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Nov. 30, 2018

Laura Jester
Bassett Creek Watershed Management Commission
16145 Hillcrest Lane
Eden Prairie, MN 55346

RE: Minnetonka's Water Resources Management Plan Review Comments

Dear Ms. Jester:

We have reviewed Bassett Creek Watershed Management Commission's comments regarding the city of Minnetonka's Water Resources Management Plan from the letter dated Oct. 29, 2018. Below are the city's responses to the comments received.

On December 17, 2018, the city's draft Water Resources Management Plan is scheduled to be presented to the city council as a component of the city's draft Comprehensive Plan. Since the draft Water Resources Management Plan has already been through a formal review process, the city will work to make updates and finalize the Water Resources Management Plan with final council approval currently planned for January 2019. As a note, city council approval of the full comprehensive plan document is anticipated in June 2019.

Comment:

1. Policy 2.1.17: This policy states that the city will continue to implement buffer requirements of the city's Wetland Protection ordinance. However, as noted below with comments on Appendix G, buffer requirements in the city's current wetland ordinance are less strict than BWCMC standards. This policy should be revised to note that the city ordinance will be updated.

Response: Policy 2.1.17 will be revised to read as follows:

The city will continue to implement buffer requirements of the city's Wetlands Protection ordinance and will revise the city's Wetland Protection ordinance to align with the buffer requirements of the watershed management organizations, as applicable.

Section 3.10.1.3, paragraph 2 includes the following sentences, as it relates to the city buffer standards: *In addition, the City has also developed wetland buffer standards for each of the wetland management classifications. The WMOs may have more stringent wetland and stream buffer requirements based on wetland management classifications that must be met if WMO rules are triggered.*

The following sentence will be added to the end of Section 3.10.1.3, paragraph 2:
The BCWMC buffer requirements will be incorporated through the revisions to the city's Wetland Protection ordinance.

Table 3-15 includes the city's required buffers based on wetland classification.

The following will be added as a footnote to the buffer requirements included in Table 3-15:

The WMOs may have more stringent wetland and stream buffer requirements based on wetland management classifications that must be met if WMO rules are triggered.

Table 6-2, Part I includes Create/Modify City Ordinances with the intent to review and revise ordinances as needed to meet the requirements of the city's SWPPP and the BCWMC, MCWD, NMCWD, and the RPBCWD. The city originally had slated this for 2020 as the MCWD will be starting their rules revision process, and NMCWD and RPBCWD just recently completed their rules revision process. In Table 6-2, the proposed year for the ordinance revisions will be revised from 2020 to 2019 to address the BCWMC buffer requirements.

Comment:

2. Section 2.6: Please add a policy noting that the city will share groundwater elevation data, where available, with the BCWMC (per BCWMC Policy #50 in Section 4.2 of BCWMC Watershed Plan).

Response: The following policy will be added to section 2.6:

Policy 2.6.11: The city will share groundwater elevation data, where available, with the watershed management organizations.

Comment:

3. Table 3-19: Crane Lake is classified by the city as Manage 1 wetland. It is unclear how that classification corresponds with BCWMC classification of the lake as a Priority 2 shallow lake. BCWMC Policy #3 in Section 4.2.1 states that "cities shall classify waterbodies according to the BCWMC classification system and include this information in their Local water management plans." Please clarify how the city's classification system corresponds with the BCWMC's.

Response: As summarized in Table 3-19, the Manage 1 classification is a wetland management classification based on the wetland assessment conducted during the development of the city's wetland inventory. The wetland management classifications are based upon the results of field evaluations, the wetland's current and potential function, the perceived significance of the resource and its susceptibility to stormwater inputs, with the highest quality/functioning wetlands classified as Preserve. For Manage 1 wetlands, the goal is to minimize impacts by controlling changes in hydrology and not increasing nutrient or sediment loads. However, this wetland classification is not exactly the same as a water quality classification and does not establish water quality goals.

Section 3.12.1, paragraphs 2 & 3, outline how the BCWMC, NMCWD, and RPBCWD have adopted the state water quality standards and that the city intends to meet or exceed all water quality related standards as established by the state and adopted by the WMOs for lakes and streams throughout the city. The BCWMC Watershed Management Plan does not include an explicit definition for a Priority 2 lake, but the shallow classification means that the BCWMC has adopted the state water quality standards for shallow lakes in this ecoregion, similar to what the city has done. As such, we do not believe there is a conflict in the various classifications listed for Crane Lake in Table 3-19 and discussed in Section 3 of the plan and no revisions to the WRMP are proposed in response to this comment.

Comment:

4. Section 5.2.2, second paragraph: “The BCWMC has adopted the MPCA eutrophication water quality standards applicable to lakes and streams.” The BCWMC adopted the MPCA water quality standards for all pollutants, not only those causing eutrophication.

Response: The statement in Section 5.2.2, second paragraph will be revised as follows:

The BCWMC has adopted the MPCA water quality standards applicable to lakes and streams.

Comment:

5. Section 5.7.1: Please add “starry stonewort” to the list of AIS in the BCWMC.

Response: The first sentence of Section 5.7.1 will be revised as follows:

The MnDNR and the BCWMC have identified AIS in several of its lakes and streams, including Eurasian watermilfoil, Curlyleaf pondweed, starry stonewort, zebra mussels and common carp, as noted above.

Additionally, Table 3-24 identifies the aquatic invasive species that have been identified in water bodies within the city of Minnetonka; however, our understanding is that starry stonewort was only identified in Medicine Lake, which is not located in the city. Therefore, no revisions are proposed to this table.

Comment:

6. Section 6.10.2.1, last paragraph, last sentence: “Other capital projects are funded through fees the BCWMC collects from the member cities.” Capital projects are always funded through a county-levied tax. Other (non-capital) projects and programs are funded through member city contributions.

Response: The last sentence of the last paragraph in Section 6.10.2.1 will be revised as follows:

Other projects are funded through fees the BCWMC collects from the member cities.

Comment:

7. Appendix A, Section 5.1.1: The procedural steps for permitting land altering activities should include a discussion of how and when the city refers applicants to the BCWMC for project review and how BCWMC approval of the project is required before the project can proceed. See BCWMC Policy #121 in Section 4.2.10 of BCWMC Watershed Plan.

Response: The first paragraph of Section 4.2.1 of Appendix A outlines the role of the city and the BCWMC as it relates to permitting within the watershed, as follows:

“The City of Minnetonka has permitting authority for projects requiring permits within the BCWMC, including all wetland activities. However, the BCWMC provides review and approval before the city issues permits. The BCWMC has developed a document *Requirements for Improvements and Development Proposals* (August 2017, as updated) that outlines the review requirements and process as well as the required design guidelines. The following section summarizes some of the key information that is part of this document.”

We propose revisions to the first paragraph of Section 4.2.1 of Appendix A, as follows:

The City of Minnetonka has permitting authority for projects requiring permits within the BCWMC, including all wetland activities. However, after the city has provided preliminary approval (indicating compliance with the city’s local water management plan) and submitted a signed BCWMC application form to the BCWMC, the BCWMC provides review and approval before the city issues permits, or other approvals. The BCWMC has developed a document titled “Requirements for Improvements and Development Proposals” (August 2017, as updated) that outlines the review requirements and processes as well as the required design guidelines. The following section summarizes some of the key information that is part of this document.

Comment:

8. Appendix G: The city’s Wetland Protection Ordinance (300.23) does not include wetland buffer requirements as stringent as the BCWMC’s wetland buffer requirements. The city’s wetland ordinance must be updated. (See Policy #68 in Section 4.2.6 of the BCWMC Watershed Plan.)

Response: Table 6-2, Part I includes: Create/Modify City Ordinances with the intent to review and revise ordinances as needed to meet the requirements of the city’s SWPPP and the BCWMC, MCWD, NMCWD, and the RPBCWD. The city originally had slated this for 2020 as the MCWD will be starting their rules revision process, and NMCWD and RPBCWD just recently completed their rules revision process. In Table 6-2, the proposed year for the ordinance revisions will be revised from 2020 to 2019 to address the BCWMC buffer requirements.

Comment:

9. Appendix I: The city’s Floodplain District Ordinance (300.24) does not include or reference the BCWMC delineated 100-year floodplain (based on BCWMC XP-SWMM modeling). (Policy #39 in Section 4.2.2 of BCWMC Watershed Plan) The BCWMC Requirements for Improvements and Development Proposals (2017) and 2015 BCWMC

Plan include minimum building elevations applicable within the BCWMC-delineated floodplain along the BCWMC Trunk System. The city's floodplain ordinance must be updated to include or reference the BCWMC-delineated floodplain and applicable minimum building elevations within that area.

Response: Table 6-2, Part I includes Create/Modify City Ordinances with the intent to review and revise ordinances as needed to meet the requirements of the city's SWPPP and the BCWMC, MCWD, NMCWD, and the RPBCWD. The city originally had slated this for 2020 as the MCWD will be starting their rules revision process, and NMCWD and RPBCWD just recently completed their rules revision process. In Table 6-2, the proposed year for the ordinance revisions will be revised from 2020 to 2019 to adopt the BCWMC floodplain and minimum building elevations.

Comment:

10. Section 5.2.2, paragraph 3: Consider noting that chlorides are on the rise in Crane Lake and nearing the impairment level.

Response: Paragraph 3 of Section 5.2.2 will include the addition of the following sentence:

Additionally, Crane Lake has shown rising levels of chlorides that are nearing impairment levels.

Comment:

11. Section 5.4.2: There are many additional BCWMC requirements and recommendations regarding wetlands and wetland management than are listed in this section. Please see section 4.2.6 of the BCWMC Watershed Plan and consider incorporating at least the requirements including buffer requirements and inspections for invasive species.

Response: The following sentences will be added to the second paragraph of Section 5.4.2:

The BCWMC requires cities to maintain and enforce buffer requirements for projects containing more than one acre of new or redeveloped impervious area. Additionally, the BCWMC requires that member cities annually inspect wetlands classified as Preserve for terrestrial and emergent aquatic invasive vegetation and attempt to control or treat invasive species, where feasible. The BCWMC prefers any wetland mitigation to be performed within the same subwatershed as impacted wetlands and encourages cities to pursue wetland restoration projects.

Comment:

12. Section 5.5.1, paragraph 1: Consider adding "pollutants" to the list of issues affecting the creek from runoff originating in Minnetonka.

Response: Sentence one of paragraph 1 of Section 5.5.1 will be revised as follows:

Although Bassett Creek does not flow through the city, runoff from the city contributes to the increased rate, volumes, and pollutants within the watershed.

Comment:

13. Section 5.7.1: Consider noting that in 2017, the BCWMC more formally identified its role in AIS and aquatic plant management and began implementing several committee-recommended actions as noted in this document:

http://mail.bassettcreekwmo.org/application/files/1315/2157/7925/APMAIS_Final_Recommendations_and_Approvals.pdf.

Response: The following sentence will be added to the end of paragraph 2 in Section 5.7.1:

In 2017, the BCWMC more formally identified its role in AIS and aquatic plant management and began implementing several committee-recommended actions as noted in this document:

http://www.bassettcreekwmo.org/application/files/1315/2157/7925/APM-AIS_Final_Recommendations_and_Approvals.pdf.

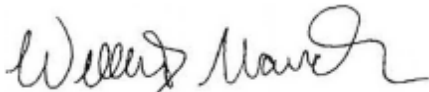
Comment:

14. Section 6.0, page 6-1: The section title should be changed to "Implementation Program."

Response: The section title on Section 6.0, page 6-1 will be revised to: *Implementation Program*.

Should you have any questions, please feel free to contact me at your convenience.

Sincerely,



Will Manchester, P.E.
Director of Engineering
City of Minnetonka