



**Nine Mile Creek Watershed District
2012 Annual Report**

Prepared and submitted by:
Nine Mile Creek Watershed District
7710 Computer Avenue, Suite 135
Edina, MN 55435
(952) 835-2078

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2012 Nine Mile Creek Board of Managers/Officers

Corrine D. Lynch, President
7400 Metro Blvd, Suite 450
Edina, MN 55439
(952) 893-6730
Appointing County: Hennepin
Term Expires: 9/29/14
Resident of Eden Prairie

Steve Kloiber, Vice-President
6528 Scandia Road
Edina, MN 55439
Appointing County: Hennepin
Term Expires: 9/29/13
Resident of Edina

Maressia Twele
PO Box 4209
Hopkins, MN 55343
Appointing County: Hennepin
Term Expires: 9/29/2015
Resident of Minnetonka

Geoffrey Nash, Treasurer
6920 Hillcrest Lane
Edina, MN 55435
(651) 266-7273
Appointing County: Hennepin
Term Expires: 9/29/13

Jodi Peterson - Secretary
9508 Russell Avenue South
Bloomington, MN 55431
(952) 881-3051
Appointing County: Hennepin
Term Expires: 9/29/2014
Resident of Bloomington

LuAnn Tolliver - Manager
Appointing County: Hennepin
Term Expires: 09/29/12
Resident of Minnetonka
Retired in September, 2012

Citizen Advisory Committee Members

Christine Peterson – CAC Chair
14333 Ferris Lane
Minnetonka, MN 55345
612-327-0040
christine@christinepetersen.com

Kurt Lawton
13996 Wellington Drive
Eden Prairie, MN 55437
952-303-6777
kurt.lawton@gmail.com

Craig Trenary
9629 Upton Avenue
Bloomington, MN 55431
612-366-3022
craig@terraformadesign.com

Maressia Twele
PO Box 4209
Hopkins, MN 55343

Emily Stein
7016 Bristol Blvd.
Edina, MN 55435
952-412-1562
estein@gmail.com

Matthew Pawlowski
2930 West 87th Street
Bloomington, MN 55431
Matthew_pawlowski@yahoo.com

Gary Evans
1407 South 7th Street
Hopkins, MN 55435
952-933-1213
garyevensinc@yahoo.com

Roger Willette
8924 Morgan Avenue South
Bloomington, MN 55431
rfgmaroco@aol.com

John Helland
5720 McGuire Road
Edina, MN 55439
952-944-1443
Johnhelland3@gmail.com

Eric Gabrielson
6002 Timberglade Circle
Bloomington, MN 55438
952-240-8935
egabrielson@landmarkenv.com

Technical Advisory Committee Members

Scott Anderson	City of Bloomington Water Resources Engineer	1700 West 98 th Street Bloomington, MN 55431 952-563-4867
Jim Gates	City of Bloomington Deputy Director of Public Works	1700 West 98 th Street Bloomington, MN 55431 952-563-8700
Leslie Stovring	City of Eden Prairie Environmental Coord.	8080 Mitchell Road Eden Prairie, MN 55434 952-949-8327
Wayne Houle	City of Edina Director of Public Works	4801 West 50 th Street Edina, MN 55424 952-826-0443
Joel Settles	Hennepin County Environmental Services	Hennepin County Environmental Management Division 417 North 5 th Street Minneapolis, MN 55401
John Bradford	City of Hopkins City Engineer	1010 South 1 st Street Hopkins, MN 55434 952-548-6356
Steve Stadler	City of Hopkins Public Works Director	1010 South 1 st Street Hopkins, MN 55343 952-548-6350
Lee Gustafson	City of Minnetonka Engineering	14600 Minnetonka Blvd. Minnetonka, MN 55343 952-939-8239
Liz Stout	City of Minnetonka	14600 Minnetonka Blvd. Minnetonka, MN 55343 952-939-8233
Mike Eastling	City of Richfield City Engineer	6700 Portland Avenue So. Richfield, MN 55423 612-861-9700

Kristin Asher	City of Richfield City Engineer	6700 Portland Avenue So. Richfield, MN 55423 612-861-9760
Judy Sventek	Metropolitan Council	Metropolitan Council Mears Park Center 230 East 5 th Street St. Paul, MN 55101
Jack Gleason	MN Department of Natural Resources Area Hydrologist	1200 Warner Road St. Paul, MN 55155
Chris Zadak	MN Pollution Control Agency	520 Lafayette Road St. Paul, MN 55155-4194
Nick Teideken	MN Department of Transportation	Metro District Water Resources Engineer 1500 W. County Rd B-2 Roseville, MN 55113
Brad Wozney	Board of Water & Soil Resources	520 Lafayette Road St. Paul, MN 55155

Employees and Consultants

The Nine Mile Creek Watershed District (District) employs two full-time employees. The District hired a full-time administrator in 2005. The administrator oversees daily operations of the District and represents the District on numerous state-wide committees. In 2009, the District hired a full-time education/outreach coordinator to develop and implement the District's education/outreach programs. In August, 2012, Education/Outreach Coordinator Claire Bleser resigned. The District hired Erica Sniegowski as its Education/Outreach Coordinator in November, 2012. The District retains the services of an engineering consultant, a legal advisor, and an accountant to assist with District activities. The District contracts with another accounting firm to perform its annual financial audit.

District Administrator:

Kevin Bigalke
Nine Mile Creek Watershed District
7710 Computer Ave., Suite 135
Edina, MN 55435
kbigalke@ninemilecreek.org
(952) 835-2078

Engineering Advisor:

Robert C. Obermeyer
Barr Engineering Co.
4700 W. 77th St.
Minneapolis, MN 55435
952-832-2600
bobermeyer@barr.com

Legal Advisor:

Louis Smith
Smith Partners, PLLP
400 2nd Avenue South, Ste. 1200
Minneapolis, MN 55401
612-344-1400
smith@smithpartners.com

Education/Outreach Coordinator:

Claire Serieyssol Bleser

Erica Sniegowski
Nine Mile Creek Watershed District
7710 Computer Ave., Suite 135
Edina, MN 55435
esniegowski@ninemilecreek.org
(952) 358-2279

Accountant:

Dan Cavanaugh
Cavanaugh & Company, PA
1660 South Highway 100
St. Louis Park, MN 55401
(952) 697-4522

Auditor:

HLB Tautges Redpath, Ltd.
4810 White Bear Parkway
White Bear Lake, MN 55110
(651) 426-7000

Introduction

Established in 1959, the Nine Mile Creek Watershed District was the state's first urban watershed district. Despite its name, Nine Mile Creek's main branch actually travels 15.5 miles from its headwaters to its confluence with the Minnesota River. The Creek's name came from the fact that it is nine (9) miles from Fort Snelling following an early cart path that is now Old Shakopee Road. The Creek winds through the southwestern suburbs of the Twin Cities, with a 50 square mile watershed consisting of a largely developed urban landscape, and encompassing portions of Bloomington, Edina, Minnetonka, Eden Prairie, Hopkins, and Richfield. Appointed by the Hennepin County Commissioners, each of the District's five Managers serve three-year terms.

Consistent with its statutory and regulatory obligations under Minn. Stat. § 103D.351 and Minnesota Rules § 8410.0150, the Board of Managers has prepared this Annual Report of the Nine Mile Creek Watershed District's financial status, its yearly activities and projects, its 2012 permitting and enforcement, and its 2013 goals and objectives. The Managers invite comments and suggestions concerning this report. The 2012 Annual Report is available on the Nine Mile Creek Watershed District website – www.ninemilecree.org. Copies are also available by contacting Kevin Bigalke, District Administrator, Nine Mile Creek Watershed District, 7710 Computer Avenue, Suite 135, Edina, MN 55435, (952) 835-2078.

Highlights and Accomplishments of 2012

2012 highlights include:

- Awarded Freshwater Society Environmental Leadership Award for the Road Salt Reduction through Education Program
- Continued the volunteer Citizen-assisted Lake Monitoring Program (CAMP), working with the Metropolitan Council
- Continued with the implementation of the Eden Prairie Lakes Water Quality Improvement Project
- Continued Implementation of the Hopkins Streambank Stabilization and Habitat Restoration Project
- Continued cost-share grant program
- Began planning activities for the Nine Mile Creek Water Resource Center located on the donated Kaerwer property in Eden Prairie
- Hired Erica Sniegowski as its Education/Outreach Coordinator

2012 was another very busy and successful year for the Nine Mile Creek Watershed District (District).

The District started a review of the implementation plan outlined in its Water Management Plan adopted in 2007. The District also completed a review and general housekeeping amendment of its rules adopted by the Board of Managers in 2008. The District reviewed its By-laws and adopted a District Governance Manual.

The District hosted Road Winter Maintenance workshops in partnership with the Minnehaha Creek Watershed District, Mississippi Watershed Management Organization, Riley-Purgatory-Bluff Creek Watershed District, and Carver County for the Minnesota Department of Transportation and Hennepin County plow drivers. The District also held workshops for the six cities in the Nine Mile Creek Watershed District. In recognition of its winter maintenance education program, the Nine Mile Creek Watershed District was awarded an Environmental Leadership Award by the Freshwater Society at the 2012 Road Salt Symposium. In the months of June, July, and August, the District hosted its Summer Education Series. In place of its fall tour, the District hosted a fall open house in partnership with the City of Bloomington and Bloomington Public Schools showcasing winter maintenance equipment and the City of Bloomington brine mixing facility for the residents of the Nine Mile Creek Watershed in September 2012.

The District began planning for the Nine Mile Creek Water Resource Center to be located on the Kaerwer property donated to the District.

The District continued to implement the Nine Mile Creek Stabilization and Habitat Improvement project located in Hopkins.

Assessment of the 2012 Work Plan

In its 2011 Report, the District identified several broad goals and objectives for 2012, including:

1. Implementation of District Regulatory Program and Rules
2. Implementation of Plan Review
3. Nine Mile Creek Water Resource Center Planning
4. Continue UAA/Lake/Creek Studies
5. BMP Cost-Share Grant Program
6. Citizen Assisted Lake Monitoring Programs (CAMP)
7. Citizen Advisory Committee
8. Technical Advisory Committee
9. Education and Outreach Activities
10. Capital Project Implementation

In 2012, the District completed or made substantial progress toward all of these goals and objectives, as described below.

1. Continued Implementation of Watershed District Rules & Permit Program

In March 2008, the Nine Mile Creek Watershed adopted new District rules. The rules have been well received and the District has not had any significant issues implementing the new rules. In 2012, the NMCWD continued to review projects and permit applications under the rules adopted in 2008. The NMCWD reviewed and approved 92 permit applications in 2012.

In 2012, the NMCWD completed a review of its rules. In addition to the Board and staff review of the rules, the District hosted a Technical Advisory Committee meeting to review the rules and proposed changes. The results of the review were a few technical “housekeeping” amendments to the rules. The District finalized and adopted the amendments in the spring of 2012.

2. **Implementation Plan Review**

In 2012, the District continued a review of the implementation plan of its Water Management Plan. Staff identified programs that could be combined and a few new programs or projects that should be included in the implementation plan. The District will amend the implementation plan in 2013.

3. **Nine Mile Creek Water Resource Center Planning**

The District Board and staff conducted a vision process to identify potential programs and how the donation may be used. The District hired LHB as the architect to design the renovation of the existing home to become the Nine Mile Creek Water Resource Center. The District also hired Jim Rowe to develop an Interpretive Framework to help identify the education and outreach uses of the Water Resource Center. The District plans to break ground on the Water Resource Center in 2013.

4. *Use Attainability Analyses & Lake and Creek studies*

In 2012, the District entered the ninth year of its Watershed Outlet Monitoring Program. In conjunction with this monitoring, the District continued to work with the MPCA to determine the appropriate standards for assessing and classifying the creek's impairment, and to identify best practices for improving the water quality in the creek and achieving "unimpaired" status. Since 2004, the Nine Mile Creek has been on the Minnesota Pollution Control Agency's "Impaired Water" lists for turbidity, chloride and fish community Index of Biotic Integrity (IBI). In response to this listing, the District undertook an enhanced monitoring program, which includes additional water quality monitoring at three Watershed Outlet Monitoring Program (WOMP) stations on the creek, and ecological health monitoring of the Creek. The District began working with the MPCA in 2007 to get funding for TMDL studies for chlorides and fish IBI. The District initiated the TMDL studies for chlorides and fish IBI in 2008 and continued to develop the TMDL Reports for these impairments in 2009. In 2010, the Chloride TMDL Report was approved by the MPCA and the Environmental Protection Agency. The District continued the development of an Implementation Plan and continued its implementation and education efforts to reduce chlorides in 2012.

The District continued to partner with the Metropolitan Council to monitor continuous turbidity at the Metropolitan Council WOMP station. Continuous turbidity monitoring began at this station in 2008 and continued in 2012. The additional data collected resulted in the delisting of the Nine Mile Creek turbidity impairment by the MPCA.

5. **2012 Cost-Share Grant Program**

In 2012, the District solicited applications and awarded 10 cost-share grants totaling \$89,334. The cost-share grant program has been highly successful, with grant requests remaining high for each of the five years of the program. The District firmly believes that the Cost-Share Grant Program provides education and awareness of the District's goals and is an effective way to get projects on the ground.

6. **Citizen-Assisted Lake Monitoring Program (CAMP)**

In 2012, the District continued to partner with the Metropolitan Council to support Citizen-assisted Lake Monitoring efforts on 5 lakes in the District. The lakes included in the citizen monitoring program were: Minnetoga Lake & Wing Lake in Minnetonka, and Normandale Lake, Lower Penn Lake & Bush Lake in Bloomington.

7. **Continued Support of the Citizen Advisory Committee**

New CAC members were appointed in November 2011. In 2012, the District worked with its new Citizen Advisory Committee (CAC) to continue implementing the CAC Work plan developed in January 2007. The CAC assisted staff on developing new education and outreach opportunities as well as ways to improve our current programs. Staff also worked with the CAC to organize and host the 5th Annual Summer Education Series. See the section on the Summer Education Series for details.

8. **Technical Advisory Committee**

In 2012, the District used the Technical Advisory Committee to review the rule amendments proposed by the District and to review the proposed Chloride TMDL Implementation strategies.

9. **Education and Outreach Program Activities**

Summer Education Series

The District hosted its sixth year of the Summer Education Series (SES). The SES is designed to provide District residents with hands-on learning opportunities about the resources of the District and learn about ways to protect and enhance the District's water and natural resources. In 2012, the SES included presentation on landscaping for pollinators in partnership with REI, a talk by an arborist on the importance of trees hosted in partnership with the City of Richfield at Adams Hill Park, a wetland walk led by Manager Steve Kloiber, and native plant seed harvesting led by Janet Larson of the City of Minnetonka.

NEMO Program Participation

The District continued to be a charter member of Northland NEMO in 2012. District staff participated on the NEMO Steering Committee meetings and helped review the NEMO accomplishments and work plan.

Trainings/Workshops

The District hosted 2 Winter Road Maintenance workshops targeted at public road authorities in 2012. We provided training for MNDOT, Hennepin County, and city plow drivers. The Winter Road Maintenance workshops address approaches that will result in reduced chloride loading to Nine Mile Creek.

The District also hosted one Winter Parking Lot and Sidewalk Maintenance workshop. The workshops targeted commercial snow removal businesses, school districts, and park maintenance staff.

Blue Thumb Program Participation

In 2012, the Nine Mile Creek Watershed District continued to be partner of the Blue Thumb Program developed by the Rice Creek Watershed District. To be a partner, the District committed to 30 hours of public education and outreach activities pertaining to Blue Thumb Program goals. The District contributed over 40 hours toward the Blue Thumb Program through the District's education and outreach programs.

Environmental Fairs

In 2012, the Nine Mile Creek Watershed District staff and managers attended and participated in Environmental Fairs hosted by the Cities of Eden Prairie and Minnetonka and CIGNA. The District had its display at the fairs and distributed information about the District, our water quality monitoring efforts, the new District rules, and the District's cost-share grant program. The fairs provided an opportunity for the District to meet with residents of the District and discuss their concerns about the water quality and overall health of the Watershed.

Presentations to other organizations

As part of its education and outreach program in 2012, District staff gave presentations to interested groups and organizations. Presentations topics included the District's efforts to improve and protect the water resources of the Nine Mile Creek Watershed and alternative landscaping options to protect water quality. Presentations were also given to students at Bloomington and Edina schools.

2012 Photo Contest and 2013 Calendar Production

In 2012, the Nine Mile Creek Watershed District held its sixth (6th) photo contest to collect photos for the 2013 Calendar. The District held the photo contest January through September. Photos submitted during the photo contest were selected to be used in the 2013 Nine Mile Creek Watershed District Calendar and Annual Communication. The 2013 Calendar also serves as the District's Annual Communication. Calendars are distributed throughout the District and are made available at the city halls of each of the six cities in the District, public libraries, coffee shops, and are also mailed to residents upon request. 3,000 calendars are printed and distributed.

10. Capital Project Implementation

Continued Implementation of the Eden Prairie Lakes Water Quality Improvement Project

The City of Eden Prairie petitioned the District for the Eden Prairie Lakes Water Quality Improvement Project. The purpose of the project is to address Curly leaf Pondweed and internal phosphorus loading in Northwest and Southwest Anderson Lakes, to improve water quality and restore the water level in Birch Island Lake, and to address phosphorus loading in Bryant Lake. The District Board of Managers ordered the project at a public hearing on December 13, 2006. The Nine Mile Creek Watershed District Board of Managers ordered the project to commence in September 2007.

Implementation of the project was officially started in December 2007. Most of the Eden Prairie Lakes Water Quality Improvement Project was implemented in 2008. The project included a tile system to restore the water level of Birch Island Lake, and alum treatment on

Bryant Lake, and a drawdown of Northwest and Southwest Anderson Lakes to treat Curly Leaf Pondweed.

The water levels on Northwest and Southwest Anderson Lake continued to recover throughout 2012. Localized herbicide treatment for Curly Leaf Pondweed was continued to treat areas of the lakes that could not be completely drawn down. The District and Three Rivers Park District monitored the vegetation in lakes in 2012. Vegetation monitoring was done to determine the presence or absence of curly leaf pondweed. Monitoring activities in 2012 continued to show a dramatic reduction of Curly Leaf Pondweed in Northwest and Southwest Anderson Lakes. Along with the reduction of Curly Leaf Pondweed was an increase in the abundance of native aquatic plants. Monitoring results showed the presence of 34 native aquatic plant species in Northwest Anderson Lake. Water quality improved in Northwest Anderson Lake, while water quality monitoring showed a decrease in water quality in Southwest Anderson Lake. The decline of water quality in Southwest Anderson Lake is attributed to the shallow nature of the lake, the rich organic nature of the lake substrate and the lack of aquatic vegetation. It is anticipated that water quality will improve as aquatic vegetation re-establishes and water level continue to return to pre-drawdown levels.

In November, 2012, the District conducted an alum treatment on Southwest Anderson Lake to aid in the water quality vegetation recovery of the lake

Implementation of the Hopkins Streambank and Habitat Restoration Project

In 2012, the District continued with the implementation of the Hopkins Streambank and Habitat Restoration Project that the City of Hopkins petitioned the District in 2006.

Construction of Phase A of the project commenced in the winter of 2011 and was

completed in the early 2012. The District and the City of Hopkins received two grants from the Hennepin County Environmental Resource Fund to assist with the monitoring and remediation of the contamination. The District and the City of Hopkins received a \$60,000 grant from the Hennepin County Environmental Resource Fund to assist with the Phase II Environmental Assessment. The District also received a \$304,000 grant from Hennepin County Environmental Resource Fund to assist with the remediation of the contamination.

The District made substantial progress toward the completion of Phase B of the Hopkins project in 2012. The project included the stabilization of segments of Nine Mile Creek and the construction of a new channel adding sinuosity and increased habitat to Nine Mile Creek.

The District received a grant the Board of Water and Soil Resources and from Hennepin County to assist with the implementation of the stream and habitat restoration components of the project. The two grants totaled \$261,000.

Southeast Anderson Lake Water Quality Improvement Project

In March 2008, the City of Bloomington petitioned the District for a water quality improvement project on Southeast Anderson Lake. The project is to address curly leaf pondweed and internal phosphorus loading. In 2008, the project was designed and ordered to proceed. The project design was to treat curly leaf pondweed with Endothal-K for 4-5 successive years. Treatments were completed in May 2009 and 2010. The project continued in 2012 with a fourth treatment of Endothal-K. Water quality and vegetation monitoring continued in 2012. Monitoring activities in 2012 showed increase in the abundance and density of Curly Leaf Pondweed, as well as increased diversity of native aquatic plants and improved water

quality. Because of the re-establishing of Curly Leaf Pondweed in 2012, a fifth year of treatment will occur in the spring of 2013.

Normandale Lake Water Quality Improvement Project

The District accepted a petition from the City of Bloomington to develop a water quality improvement project to address curly leaf pondweed and internal phosphorus loading in Normandale Lake and to identify watershed best management practices to reduce nutrient loading into the lake. The District started the feasibility/engineers report in 2009 and submitted options for the project to the U.S. Army Corps of Engineers for their preliminary review. Water quality monitoring in 2009 revealed an improvement in water quality. The District delayed implementation of the project to conduct additional water quality monitoring in 2010 and 2011. The District continued to work on the engineers report for the Normandale Lake project in 2012.

Edina Creek Restoration Project and Nine Mile Creek Regional Trail

The District continued to work throughout 2012 on the Edina Creek Restoration Project Engineer's Report.

The District continued field assessments of the condition of Nine Mile Creek through Edina.

Projected 2013 Work Plan

Continue Implementation of Watershed District Regulatory Program and Rules

The District will continue implementing its rules and regulatory program in 2013.

Implementation Plan Review

The District will finalize its review of the activities implemented to date and the future projects and activities identified in the Implementation Plan of the District's 2007 Water Management Plan. The District will evaluate the effectiveness and success of the projects completed. The District will determine if the future projects and activities identified in the District's Implementation Plan are still relevant and still a priority. An amendment to the Implementation Plan will be initiated to include future projects not anticipated in 2007 as well as to consolidate similar programs identified in the 2007 Implementation Plan.

Nine Mile Creek Water Resource Center Planning

In 2009, the District was contacted by an individual interested in donating her home and 5.3 acre property adjacent to the Cardinal Creek Conservation Area and wetland complex to the District for use as the District office and Nine Mile Creek Water Resource Center. The District received approval for the project in 2010 from the City of Eden Prairie. In early 2011, the District closed on the property. The District conducted a visioning and planning process for the future use of the property as the Nine Mile Creek Water Resource Center in 2011 and 2012. In 2012, the District hired LHB to provide architectural for the renovations needed to convert the home into the District's office and Nine Mile Creek Water Resource Center. The District also

hired Jim Rowe to develop an Interpretive Framework for the education, outreach, and interpretive opportunities at the new facility.

In 2013, the District will finalize the Interpretive Framework, the architectural design for the Water Resource Center and a landscape restoration plan for the property. The District plans to begin renovations to the existing building in 2013.

Continue UAA /Lake /Creek Studies

In 2013, the District will continue to monitor Nine Mile Creek with the WOMP stations. The District will continue use of the continuous turbidity monitoring transducers at each of its WOMP stations. The District will also continue its lake monitoring program, collecting data on Northwest Anderson Lake, Southwest Anderson Lake, Southeast Anderson Lake, and Lake Cornelia.

The District will also continue its stream monitoring program collecting water quality data and ecological data.

BMP Cost-Share Grant Program

The District will solicit applications for the fifth year of its BMP Cost-Share Grant Program in 2013. The District will also conduct an analysis of the past four years of projects to determine the success and effectiveness of the program. The District makes over \$100,000 available to residents, businesses, and local governments in the District for this grant program.

Citizen Assisted Lake Monitoring Program (CAMP)

In 2013, the District will continue to support citizen monitoring through the Metropolitan Council's Citizen Assisted lake Monitoring Program (CAMP). Trained volunteer monitoring teams will collect water quality samples from Lower Penn Lake, Bush Lake and Normandale Lake in Bloomington, Lake Minnetoga and Wing Lake in Minnetonka, and Bryant Lake in Eden Prairie.

Continued Support of CAC

The Nine Mile Creek Watershed District has had an active Citizen Advisory Committee (CAC). The District worked with the CAC in 2007 to develop a CAC work plan that will continue to guide its activities in 2013. The CAC will assist with numerous education and outreach events including the Summer Education Series and CAC seminars and workshops.

Technical Advisory Committee

The District will continue working with the Technical Advisory Committee to begin the development of the chloride TMDL implementation plan.

Education and Outreach Activities

In 2013, the District will be partnering with Cigna to host an Earth Day Fair and Earth Day Clean Up Event. The District will also be hosting an Earth Day Creek Clean Up event along Nine Mile Creek in the City of Hopkins.

The District will again collaborate with its CAC to host the Summer Education Series. The 2013 Summer Education Series will include a spring bird and wildflower hike in

Bloomington, a digital photography for family's event in Minnetonka, a family fishing program in Edina, and geocaching in the park in Bloomington.

The District will participate in local community and environmental fairs. In 2013, the District will participate in the Eden Prairie Home and Landscape Show, the City of Minnetonka's Native Plant Market, CIGNA environmental fair, and a green fair at Super Value corporate offices.

The District will continue to seek opportunities to partner with local schools to implement storm drain marking projects and give presentations of the water resources and water quality of the Nine Mile Creek Watershed District.

The District will be hosting Winter Maintenance workshops targeted at snow plow drivers and private parking lot snow removal companies aimed at reducing the amount of road salt applied in the District. This is to address the chloride TMDL. The District will continue to work with the cities in the District to implement an education program on winter maintenance for the general public. The District will continue to develop a training module targeting School Districts with training sessions being implemented in 2013.

The District will continue to incorporate more educational aspects into the Basic Water Management Projects. These efforts will include public information meetings, informational flyer or brochures and signage of new project sites describing project goals and activities.

District Website

In 2013, the District will continue to utilize its website for public information, education and outreach. The District plans to continue to add its water quality data and fact sheets on the water resources of the District to the website. The District will also post project reports, updates, and project photos on the District website.

Blue Thumb

In December 2008, the District became a Blue Thumb program partner. In 2013, the District will continue to work with the Blue Thumb program to provide education and outreach programs to the citizens of the Nine Mile Creek Watershed District. Many of the programs described above are being used as Blue Thumb education programs.

NEMO (Non-Point source Education for Municipal Officials)

The Nine Mile Creek Watershed District is a charter sponsor for the NEMO program. In 2013, the District will continue to identify and host workshops for city officials and staff. Workshops will focus on how to address water quality and water quantity challenges during redevelopment.

Capital Project Implementation

Continued Implementation of the Eden Prairie Lakes Water Quality Improvement Project

Substantial progress on the Eden Prairie Lakes Water Quality Improvement Project was made in 2008 – 2012. In 2013, the District will complete a fifth Endothal-K treatment on Northwest and Southwest Anderson Lakes and continue collecting water quality and vegetation

data as the lakes continue to refill following the drawdown. Elements of the project that remain to be completed are the restoration of the Cardinal Creek wetland area.

Implementation of the Hopkins Streambank & Habitat Restoration Project

In May 2006, the District accepted a petition by the City of Hopkins for a streambank and habitat restoration project for Nine Mile Creek. The District ordered the project to proceed and entered into a cooperative agreement with the City of Hopkins for the implementation of the project in 2008. Implementation of the project was started in 2011. In 2012, the District will work with the City of Hopkins to complete the implementation of the project. The project has been split into two phases. Phase A includes the upstream portion of the project that included mainly streambank stabilization. Phase B includes the downstream portion of the project that incorporates significant bioengineering and re-meandering of Nine Mile Creek. The project was delayed due to contamination that was discovered in the project area. The District implemented the remediation plans developed to address the contamination and construct the stream restoration project. Phase A and Phase B was completed in the summer of 2012 and fall/winter of 2012/2013 respectively.

Normandale Lake Water Quality Improvement Project

The District accepted a petition from the City of Bloomington to develop a water quality improvement project to address curly leaf pondweed and internal phosphorus loading in Normandale Lake and to identify watershed best management practices to reduce nutrient loading into the lake. In 2009, water quality monitoring results indicated an improvement in

water quality. The District will continue to work with the City of Bloomington to determine the best approach to deal with the curly leaf pondweed and water quality issues in 2013.

Southeast Anderson Lake Project

The District accepted a petition from the City of Bloomington for a water quality project on Southeast Anderson Lake in March 2008. The District will continue to implement the multi-year project in the spring of 2013 with the fifth year of curly leaf pondweed treatment with Endothal-K. The District will also continue water quality and aquatic vegetation monitoring Southeast Anderson Lake to determine the effectiveness of the project.

Edina Creek Restoration Project

The District will finalize the Engineer's Report for the Edina Nine Mile Creek Restoration Project. The District will meet with City of Edina staff to present the proposed project. District staff will also host a series of neighborhood information meetings to present the proposed project to residents that live adjacent to Nine Mile Creek in proposed work areas.

Permitting Activity

Summary of Permits and Variances Issued

In 2008, the Nine Mile Creek Watershed District adopted and began implementing new rules. The Board of Managers, with the assistance from the District Engineer and District Administrator, reviews permit applications and imposes various conditions for approval as appropriate. In 2012, the District reviewed and granted 92 grading and land alteration permits. The District issued permits in the following cities: Bloomington – 35; Edina – 28; Eden Prairie –

11; Hopkins – 7; Minnetonka – 7; DNR Work in Waters Permits - 2. The District granted four variances to our wetland buffer rule in 2012.

The District subjects projects to a preliminary review so that it can issue permits simultaneously, or shortly after, municipal permits.

In 1997, the MNDR issued a general permit allowing the District to regulate certain aspects of work in public waters, which streamlines and expedites the permitting process for applicants who undertake certain specified activities. In 2012, the District reviewed and approved two (2) Minnesota Department of Natural Resources' Work in Protected Waters permits.

Enforcement Activity

The District's engineer regularly inspects permitted work to ensure compliance with permit conditions. If violations are found, the District attorney typically will notify permittees and seek voluntary abatement or correction before resorting to formal legal action. In 2012, no enforcement actions were necessary.

Summary of 2012 Water Quality Monitoring Program

The 2012 Nine Mile Creek Watershed District water quality monitoring program included monitoring Nine Mile Creek and five lakes (Mirror Lake, Lake Edina, Southwest Anderson Lake, Southeast Anderson Lake, and Northwest Anderson Lake).

Nine Mile Creek Monitoring

One of the primary purposes of the Nine Mile Creek Watershed District is to protect and enhance the ecology of Nine Mile Creek—improving Nine Mile Creek as a place for fish and aquatic life to live. The stream's management goals are based upon the fish assemblage living in

the stream and the physical and the ecosystem components required for the survival of this fish assemblage/aquatic life use. The 2012 fish data indicate Nine Mile Creek is currently supporting the fish community that it has the capacity to support per the stream's flow, water quality, and habitat characteristics. The data further indicate the current fish community is similar to or better than the stream's long-term fish community. The data indicate the stream has remained stable and confirms that the ecological use designations for Nine Mile Creek are appropriate.

Water quality and biological data collected from Nine Mile Creek in 2012 indicate the stream's water quality remained stable and most values (98 percent) were within the range of historical values. Values outside of the historical range include:

- A higher April oxygen value at upstream North Fork location ECU-1A and upstream South Fork location ECU-3A, a favorable change for the stream;
- A lower May pH value at upstream North Fork location ECU-1A that was well within MPCA criteria and not problematic.
- Higher July and August temperature values at North Fork locations ECU-1A and ECU-2, and upstream South Fork location ECU-3A. A higher August temperature value was found at downstream Main Stem location ECU-7C. All temperature values met MPCA criteria and were not problematic.
- Lower October turbidity at downstream North Fork location ECU-2A and downstream Main Stem location ECU-7C, a favorable change resulting from reduced runoff during drought conditions.
- Lower October discharge value at Main Stem location ECU-7B due to drought conditions.

2012 Nine Mile Creek water quality generally met MPCA criteria. Overall, 89 percent of 2012 values were within MPCA criteria. The South Fork locations and the two downstream Main Stem locations met MPCA criteria most frequently (94 to 97 percent) followed by the upstream Main Stem location (88 percent). The North Fork locations met MPCA criteria least frequently (81 percent).

In 2012, the specific conductance criterion was met less frequently than other MPCA criteria. All temperature, pH, and turbidity measurements, 90 percent of dissolved oxygen measurements, and 62 percent of specific conductance measurements met MPCA criteria. As in previous years, the North Fork locations met the MPCA standard for specific conductance less frequently than other locations. Thirty one percent of North Fork measurements met the MPCA specific conductance standard in 2012 compared with 83 percent of South Fork and Main Stem measurements. While North Fork locations met the specific conductance standard less frequently than other locations, North Fork locations met the dissolved oxygen standard more frequently than other locations. Nearly all North Fork dissolved oxygen measurements (97 percent), 87 percent of Main Stem measurements, and 83 percent of South Fork measurements met the MPCA standard.

Fish collected from Nine Mile Creek in 2012 were assessed to determine whether the stream met the MPCA biological standard. In Minnesota, biological impairment for fish in the Minnesota River Basin is defined as failing to meet the Minnesota River Assessment Project (MRAP) Index of Biotic Integrity (IBI) impairment threshold score of 30 or greater out of a possible score of 60. Only streams with a watershed area of at least 5 square miles are obligated to meet the IBI impairment threshold. In 2012, all Nine Mile Creek locations met the MPCA biological standard (Figure ES-1). Previously, all Nine Mile Creek locations met the MPCA

biological standard during 2006, but some locations failed to meet the standard during 2003 through 2005 and during 2007 through 2011.

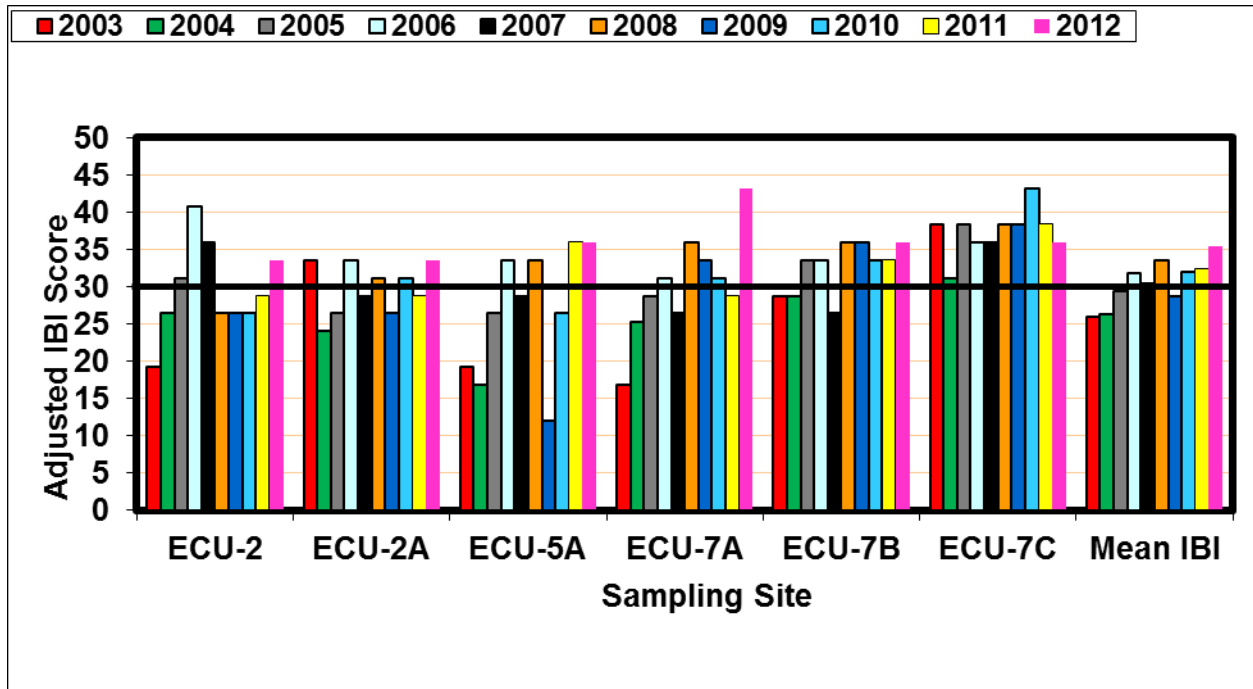


Figure ES- 1 2003-2012 Nine Mile Creek Fish IBI Scores

Hilsenhoff’s Biotic Index (HBI) and the Invertebrate Community Index (ICI) were used to assess invertebrates collected from Nine Mile Creek in 2012 to determine whether changes in stream oxygen levels and/or stream water quality have occurred. 2012 HBI and ICI values were generally similar to past values, indicating stream oxygen levels and water quality have remained stable.

The data indicate that despite urbanization impacts, water quality data collected from Nine Mile Creek during 1968 through 2012 have remained relatively stable over time, although fluctuations have been observed. Urbanization impacts upon the stream result in an average fish and macro-invertebrate community tolerant of adverse conditions. Monitoring will continue at

the annual monitoring stations to maintain this long-term record of water quality and biota in Nine Mile Creek.

Nine Mile Lake Monitoring

Water quality data from Southeast Anderson Lake and Northwest Anderson Lake were summarized in separate reports:

- 2012 Southeast Anderson Lake Aquatic Plant Management
- 2012 Northwest Anderson Lake Aquatic Plant Management

Data summaries for Mirror Lake, Lake Edina, and Southwest Anderson Lake follow.

Mirror Lake

Poor water quality was observed in Mirror Lake during 2012. The lake's average summer total phosphorus and chlorophyll *a* concentrations were 104 and 47 $\mu\text{g/L}$, respectively. The lake's average summer Secchi disc transparency was 0.4 meters. The average summer total phosphorus concentration, chlorophyll *a* concentration, and Secchi disc transparency failed to meet the Minnesota State Water Quality Standards for shallow lakes which are $\leq 60 \mu\text{g/L}$, $\leq 20 \mu\text{g/L}$, and ≥ 1 meter, respectively. Because the lake failed to attain the three standards, the lake was impaired in 2012.

The data indicate the lake's fertility in 2012 was not only caused by watershed loading, but also by internal loading. In 2012, curly-leaf pondweed was the dominant submerged plant in June and added phosphorus to the lake after its growing season ended in late June. In addition, sediments added phosphorus to the lake as evidenced by higher phosphorus concentrations near the lake bottom and reducing conditions shown by an oxidation reduction potential (ORP) measurement that was less than 0. Under reducing conditions, phosphorus is released from lake sediment. A few purple loosestrife plants were found in three locations along the shore. Because purple loosestrife is an invasive species that can spread rapidly and displace native species, it is recommended that NMCWD work with the Minnesota Department of Natural Resources to control purple loosestrife with loosestrife-eating beetles. Specifically the NMCWD could submit a request to the Minnesota Department of Natural Resources (MDNR) for beetles to be released during the spring of the year in the purple loosestrife-infested areas.

Lake Edina

Lake Edina experienced poor water quality in 2012. The lake's average summer total phosphorus and chlorophyll *a* concentrations were 146 and 40 µg/L, respectively. The lake's average summer Secchi disc transparency was 0.3 meters. The average summer total phosphorus concentration, chlorophyll *a* concentration, and Secchi disc transparency failed to meet the Minnesota State Water Quality Standards for shallow lakes which are ≤ 60 µg/L, ≤ 20 µg/L, and ≥ 1 meter, respectively. Because the lake failed to attain the three standards, the lake was impaired in 2012.

Curly-leaf pondweed was found at one location in the lake. This species can spread rapidly and displace native species, but currently is not a threat due to its limited presence in the lake. Purple

loosestrife was found at multiple locations along the lake's shore. Because purple loosestrife is an invasive species that can spread rapidly and displace native species, it is recommended that NMCWD work with the Minnesota Department of Natural Resources to control purple loosestrife with loosestrife-eating beetles. Specifically the NMCWD could submit a request to the Minnesota Department of Natural Resources (MDNR) for beetles to be released during the spring of the year in the purple loosestrife-infested areas.

Southwest Anderson Lake

Southwest Anderson Lake experienced poor water quality in 2012. The lake's average summer total phosphorus and chlorophyll *a* concentrations were 102 µg/L and 59 µg/L, respectively. The lake's average summer Secchi disc transparency was 0.4 meters. The average summer total phosphorus concentration, chlorophyll *a* concentration, and Secchi disc transparency failed to meet the Minnesota State Water Quality Standards for shallow lakes which are ≤ 60 µg/L, ≤ 20 µg/L, and ≥ 1 meter, respectively. Because the lake failed to attain the three standards, the lake was impaired in 2012. An alum treatment of Southwest Anderson Lake was completed during the fall of 2012 to address the lake's water quality problem which was primarily caused by phosphorus released from lake sediment.

Status of Local Plan Adoption and Implementation

The District monitors the plans of watershed districts and water management organizations that affect the District's cities and that have been approved by the Board of Soil and Water Resources. The District also reviews and approves the Comprehensive Surface Water Management Plans of each of the cities in the District. Currently, the cities of Bloomington, Eden Prairie, Edina, Minnetonka, and Richfield have approved local water plans.

Biennial Solicitation of Interest Proposals

Under M.S.A. 103B.227, subd. 5, the District must issue a biennial solicitation for legal, technical, and other professional services. The District issued a formal solicitation for accounting, engineering, and legal services in September 2011. The District selected Cavanaugh and Associates as its accountant, Barr Engineering as its engineer and Smith Partners, PLLP as its legal counsel in October 2011. The District selected HLB Tautges Redpath to conduct the District's annual financial audit. New proposals for engineering, legal, and other professional services will be solicited in September 2013.

Fund Balances for Specific Program Elements.

The District's fund balances and financial status are included in the District's annual audit. The annual audit is included as an appendix to this report.

Status of any Locally Adopted Wetland Banking Program

Because of the inherent limitations of a fully urbanized watershed, the District has not developed a wetland-banking program. Instead, it uses the state wetland bank administered by the Minnesota Board of Water and Soil Resources.

Annual Written Communication to the Public

As required by Minn. R. 8410.0100, subp.4, the District prepared and disseminated its annual communication to the public that identified the Board members, the current CAC members, contact and public meeting information, and information concerning its role in watershed planning. In 2012, the District produced the 2013 Nine Mile Creek Calendar/2012 Annual Communication. Copies of the Calendar and Annual Communications included in the Appendix.

Annual Audited Financial Report and Audit Report

The District's audited annual financial report was prepared by HLB Tautges Redpath, Ltd., a certified public accounting firm. As required by Minn. R. 8410.0150, subp. 2, the Audited Financial Report includes classification and reporting of revenues and expenditures, a balance sheet, an analysis of changes in final balances, and all additional statements necessary for full financial disclosure. The 2011 Audited Financial Report may be found in the appendix to this Annual Report.

2013 Annual Budget

The District adopted its 2013 Annual Budget in September 2012. The 2013 Budget may be found in the appendix to this Annual Report.

Appendix

- 1. 2012 Annual Financial Audit**
- 2. 2013 Approved Annual Budget**
- 3. Copy of 2012 Annual Communication**