— this item is the BCWMC grant program, which is managed by the Education Committee; the budget for 2011 is \$5,000.

9. **Watershed Education Partnerships**—this was a new budget item in 2009 and includes participation in the Metropolitan Council’s Citizen Assisted Monitoring Program (CAMP; \$3,500), the Hennepin Conservation District River Watch Program (\$2,000), Metro WaterShed Partners (\$3,500), the Blue Thumb program (\$1,500), and the Metro Blooms Rain Garden program (\$2,000). Also included for the first time is a partnership cost for support of the West Metro Watershed Alliance (WMWA) (\$2,000) and support for the Nonpoint Education for Municipal Officials program (\$2,000). The budget for 2011 is \$16,500.
10. **Education and Public Outreach**—the 2011 budget for this item is \$2,900, which includes anticipated expenses for brochures, fact sheets, writer costs for educational articles, native seed packets, exhibit fees, and the BCWMC’s portion of the WMWA’s administrative costs.
11. **Public Communications**—the 2011 budget for this item is \$3,000 and covers costs related to the publication of hearing and special meeting notices in newspapers and journals and the publication and distribution of other required communications that may be necessary and would be separate from the Web site or education and public outreach communications.
12. **Erosion/Sediment (Channel Maintenance)**—these funds are for creek and streambank erosion repair and sediment removal projects that are not funded as a channel restoration project through the BCWMC’s Capital Improvement Program. The amount budgeted for collection in 2011 is \$25,000. The money collected goes into the BCWMC’s Creek and Streambank Trunk System Maintenance, Repair and Sediment Removal Fund (the Channel Maintenance Fund). There is currently \$197,000 in the Channel Maintenance Fund; to-date about \$3,000 of the fund has been used on channel maintenance projects.

The BCWMC Watershed Management Plan (Section 7.2.2) calls for the BCWMC to use the Creek and Streambank Trunk System Maintenance, Repair and Sediment Removal Fund to finance the:

- Maintenance and repairs needed to restore a creek or streambank area to the designed flow rate.
 - Work needed to restore a creek or streambank area that has either resulted in damage to a structure, or where structural damage is imminent, based on an assessment of benefits.
 - Portion of a project that provides BCWMC benefits, including reduced potential for flooding, mitigation of water quality impairment, or minimizing the potential for water quality impairment.
 - BCWMC’s share of maintenance projects to be applied for by the cities that have a regional benefit, or to partially fund smaller, localized projects that cities wish to undertake.
13. **Long-Term Maintenance (Flood Control Project)**—these funds are for projects to repair and maintain structures associated with the BCWMC Flood Control Project. The BCWMC Plan calls for annual assessments of \$25,000 to the fund, and for the fund balance to be maintained at (but not exceed) \$1 million. The current fund balance is about \$760,000. The proposed 2011 budget/assessment is \$25,000.
 14. **TMDL Studies**—this item was added to the 2005 budget (\$35,000) in anticipation of the state mandate to prepare Total Maximum Daily Load (TMDL) studies on impaired waters within the watershed. This budget item includes funding for BCWMC participation in TMDL studies not otherwise funded through other sources and also includes BCWMC preparation for future TMDL studies that likely will be necessary. The TMDL Studies fund is currently at \$30,000. The budget amount for TMDL studies has been eliminated for 2011, in anticipation of completion of studies for Medicine Lake, Sweeney Lake and Wirth Lake and commission participation in implementation plan drafting and review. Northwood Lake and Bassett Creek in the watershed

are also listed as impaired waters (Parkers Lake is also listed as impaired for mercury and a statewide mercury TMDL has been completed). Should the commission decide to begin/participate in a TMDL study for Northwood Lake, work could begin in 2011. To complete the TMDL, an additional TMDL assessment would likely be needed for 2012. The commission anticipates funding its involvement in the implementation of projects to address TMDL findings and coordination of TMDL implementation and monitoring under other, established line items.

15. **Proposed 2011 Capital Projects**—For 2011, the cost of the Main Stem restoration project (2011CR; Duluth Street to Crystal Border with Golden Valley) is estimated to be \$780,000 and the cost of the North Branch channel restoration project (36th Avenue to Bassett Creek Park in Crystal) is estimated to be \$660,000. The total estimated cost of the projects expected to start in 2011 is \$1,440,000. For the projects expected to start in 2011, it is proposed that \$1,000,000 be assessed for 2011 and \$440,000 be assessed in 2012. The revised CIP reflects the Commission's receipt in 2010 of grant awards for capital projects from the Clean Water Legacy Fund, through the Board of Water and Soil Resources, and the City of Plymouth's and City of Golden Valley's receipt in 2010 of grant awards for capital projects from the Clean Water Legacy Fund, through Hennepin County.

At its June 17, 2010 meeting, the BCWMC Commissioners also considered the assessment on the cities. The 2011 assessment was adopted by nine commissioners voting in favor to levy \$433,150 for the 2011 fiscal year, as compared with the \$414,150 for 2010 adopted in 2009, based on the following:

Funding Needs:

2011 Administrative Budget..... \$474,150

Funding Source:

2011 Assessment..... \$433,150

2011 Estimated Permit Review Fees \$40,000

Assessment for 2011 Capital Projects (Hennepin County)..... \$1,000,000

The Bassett Creek Watershed Management Commission's 2011 Operating Budget and 2011 Assessment per community are enclosed.

Pauline Langsdorf, Secretary, Bassett Creek Watershed Management Commission

Enclosures: 2011 Operating Budget
 2011 Assessment



Item 6D

Memorandum

To: Bassett Creek Watershed Management Commission
From: BCWMC Technical Advisory Committee (TAC)
Subject: June 3, 2010, TAC Meeting
Date: June 9, 2010

The Technical Advisory Committee (TAC) met on June 3, 2010. The following TAC members, city representatives, and BCWMC staff attended the meeting:

City	TAC Members/Alternates	Other City Representatives
Crystal	Tom Mathisen	
Golden Valley	Jeff Oliver	
Medicine Lake	Vacant position	
Minneapolis	Pat Byrne	
Minnetonka	Liz Stout	
New Hope	Jason Quisberg	
Plymouth	Derek Asche	
Robbinsdale	Absent	
St. Louis Park	Absent	
BCWMC Staff	Geoffrey Nash, Len Kremer	

The TAC directed staff to forward the following recommendations to the Commission for its consideration. This memorandum presents the recommendations relating to the CIP Work Group's third TAC member, the engineering firm Request for Proposals (RFP) process for non-plan review work, use of channel maintenance funds, and changes to the BCWMC's Next Generation Plan.

1. CIP Work Group

The TAC discussed the appointing a third TAC member for the CIP work group. The TAC had previously appointed Derek Asche (Plymouth) and Jeff Oliver (Golden Valley) as TAC representatives on the CIP Work Group. Richard McCoy (Robbinsdale) has been asked to serve on the work group.

To: Bassett Creek Watershed Management Commission
From: Technical Advisory Committee
Subject: June 3, 2010, TAC meeting

2. RFP Process for BCWMC's Non-Plan Review Work Including Establishing a Consultant Pool

The Commission requested that the TAC discuss and develop recommendations about setting up a Request for Proposal (RFP) process for non-plan review work. Examples of such work would be feasibility studies, TMDL studies, and other special projects. The Commission also requested the TAC's recommendations on the issue of creating a pool of potential engineering consultants to perform such studies.

Recommendations on the RFP Issue:

The BCWMC currently has a Request for Qualifications process for considering and selecting a consulting engineer every two years. The TAC has been extremely satisfied with Barr's work and extensive knowledge of BCWMC issues. The TAC was aware of several BCWMC feasibility studies and TMDLs that had been done by engineering firms other than Barr.

The TAC recommended that if the Commissioners want to set-up a RFP process for specific projects, there should be a minimum monetary threshold since any RFP process would entail costs of its own. On smaller projects, the RFP process could cost as much or more than it would save. It is worth mentioning that as far as construction projects sponsored by the BCWMC and implemented by cities, these are all competitively bid and taxpayers' money is being spent judiciously.

- Since the issues involving engineering are highly technical, the TAC should be responsible for implementing any RFP policy adopted by the BCWMC.
- A threshold of \$25,000 should be set in order to save time and costs in such a review process.
- Qualifying projects would be non-operating or non-general fund projects, such as feasibility studies, TMDL studies, and other special projects. The Commission's engineer would retain responsibility for all routine work.
- The TAC recommends a scoring system for reviewing RFPs for qualifying projects.

Selecting an engineering firm for a hydrologic project should be based on more than simply the cost. A scoring system would allow a firm's qualifications to be considered in the

To: Bassett Creek Watershed Management Commission
From: Technical Advisory Committee
Subject: June 3, 2010, TAC meeting

selection process, ensuring that a usable study would be provided. The TAC can recommend specifics of such a scoring system at a later date.

Recommendations on the Pool of Engineering Consultants Issue:

The TAC has regular contact with qualified engineering consultants as part of their job responsibilities. They are aware of which ones have performed quality work in the past. Since only a limited number of feasibility studies, TMDL studies, and other special projects are considered every year, the TAC feels it can select engineering firms to receive project RFPs without limiting the selection to a pool of pre-qualified firms. This approach would preserve needed latitude for the TAC to serve its function as technical advisors to the Commission.

3. Use of Channel Maintenance Funds for Maintenance of CIP Channel Restoration Projects

Under current BCWMC policy, channel maintenance funds can be used for maintenance of CIP projects. The Channel Maintenance Fund collects \$25,000 per year and, according to the May 2009 Budget and Levy report, holds approximately \$172,000. Despite channel restoration project work pending under the CIP program, maintenance will still have to be done in the future. The TAC sees no reason to change the policy. Cities will still be doing maintenance and will need access to a funding source to serve this purpose.

4. Recommended Changes to the BCWMC's Next Generation Plan

Len Kremer provided the TAC with a spreadsheet of issues considered during the writing of the BCWMC's 2004 *Watershed Management Plan*. This list was for discussion purposes and illustrated the type and range of issues before the Commission. Plans are in effect for ten years. To maintain eligibility for grants, the Next Generation Plan is due to be adopted by 2014. The TAC feels that it is not too soon to begin the planning process for the Next Generation Plan.

The TAC recommended that Geoff Nash, the Administrator, be designated the contact for receiving updates on current issues to be considered by the Commission in the drafting of the Next Generation Plan process. Len Kremer will provide Geoff with the form for submitting these issues for consideration that was used during the last planning process. Geoff would collect and tabulate the TAC members' issues for later action.

May 28, 2010

Ms. Brooke Asleson
MPCA
520 Lafayette Road North
St. Paul, MN 55155-4194

RE: Wirth Lake draft TMDL

Dear Ms. Asleson:

The following are Mn/DOT comments on the draft Wirth Lake TMDL dated April 2010.

- 1) Pages iv and vii and 22, WLA in the summary tables: The names of the Permitted Categorical MS4's need to be listed out. As currently written, Figure 6 contains Mn/DOT and it thus double-counts us. It will be clearer if the names of the categorical MS4's are listed out in the tables, rather than referring to Figure 6.
- 2) Page 11, second paragraph: Please elaborate as to what specifically constitutes the "assumptions about directly and indirectly connected impervious area for each type of land use."
- 3) Page 17, Table 4 and Page 20, first paragraph: Please understand that listing Mn/DOT within the WLA item for Bassett Creek backflow is not practical. We cannot manage water not within our right-of-way. What is the rationale and benefit for assigning pollutant load associated with backflow to Wirth Lake from Bassett Creek as a WLA instead of a LA component? It would seem that once a pollutant is discharged into a receiving water the "point source" aspect of the discharge is no longer applicable. Other TMDLs assign load from upstream tributaries to the Load Allocation portion. For instance, this was done within the Comfort Lake-Forest Lake 6 Lakes TMDL. We request that Bassett Creek backflow be assigned a LA, not a WLA. Also, the table on page vii, shows the backflow MS4's having 0 WLA in the future. MPCA has told us that 0 WLA means you cannot discharge stormwater at all. We believe the backflow belongs in the LA.
- 4) Page 20, Section 3.4.2: For overall consistency, it would be helpful for MPCA to establish a uniform areal loading rate for atmospheric deposition. The value of 0.2615 kilograms per hectare (0.23 lbs/acre) is often used in other TMDL reports completed

by the same consultant. Not the 0.15 lbs/acre/year atmospheric deposition loading rate that they used in this report.

- 5) Page 22 – Table 5 should list out which entities are covered under the WLA.
- 6) Page 25 – lists a cost of \$200,000 to fix the outlet control for Wirth Lake. It does not list who will be paying for this solution. This needs to be clarified in the report.
- 7) Page 26, Table 6: If the water quality standard is met through the prevention of backflow into the lake, why are additional strategies listed in Section 5.2 of the report?
- 8) Page 26, Table 6, items 3 and 4: These items should match. That is, please list all of the treatment techniques in item 4 in item 3. This will provide for more opportunities for BMP's rather than just listing infiltration.
- 9) Page 26 – Item 9 in Table 6 lists the watershed management organization as initiating a highway load reduction program focusing on construction of permanent BMPs and highway sweeping. Per table, this item is to be implemented within 5 years of the TMDL approval. This timeframe does not fit with Mn/DOT's work plan and needs to be modified in the report. An ongoing timeframe would be acceptable as improvements to drainage systems including the installation of permanent BMPs are installed as a highway improvement projects are completed. Please note, Mn/DOT has resources to sweep curbed highways once a year in the spring.
- 10) Page 28, second bullet, last sentence: This sentence needs to be modified. The Implementation Plan is a guide, but not intended to be as a requirement that we show every activity in the Implementation Plan in our SWPPP.

If you have any questions, please contact me at 651-234-7520.

Sincerely,

Beth D. Neuendorf, PE
Mn/DOT Metro District Water Resources Engineer

cc Wesley Saunders-Pearce, Mn/DOT OES
Nick Tiedeken, Mn/DOT OES
Barb Loida, Mn/DOT Metro MS4
File

BCWMC Education & Public Outreach Committee Meeting

June 4, 2010 – 9:00 AM – Plymouth City Hall

Members Present: Liz Thornton, Margie Vigoren, Ginny Black and Pauline Langsdorf

Agreement for WMWA Administrative Services

Representatives of a number of watershed management organizations and other organizations with an interest in water quality and stormwater management, some of which are Basset Creek, Elm Creek, Pioneer Sarah, Shingle Creek and West Mississippi WMO's, have been meeting as an unofficial working group referred to as the West Metro Watershed Alliance (WMWA). These organizations and others have collaborated on various projects related to watershed education and public outreach. At these meetings these WMO's, representatives from Hennepin County Environmental Services, Three Rivers Parks and others share information about what each organization is doing and the watershed outreach needs we have as well as opportunities for collaboration.

The BCWMC Education and Public Outreach Committee has benefitted significantly from our participation in this group. The Public Survey and development of and joint publication of "Ten Things You Can Do To Improve Minnesota's Lakes, Rivers and Streams" are examples of the collaborative work we have done. In today's BCWMC meeting packet is the recently completed "West Metro Education and Outreach Plan". This was developed through the joint efforts of the previously mentioned organizations. Shingle Creek is willing to act as convener of meetings and to provide administrative and professional services for WMWA at a cost not to exceed \$2,000 per calendar year. An agreement for administrative services for WMWA is enclosed in this meeting packet. We suggest that Geoff Nash be our official contact person for WMWA notifications. (see attachment)

Recommendation

1. *The BCWMC Education and Public Outreach Committee recommends that the BCWMC enter into the "Agreement for Administrative Services" for the West Metro Watershed Alliance as spelled out in the attached agreement with Shingle Creek.*
2. *The BCWMC designate an official contact person for WMWA notifications.*
3. *The BCWMC send a representative or their alternate to attend meetings of WMWA.*

West Metro Education and Outreach Plan

The BCWMC Education and Public Outreach Committee recommends that the "West Metro Education and Outreach Plan" developed by WMWA be part of the June 18, 2010 BCWMC meeting packet.

Newspaper Articles

The article written on shoreline restoration is being submitted to various media. We plan to have future articles focus on keeping grass clippings etc. off of our streets and rain gardens. In the late fall we will resubmit an article on salt usage on streets, parking lots and driveways.

Interview Len for Historical BCWMC Information

As we start collecting historical information about the watershed and the BCWMC we recommend that we contract with a writer to interview Len Kramer. Len Kramer has worked with the Bassett Creek Watershed Management Commission and its predecessor the Bassett Creek Flood Control Commission since it was formed in 1968. The 2004 Watershed Management Plan contains historical information as well as a summary of projects. However we think there is more information we want to capture through interviewing Len. Ginny Black has volunteered to meet with a writer as they tape an interview with Len. At this time we don't have funds to produce a book about the watershed but believe this is a good way to collect a great deal of information. We have some funds budgeted for newspaper articles that could be used for this project.

Recommendation

Use some of the funds budgeted for newspaper articles from the 2010 Education and Public Outreach line item to interview Len Kramer about the watershed and Bassett Creek Watershed Commission in order to have this information acquired for use in a future publication.

Watershed Game

We feel the Watershed Game that was developed by Northland NEMO is a very effective teaching tool about best management practices for various watershed situations. In order for commissioners and TAC members to become familiar with this tool, we would like to have them take part in playing the game. We suggest that we schedule it to begin at 11:00 A.M. prior to a future commission meeting. Since it usually takes 45 minutes to play, it probably would run into the first 15 minutes of the regular meeting time. This way those who can come a half an hour early can play the game and those who can't get there until 11:30 A.M. would still be able to see to how it is played. We think this exposure will help commission and TAC members think of beneficial ways to use it in their communities.

BCWMC Participation in Golden Valley Days and Upcoming Crystal 50th Anniversary

Pauline used parts of our exhibit at Golden Valley Days. This outdoor event was cut short due to rain, but she did have the opportunity to visit with several people. One resident made a point of expressing her thanks for flood control work done by the BCWMC and the City of Golden Valley. Another event participant wondered why a project along Plymouth Creek has a Bassett Creek Watershed sign. Her question provided the opportunity to point out the size of the watershed as well as sharing other watershed information. June 26th, Stu Stockhauss and Pauline will have a BCWMC table at Crystal's 50th Anniversary Event.

Next Meetings: WMWA – July 13 – 8:30 a.m. – Plymouth City Hall

BCWMC Education and Public Outreach - July 15 – 8:30 a.m. – Golden Valley City Hall

Notes by Pauline Langsdorf

AGREEMENT FOR ADMINISTRATIVE SERVICES

THIS AGREEMENT is made as of the ____ day of _____, 2010, by and between the Shingle Creek Watershed Management Commission, a Minnesota joint powers watershed management organization ("Shingle Creek"), and _____, a _____ ("Participant").

WITNESSETH:

WHEREAS, representatives of a number of watershed management organizations and other organizations with an interest in water quality and stormwater management, including Shingle Creek and Participant, among others, have been meeting as an unofficial working group referred to as the West Metro Watershed Alliance ("WMWA") and collaborating on various projects related to education and outreach on water quality matters; and

WHEREAS, Shingle Creek and Participant have determined that it is in the best interests of the parties and the public to continue such collaborative activities through WMWA; and

WHEREAS, the activities of WMWA will be more efficient and effective if one of the members of that group acts as a convenor of meetings and provides such administrative and professional services in furtherance of the collaborative efforts of WMWA as may be required by the group; and

WHEREAS, Shingle Creek is willing to provide such services on the terms and conditions hereinafter set forth.

NOW, THEREFORE, on the basis of the premises and the mutual promises and covenants hereinafter set forth, the parties agree as follows:

1. Shingle Creek will provide the following services to WMWA:
 - a. Arrange a time and place for meetings of WMWA.
 - b. Give notice to persons attending WMWA meetings, including Participant.
 - c. Take and keep minutes or records of meetings of WMWA and provide copies to persons attending the meeting, including Participant.
 - d. Perform other administrative or professional duties as assigned by the parties attending meetings of WMWA.
 - e. Maintain records of costs of providing administrative and other professional services and bill such costs to entities participating in the activities of WMWA. Such records and accounts shall be available to any authorized representative of Participant.
2. Participant agrees that it will:
 - a. Designate an official contact person for WMWA notifications.
 - b. Send a representative to attend meetings of WMWA.
 - c. Reimburse Shingle Creek for its out-of-pocket expenses for administrative, technical and legal and reimbursable expenses, such as paper, postage, meeting expenses, and the like. Such expenses will be shared and charged equally to all entities participating in WMWA, including Shingle Creek. Participant will not be required to pay for expenses

in any amounts in excess of \$2,000 per calendar year for the year 2010 and for each calendar year thereafter until this Agreement is amended by mutual consent of the parties or terminated in accordance with its terms.

3. Either party may terminate this Agreement effective December 31 of any year by giving 60 days' prior written notice to the other. Shingle Creek may terminate this Agreement at any time on 30 days' notice to Participant at any time when fewer than four entities are sharing costs of WMWA.
4. It is the intent of this Agreement that services provided will be the ordinary, routine administrative activities of WMWA. In the event one or more entities attending WMWA wish to collaborate on additional projects or activities, such activities will be the subject of separate agreements.

IN WITNESS WHEREOF, Shingle Creek and Participant, by their authorized representatives, have hereunto set their hands as of the day and date first above written.

SHINGLE CREEK WATERSHED
MANAGEMENT COMMISSION

By: _____
Its Chair

And by: _____
Its: _____

PARTICIPANT

By: _____
Its: _____

West Metro Education and Outreach Plan

West Metro Water Alliance

May 2010



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Introduction

In 2006 the Shingle Creek and West Mississippi Watershed Management Commission's Education and Public Outreach Committee (EPOC) invited the Education Committee of the Bassett Creek Watershed Management Commission to partner in developing joint education and outreach activities. Since that time this voluntary partnership has grown to include most of the watershed management organizations in Hennepin County, the Three Rivers Park District, and Hennepin County Department of Environmental Services.

This partnership has taken the name West Metro Water Alliance (WMWA). This partnership grew from a recognition that the individual organizations have many common education and public outreach goals and messages that could be more efficiently and effectively addressed and delivered collaboratively and on a wider scale. The partnership developed this West Metro Education and Outreach Plan (Plan) as a way to define those common goals and set forth a plan for implementing those common activities.

It is understood that each watershed management organization (WMO) and community may have additional localized goals for their education programming. For example, implementation of a Total Maximum Daily Load (TMDL) plan may require targeted messages to specific audiences. Activities targeted to the urbanized areas of the county are likely to have a different emphasis than activities targeted to developing or agricultural areas. The Plan also serves as a guide for each of the partners to refine their own individual education and outreach plans and activities.

The West Metro Education and Outreach Plan is intended to serve as a framework to accommodate activities common to most or all WMOs and communities in the county as well as unique local activities.

Purpose and Goals

This section identifies the vision, mission, and goals set forth collectively by the WMWA. It also identifies the target audiences and the objectives for learning for each of these target audiences.

Vision:

The West Metro Water Alliance (WMWA) is a collaborative group working to create educational opportunities to protect and improve water resources.

Mission:

The mission of the WMWA is to improve water resources through education and outreach by:

- Identifying and implementing common education and outreach strategies to promote consistency of messages;
- Pooling resources to undertake activities in the most cost-effective manner; and
- Promoting interagency cooperation and collaboration.

Goals:

The actions in the West Metro Education and Outreach Plan are based around the education and outreach requirements of the Minnesota Pollution Control Agency's General Stormwater Permit. The following is a summary of the goals set forth for this Plan.

- Provide a guide for WMOs and communities to focus their educational efforts;
- Identify partnerships and opportunities to work within Hennepin County on joint educational programs;
- Develop a centralized list of available information regarding water resources issues; and
- Present one common, useable document for all participating communities and WMOs to help them deliver a common message to the general public.

Target Audiences

Target audiences are individuals or groups to whom education is being directed. The Plan has identified the following target audiences and general educational goals for each. Often more than one target audience will benefit from an educational activity.

1. Single family homeowners and renters
 - a. Have a general understanding of watersheds and water resources
 - b. Understand the connection between behavior and water quality
 - c. Adopt sensible practices that protect water resources
 - d. Support protection and restoration efforts
2. Commercial, industrial, and multifamily property owners and managers
 - a. Have a general understanding of watersheds and water resources
 - b. Understand the connection between behavior and water quality
 - c. Maintain their properties and best management practices (BMPs) in water-friendly ways
3. Developers, consultants and contractors
 - a. Be aware of laws, regulations and permits and the steps needed to meet them
 - b. Understand the purpose of regulations
 - c. Be informed of and adopt the latest techniques
 - d. Be aware of techniques to go beyond the regulatory minimum
4. Government: elected and appointed officials, staff, board and commission members
 - a. Have a general understanding of watersheds and water resources
 - b. Establish and maintain up-to-date ordinances, rules, and practices
 - c. Understand public opinions and needs regarding water resources
 - d. Be adequately trained to better perform administrative, regulatory, inspection, maintenance, and education activities
5. Educators and students
 - a. Incorporate water resources education and activities into curricula
6. Agriculture and animal operators
 - a. Have a general understanding of watersheds and water resources
 - b. Understand the connection between behavior and water quality
 - c. Undertake conservation and nutrient management practices

Joint Education and Outreach Activities

Activity 1. Facilitate Information Availability and Sharing – County-Coordinated Website

Description:

Provide a convenient “one-stop” online location for water quality/quantity information and resources. A website hosted by Hennepin County will provide informational, educational, and training materials; links to individual watershed management organization websites; and the latest news and information about water resources in Hennepin County.

Target Audience:

Government employees and officials, watershed boards and staff, City Councils and staff, general public, educators, students

Education Goals:

1. Deliver a consistent message
2. Create an efficient and cost-effective means for distribution of messages and resources

Proposed Activities:

1. Develop and update a website containing relevant information and links
2. Develop and make available published materials; newsletter articles; photos, etc.
3. Develop and maintain a listserv to update partners

Measurable Goals:

1. Record number of “hits” on the website; the number of times an article is used/published. Develop strategy for measurement.
2. Increase in knowledge and adoption of practices as measured in periodic opinion surveys (see Activity 2)

Responsible Parties:

1. Partners – supply materials for website
2. Hennepin County staff – update website as needed

Timeframe:

Online October 2009 at www.hennepin.us/water

Joint Education and Outreach Activities

Activity 2. Measure and Monitor Public Opinion and Awareness

Description:

Conduct periodic opinion surveys, focus groups, online surveys, etc. to monitor target audience awareness of various issues, and use those results to refine programming and measure success.

Target Audience:

All target audiences

Education Goals:

1. Target education messages and activities based on measures of public opinion and awareness
2. Measure and demonstrate results of education and outreach activities, e.g., increased awareness, adoption of practices, public support

Proposed Activities:

1. Undertake county-wide telephone opinion survey to update the 2007 Shingle Creek, West Mississippi, Bassett Creek, and Elm Creek joint survey
2. Create a database of potential survey questions for inclusion in city residential surveys
3. Undertake targeted surveys at events, regional parks, lake association meetings, etc.
4. Convey results of surveys to communities and other interested parties

Measurable Goals:

1. Number of information-gathering opportunities
2. Use of gathered information
3. Statistically significant change in awareness, adoption of or willingness to adopt practices

Responsible Parties:

1. Partners – participate in survey development, distribute potential questions, distribute results, coordinate targeted surveys
2. County – serve as clearinghouse for gathered data

Timeframe:

1. Survey question database, ongoing
2. Targeted surveys, 2013-2015
3. County-wide survey, by 2015

Joint Education and Outreach Activities

Activity 3. Provide Coordinated Communication, Media Relations, and Information Sharing

Description:

Coordinate and, where appropriate, jointly prepare communications and information pieces such as articles, brochures, newsletters, graphics, photographs, handbooks, etc. Work with regional media to undertake coordinated information campaigns on general water resources issues.

Target Audience:

All target audiences

Education Goals:

1. Produce coordinated materials to avoid mixed messages.
2. Increase awareness of water quality/quantity issues.
3. Provide stakeholders with the information and tools necessary to do simple things to make a difference.

Proposed Activities:

1. Prepare new and update existing published materials.
2. Prepare follow-up campaign materials for brochure, *Ten Things You Can Do to Improve Minnesota's Lakes and Streams*.
3. Maintain an up-to-date media and communications plan.
4. Consider alternate communication strategies such as billboards, PSAs, professional writers and photographers, etc.

Measurable Goals:

Number of pieces printed, number of hits on website for publication, number of requests for copies of materials

Responsible Parties:

All partners, including financial support, editorial skills, graphic design skills, printing

Timeframe:

Ten Things brochure printed in summer 2009
Follow-up campaign begin 2010

Joint Education and Outreach Activities

Activity 4. Develop and Coordinate County-Wide or Regional Activities

Description:

Provide information sharing and training opportunities on topics of wide-scale or general interest on a regional or county basis.

Target Audience:

All target audiences, particularly elected officials and decision-makers.

Education Goals:

1. Train elected officials in storm water practices
2. Deliver consistent messages
3. Deliver most current information regarding BMPs

Proposed Activities:

1. Coordinate and present West Metro Water Alliance conferences
2. Coordinate countywide Watershed cleanup
3. Coordinate Project NEMO – Watershed Game. Lake Game, River Game, general and project-specific presentations
4. Coordinate multi-jurisdictional training opportunities such as salt workshops, NPDES-related training, BMP workshops
5. Develop and coordinate West Metro Water Festival
6. Coordinate with Metro Blooms

Measurable Goals:

1. Number of attendees
2. Results of workshop evaluations
3. Number of certified attendees

Responsible Parties:

Staff-appropriate individuals, other partners for attendee recruitment and promotion

Timeframe:

Begin early 2010, continued as requested or needs are identified and funding is available

Joint Education and Outreach Activities

Activity 5. Pursue and Obtain Funding for Joint Education and Outreach Activities

Description:

Investigate options and pursue funding from foundations, grant agencies, and other sources to supplement WMO and city funding for education and outreach activities.

Target Audience:

WMOs and cities

Education Goals:

1. Obtain funding to undertake and expand activities
2. Raise awareness of WMWA with funding agencies and sources

Proposed Activities:

1. Identify fiscal agent(s)
2. Identify funding options and funding goals
3. Identify matching funding sources and amounts
4. Develop packet of information for funding sources describing WMWA and its partners, the organization's goals and activities, and education and outreach strategies
5. Write and submit grant proposals
6. Document outcomes of previous programs.

Measurable Goals:

1. Number of applications successfully made
2. Grant and matching funds raised

Responsible Parties:

Staff-appropriate individuals, other partners for research, grant writing, and matching funding identification

Timeframe:

Begin early 2010, continued as funding opportunities are available

Geoff Nash, P.G.
Watershed Consulting, LLC

Administrator's Report
Bassett Creek Watershed Management Commission
June 17, 2010

1. Attended the Hennepin Conservation District's May 26, Environmental Conference to hear about county environmental issues.
2. Attended the TAC meeting on Thursday, June 3.
 - a. Richard McCoy, Robbinsdale, volunteered to be the third member of the TAC to sit on the CIP Work Group.
 - b. The TAC discussed the Request For Proposals process, use of Channel Maintenance Funds, and began the process of recommending changes to the BCWMC Next Generation Plan.
3. Attended the first meeting of the CIP Work Group Meeting on June 10 with Commissioners Loomis, Black, and Welch, TAC members Oliver, Asche, and McCoy, as well as Len Kremer.
4. This month I have performed the following:
 - a. Wrote the draft TAC memo for circulation to TAC members and the Board packets.
 - b. Assisted Commissioner Welch with the Draft 2011 Budget & Levy document and the Draft 2011 Operating Budget.
 - c. Continued compiling the draft BCWMC Policy Manual. I expect to have a working draft by June 30.
5. The Administrative Services Committee, Amy Herbert, and I met on Monday, June 14 to discuss priorities for the Administrator.

Geoff Nash, Administrator
Bassett Creek Watershed Management Commission
4700 West 77th Street
Minneapolis, MN 55435

June 7, 2010

Brooke Asleson, Project Manager
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155

Re: Sweeney Lake TMDL Report

Dear Ms. Asleson:

The Bassett Creek Watershed Management Commission (BCWMC) has revised the Draft Sweeney Lake TMDL Report following reviews by the Minnesota Pollution Control Agency (MPCA), Minnesota Board of Water and Soil Resources, Minnesota Department of Natural Resources and several local stakeholders.

You will find the revised TMDL Report for Sweeney Lake on the enclosed CD. The CD also contains a spreadsheet that summarizes actions taken on each of the comments provided by the MPCA. The spreadsheet contains your comments on the previous draft.

After significant discussion and input from stakeholders including the BCWMC Technical Advisory Committee (TAC) and members of the BCWMC, the Commission has decided to resubmit the TMDL Report with a seasonal wasteload (i.e., external) load reduction target of 99 pounds total phosphorus. This is the same wasteload reduction that was originally proposed in Table 6.3 of the Draft Report. MPCA suggested a reduction on the order of 150 pounds as more easily justified as it would focus more heavily on the external loading sources as opposed to the internal loading. Retaining the 99 pound wasteload reduction is based on the stakeholder's belief that a more realistic load reduction target along with a flexible, adaptive management implementation approach will achieve the most efficient end point. A target of 99 pounds is already an aggressive level of wasteload reduction to achieve in this watershed with the range of BMPs currently available.

We understand that the next step in the review process for the Draft TMDL Report is for MPCA to complete a second review before forwarding to EPA for their review.

Please contact me at 952.240.3025 or gnashbcwmc@gmail.com if you have any questions or additional comments on the Draft Report.

Sincerely,

Geoff Nash, Administrator
Bassett Creek Watershed Management Commission



Barr Engineering Company
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Item 8A

Memorandum

To: Bassett Creek Watershed Management Commission
From: Barr Engineering Company
Subject: Item 8 – Information Only
BCWMC June 17, 2010 Meeting Agenda
Date: June 9, 2010
Project: 23/27 051 2010 003

A. Administrative Reviews

a. BCWMC 2010-1A: South Shore Drive Mill & Overlay: Plymouth

A street reconstruction plan was reviewed for South Shore Drive in the City of Plymouth. The South Shore Drive Bridge (BCWMC 2010-1) is included in the project area and was conditionally approved at the BCWMC May meeting. A letter of recommendation was provided to the City of Plymouth.

B. Erosion Control Inspection Report

Attached is a copy of the June 2010 erosion control inspection report.



June 4, 2010

Mr. Tom Mathisen, City Engineer
City of Crystal
4141 North Douglas Drive
Crystal, MN 55422

Mr. Guy Johnson, Director of Public Works
City of New Hope
4401 Xylon Avenue North
New Hope, MN 55428

Ms. Jeannine Clancy
Director of Public Works
City of Golden Valley
7800 Golden Valley Road
Golden Valley, MN 55427-4588

Mr. Kevin Springob
Water Resource Technician
City of Plymouth
3400 Plymouth Boulevard
Plymouth, MN 55447

Ms. Lois Eberhart, Water Resource Administer
City of Minneapolis
Engineering Design
309 Second Avenue South, Rm. 300
Minneapolis, MN 55401-2268

Mr. Richard McCoy, City Engineer
City of Robbinsdale
4100 Lakeview Avenue North
Robbinsdale, MN 55422

Ms. Liz Stout, Water Resources Engineer
City of Minnetonka
14600 Minnetonka Boulevard
Minnetonka, MN 55345

Ms. Laura Adler, Engineering Program
Coordinator
City of St. Louis Park
5005 Minnetonka Boulevard
St. Louis Park, MN 55416

Ms. Cheri Templeman
PO Box 47091
Plymouth MN 55447

**Re: Bassett Creek Watershed Erosion Control Inspections
June 1-4, 2010**

We have inspected construction sites in the Bassett Creek Watershed for conformance to erosion and sediment control policies. Listed below are construction projects and the improvements needed for effective erosion control. The sites were inspected June 1-4, 2010. Please review the following for your respective city.

City of Crystal

None to report

City of Golden Valley

None to report

City of Medicine Lake

None to report

City of Minneapolis

None to report

City of Minnetonka

None to report

City of New Hope

None to report

City of Plymouth

Four Points: Silt fence or other erosion protection shall be installed along the cul-de-sac, adjacent to disturbed soil and soil stockpiles.

City of Robbinsdale

None to report

City of St. Louis Park

None to report

The following developments were found to be in compliance with erosion and sediment control policies:

City of Crystal

None to report

City of Golden Valley

Crown Packaging (inactive)
Golden Meadows (inactive)
Golden Ridge (inactive)
Golden Valley Pavement Management Plan
Laurel Hills East Condominiums
Miner Site (construction not started)
North Hennepin Regional Trail / Golden Valley Trail Phase 2
North Wirth Business Center (inactive)
Theodore Wirth Pedestrian Bridge

City of Medicine Lake

None to report

City of Minneapolis

Van White Memorial Boulevard (inactive)

City of Minnetonka

Austrian Pines (inactive)
Cantera Woods (inactive)
Crest Ridge Corporate Center (inactive)
Sherwood Forest Neighborhood Street Reconstruction (inactive)

City of New Hope

Hillside Terrace (inactive)
Rome Co. (construction not started)

City of Plymouth

ATK (4700 Nathan Lane)
Banner Engineering (construction not started)
Bassett Creek Office Center
Beacon Academy (inactive)
Campus Drive Culvert Replacement

Circle Park Pond
County Rd 9 & 61 Erosion Repair
Executive Woodlands (inactive)
Hidden Acres (construction not started)
Larkin Pond (inactive)
1900 E Medicine Lake Dr (inactive)
Plymouth Creek Ponds
Plymouth Crossing Station (construction not started)
Remax
Timber Creek Improvements
26th Ave Culvert Replacement
Waterford Office Plaza (inactive)
Wood Creek
Woods at Medicine Lake (inactive)

City of Robbinsdale

None to report

City of St. Louis Park

Parkside Lofts (inactive)

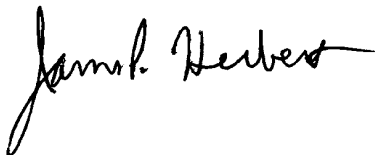
The following development has been completed and removed from the inspection list:

City of Plymouth

South Shore Drive Town Home

Contact me at 952-832-2784 (jherbert@barr.com) or Kim Johannessen at 952-832-2686 (kjohannessen@barr.com) if you have questions regarding these comments.

Sincerely,



James P. Herbert, P.E.
Barr Engineering Co.
Engineer's for the Commission

4700 West 77th Street
Minneapolis MN 55435-4803

JPH/ymh

c: Mr. Jeff Oliver, City of Golden Valley
Mr. Dennis Daly, City of Minneapolis
Mr. Robert Moberg, City of Plymouth