

2022 ANNUAL REPORT

Nine Mile Creek Watershed District



Prepared March 2023

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NINE MILE CREEK WATERSHED DISTRICT

NINE MILE CREEK DISCOVERY POINT

12800 Gerard Drive
Eden Prairie, MN 55346
P: 952-835-2078
E: ranhorn@ninemilecreek.org
ninemilecreek.org

Cover background picture by
Nick Busse,
2022 Photo Contest Winner

Cover waterdrop inset picture by
Tim Ronhovde,
2022 CAC member

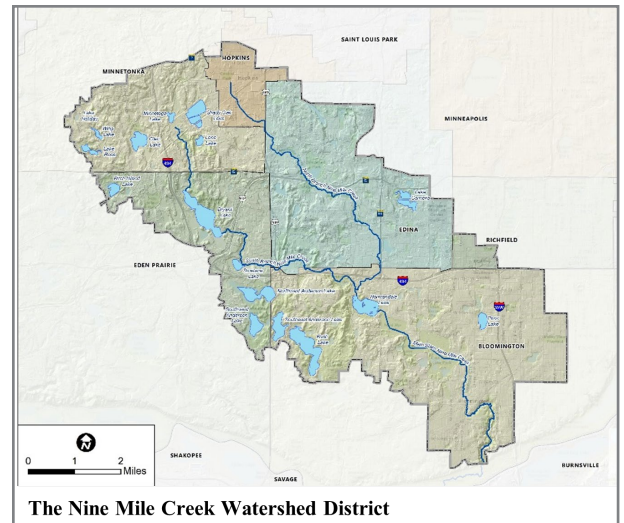
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INTRODUCTION

ABOUT THE DISTRICT

Established in 1959, the Nine Mile Creek Watershed District (NMCWD) was the state's second urban watershed district. Despite its name, Nine Mile Creek's main branch travels 15.5 miles from its headwaters to its confluence with the Minnesota River. 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 encompasses portions of Bloomington, Edina, Minnetonka, Eden Prairie, Hopkins, and Richfield. Appointed by the Hennepin County Commissioners, 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 2022 permitting and enforcement program, and its 2022 goals and objectives. The Managers invite comments and suggestions concerning this report—please submit comments to Randy Anhorn at the address below for consideration by the Board of Managers.

The 2022 Annual Report is available on the Nine Mile Creek Watershed District website: ninemilecreek.org. Copies are also available by contacting Randy Anhorn, District Administrator, ranhorn@ninemilecreek.org or by mail to Nine Mile Creek Watershed District, 12800 Gerard Drive, Eden Prairie, MN, 55346.

HIGHLIGHTS & ACCOMPLISHMENTS OF 2022

2022 Plan Implementation/Action Item Tracking is found in [Appendix 2](#). In 2022, the District began work on incorporating diversity, equity, inclusion, and accessibility practices into all areas of District work. Specific program area milestones are listed below.

Education and Outreach Program

In 2022, education staff participated in 57 education programs, including both NMCWD programs and partner-led events. These programs range from Smart Salting trainings, to school classroom visits, conference presentations, project outreach, and more. The District was selected as a host site for a MN GreenCorps member in 2022-23. This GreenCorps member will help staff with education about salt reduction and water quality in lakes and creeks.

The District received a Minnesota Association of Watershed Districts award for the Low Salt, No Salt Minnesota Initiative (a program of the Hennepin County Chloride Initiative).

Communications and virtual offerings

The District maintains a robust presence on Twitter, Instagram, Facebook, LinkedIn, and YouTube. Over 1,500 people have also subscribed to the District's e-newsletter, Nine Mile News, a 6% increase from 2021.

Volunteer Programs

The District participated in many volunteer programs in 2022. These include the Citizen Assisted Monitoring Program (CAMP), Adopt-a-Drain, Riverwatch, Salt Watch, Adopt a Creek, Adopt a Dock, and events like a garlic mustard bust and creek trash cleanup. The District also maintains an active Citizen Advisory Committee (page 5).

Adopt a Drain

There were 428 participants from the Nine Mile Creek watershed in the Adopt-a-Drain program, 39 of which were new this year. These volunteers kept 4,895 pounds of debris out of District waterbodies. 81 drains were adopted in 2022, bringing the total for the District to 759 drains across the watershed.

Monitoring Program

The District monitored water quality in five lakes this year—Bush Lake, Lake Cornelia (north and south), Normandale Lake, and Penn Lake, along with Nine Mile Creek. The District also conducted fishery surveys on Lake Holiday, Mirror Lake and Wing Lake and continuous dissolved oxygen monitoring on Lake Holiday. CAMP volunteers also assisted with monitoring Lake Minnetoga.

Cost Share Grant Program

16 cost share grants were awarded in 2022. Projects installed with grant funds included raingardens, shoreline buffers, habitat restorations, and a pervious paver patio. There was also one groundwater conservation project. Nine grants were awarded to residents, four to associations, one to a nonprofit, one to a business, and one to a city.

Regulatory Program

The District processed 163 permits to guide local construction. The District's permit regulations ensure new construction and reconstruction includes best practices to prevent erosion and pollution of local waterbodies.

Projects

LYNMAR BASIN: The District partnered with the City of Edina to implement stormwater improvements at the Lynmar Basin (Bristol & Mavelle Park). The retrofit project will better utilize the space to capture and clean more stormwater than it did in the past. The existing dry pond area was expanded and deepened to promote stormwater infiltration. Most of this construction was finished in 2022. In spring 2023, the nearly 2 acre basin will be planted with over 2,000 native plants, shrubs and trees. The project is anticipated to reduce volume by 29 acre/feet, and remove nearly 24 pounds of phosphorus annually, thereby protecting downstream lakes, and reducing flood risk. Learn more at ninemilecreek.org/lynmar/

ROSLAND PARK: The Rosland Park Stormwater Filtration Vault operated for part of 2022, and staff and engineers fine-tuned its operation during drought conditions. This project filters phosphorus, a nutrient that can cause algae blooms, from stormwater entering Lake Cornelia. Engineers are testing different types of filter media in the filtration vault to see which one removes the most phosphorous. This information will help improve this project, and others like it, in the future. After the water moves through the filter media in the vault, the cleaner water flows out of spouts and then moves through pipes to Lake Cornelia. Learn more at: ninemilecreek.org/lake-cornelia-project.

Planning

FLOOD RISK AND RESILIENCE PROJECT: In 2022, NMCWD completed Phase 2 of the Atlas 14 Flood Risk and Resilience project. This watershed-wide flood risk assessment will help NMCWD, its communities, and other partners gain a better understanding of flood risks throughout the watershed under current precipitation estimates and future climate change projections, as well as characterize the risk of flooding from potential culvert clogging or failure along the creek system. In 2023, the District will complete Phase 3, which will include an evaluation and prioritization of flood mitigation projects.

WETLAND STUDY: In 2021, the District analyzed all the wetlands in the watershed and prioritized one to protect and restore. The Whited Fen is a nine-acre wetland in the City of Minnetonka. This rich fen floating mat is a rare wetland type with a high diversity of native plants that is threatened by invasive species like hybrid cattail and purple loosestrife. The District has developed a draft restoration plan identifying which invasive species need to be removed, and how working with the surrounding landowners could provide a wetland buffer to minimize invasives encroaching in on the wetland. The District hopes to begin restoration work sometime in 2023.

Incoming Grants

The District received three grants for various projects this year: a MN Department of Public Safety grant for Phase 3 of the Flood Risk Reduction and Resiliency Study; one from the MN Stormwater Research Council for continued monitoring of the Rosland Park Stormwater Filtration BMP Project; and a BWSR Watershed Based Implementation Funding Grant (Clean Water, Land, and Legacy funds) for the South Fork Nine Mile Creek Stabilization Project. In total, the District received nearly \$340,000 in grant funds in 2022.

2022 BOARD OF MANAGERS



PRESIDENT

Robert Cutshall
7130 Gerard Drive
Eden Prairie, MN 55346
Appointing County: Hennepin
Term Expires: 9/29/2024
Resident of Eden Prairie



VICE PRESIDENT

Larry Olson
6808 Cornelia Drive
Edina, MN 55435
Appointing County: Hennepin
Term Expires: 9/29/2025
Board liaison to the CAC
Resident of Edina



TREASURER

Peggy Kvam
6334 Coteau Trail
Eden Prairie, MN 55344
Appointing County: Hennepin
Term Expires: 9/29/2023
Resident of Eden Prairie



SECRETARY

Grace Butler
PO Box 1337
Minnetonka, MN 55345
Appointing County: Hennepin
Term Expires: 9/29/2025
Board liaison to the CAC
Resident of Minnetonka



MANAGER

Erin Hunker
306 Dearborn Court
Edina, MN 55343
Appointing County: Hennepin
Term Expires: 9/29/2023
Board liaison to the CAC
Resident of Edina

EMPLOYEES AND CONSULTANTS

EMPLOYEES

The District employs five full time staff at its headquarters, Nine Mile Creek Discovery Point (12800 Gerard Drive, Eden Prairie, MN 55346). In 2022, the District also was a host site for a MN GreenCorps member, Alissa Schmidt.

District staff in 2022 included:

Staff	Position	Phone	Email
Randy Anhorn	Administrator	952-835-2078	ranhorn@ninemilecreek.org
Brett Eidem	Natural Resources Project & Planning Manager	952-356-1999	beidem@ninemilecreek.org
Lauren Foley	Permitting & Water Resources Coordinator	--	Through November 2022
Erica Sniegowski	Program & Project Manager	952-358-2276	esniegowski@ninemilecreek.org
Gael Zembal	Education & Outreach Coordinator	952-204-9691	gzembal@ninemilecreek.org
Elizabeth Boor	Permitting & Communications Intern	--	eboor@ninemilecreek.org

CONSULTANTS

In addition, the District retains the services of an engineering consultant, a legal advisor, and an accountant to assist with District activities. The District contracts with a separate accounting firm to perform its annual financial audit. The primary consultants in 2022 included:

Consultant	Services	Address	Phone	Email
Janna Kieffer Barr Engineering	Engineer	4300 MarketPointe Dr., Ste 200 Minneapolis, MN 55435	952-832-2785	jkieffer@barr.com
Louise Heffernan Barr Engineering	Engineer	4300 MarketPointe Dr., Ste 200 Minneapolis, MN 55435	952-832-2850	lheffernan@barr.com
Michael Welch Smith Partners, PLLP	Attorney	250 Marquette Ave., Ste 250 Minneapolis, MN 55401	612-344-1400	welch@smithpartners.com
Dan Cavanaugh JMSc Futurity	Accountant	5353 Wayzata Blvd., Ste 205 St. Louis Park, MN 55401	952-697-4522	dan@jmssc futurity.com
Andy Hering Redpath & Co	Auditor	4810 White Bear Lake Pkwy., White Bear Lake, MN 55110	651-255-9339	ahering@redpathcpas.com
Krissi Tronnes North Risk Partners	Insurance	2010 Centre Pointe Blvd. Mendota Heights, MN 55120	651-379-7876	ktronnes@ northriskpartners.com

ADVISORY COMMITTEES

CITIZEN ADVISORY COMMITTEE (CAC)

The Citizen Advisory Committee is a volunteer advisory committee of community members that is annually appointed by the board of managers. The CAC provides recommendations to the board to aid in decision making, communicate concerns from the public and help educate the community. In 2022, CAC members also helped choose winners for the photo contest (which were published in the 2023 photo calendar), and a smaller group advised staff on cost share grant applications. The 2022 CAC members were:

Name	Address
John Arthur	102 8th Ave. N. Hopkins, MN 55343
Roger Bildsten	6813 Brook Dr. Edina, MN 55439
Mindy Braun-- Secretary	5708 Hawkes Dr. Edina, MN 55436
Rich Koechlein--Chair	6412 Glacier Pl. Edina, MN 55436
Charlotte Lefebvre	6412 Aspen Rd. Edina, MN 55436
Joshua Lynn	8710 Logan Ave S. Bloomington, MN 55431
Beth Miller	4408 Crawford Rd. Minnetonka, MN 55343
Shelby Roberts	10010 Morgan Ave. S, Apt 3 Bloomington, MN 55431
Tim Ronhovde	7287 Gerard Dr. Eden Prairie, MN 55346
Jonathan Scoll	6920 Valley View Rd. Edina, MN 55439



CAC members help at community events, plant native flowers, and educate school children (clockwise from top)

ADVISORY COMMITTEES

TECHNICAL ADVISORY COMMITTEE (TAC)

Representatives from each of the District's cities, Hennepin County, Metropolitan Council and state agencies make up the District's Technical Advisory Committee. The TAC aids with the development of the District's watershed management and capital improvement plans, rules, and specific projects. Members of the TAC in 2022 included:

Name	Position	Organization
Kristen Asher	Public Works Director	City of Richfield
Ross Bintner	Water Resources Engineer	City of Edina
Steve Christopher	Board Conservationist	Board of Water & Soil Resources
Jack Distel	Water Resources Specialist	City of Bloomington
Jordan Donatell	Watershed Project Manager	MN Pollution Control Agency
Kristopher Guentzel	Senior Water Resources Specialist	Hennepin County
Bryan Gruidl	Water Resources Engineer	City of Bloomington
Lori Haak	Environmental Coordinator	City of Eden Prairie
Eric Klingbeil	Assistant City Engineer	City of Hopkins
Joe Mulchay	Environmental Analyst	Metropolitan Council
Drew McGovern	Water Resources Engineer	Hennepin County
Phil Olson	City Engineer	City of Minnetonka
Wes Saunders-Pearce/ Lucas Youngsma	Area Hydrologists	MNDNR
Sarah Schweiger	Water Resources Engineer	City of Minnetonka
Patrick Sejkora	Water Resources Engineer	City of Eden Prairie
Nick Tiedeken	Water Resources Engineer	MNDOT
Jessica Wilson	Water Resources Manager	City of Edina
Jordan Vennes	Water Resources Engineer	City of Richfield
Brian Vlach	Senior Water Resources Manager	Three Rivers Park District
Leslie Yetka	Natural Resources Manager	City of Minnetonka



*Paddle Pals;
Photo by Benjamin Landsteiner,
2023 Photo Contest winner*

ASSESSMENT OF THE 2022 WORK PLAN

A detailed 2022 Plan Implementation/Action Item Tracking sheet can be found in Appendix 2. Broad goals and objectives that the District identified for 2022 are listed in the workplan below:

Administration	
Accounting and Audit	<ul style="list-style-type: none"> Coordinated annual audit. Continued to work with Treasurer and accountant to maximize fund investments. Developed 2023 budget and fulfilled required public participation process for levy/taxation submittal.
Board	<ul style="list-style-type: none"> Evaluated potential to go back to in-person meetings. Planned and held Board Retreat (team building, vision, prioritization). Held workshops on policy and educational topics.
Internal Policies	<ul style="list-style-type: none"> Continually reviewed bylaws and internal manuals as necessary. Assisted Personnel Committee. Tracked Covid trends and associated Governor Orders as to returning to in-person meetings. Initiated an organizational salary survey.
Advisory Committees	<ul style="list-style-type: none"> Engaged TAC on high water, AIS, water conservation and emerging topics. <ul style="list-style-type: none"> Met with city planning and public works departments to identify upcoming city projects where the District could partner to meet common water resource management goals. Engaged CAC on cost-share grants, photo calendar, education and events and volunteer management. Facilitated recruitment of CAC members.
Discovery Point	<ul style="list-style-type: none"> On-going building maintenance. Created long-term maintenance fund. Ongoing landscape maintenance of previous Discovery Point restoration and stormwater BMPs.
Professional Services	<ul style="list-style-type: none"> Biennial solicitation for professional services including the determination of whether to continue to have an official pool for engineering services.
Programs	
Data Collection, Assessment & Management	<ul style="list-style-type: none"> Continued current data collection program at permanent sites. Investigated strategically expanding (& repairing) the number of groundwater observation well sites. Undertook strategic monitoring at sites to assess future projects, programs, and issues. <ul style="list-style-type: none"> Penn Lake (in partnership with Bloomington) in preparation of upcoming water quality study update. Submitted collected monitoring data to MPCA and others (data clearinghouse). Developed and distributed annual monitoring report. Continued to monitor and investigate potential nitrogen loading along the south fork of Nine Mile Creek (e.g., Braemar Golf Course).
Education and Outreach	<ul style="list-style-type: none"> Implemented environmental education & outreach plan and review at year end. Managed partnership activities with other organizations and stakeholders. Coordinated public engagement and outreach for District projects and studies. Initiated 2023 Calendar (including photo contest).

District Hydrologic & Hydraulic (H&H) Model & Atlas-14	<ul style="list-style-type: none"> • Coordinated maintenance of the District's H&H model. • Continued to coordinate model update with cities and other partners if additional information was collected or became available. • Undertook Phase 3 of flood risk vulnerability assessment (identifying and prioritizing flood reduction projects). <ul style="list-style-type: none"> ○ Applied for FEMA and/or MPCA climate resiliency grants. • Partnered with cities on regional flooding issues.
Grant Program	<ul style="list-style-type: none"> • Implemented grant program. • Worked with cities on groundwater conservation cost-share grants. • Tracked and inspected current and past grant projects. • Reviewed program and recommended modifications where necessary.
Regulatory Controls and Permitting	<ul style="list-style-type: none"> • Implemented regulatory program. • Continued review of regulatory program to maximize efficiencies. • Evaluated added options of recently implemented permit and cost-share grant inspection and tracking software. • Continually reviewed and amended District rules as necessary.
Technical/Planning Assistance	<ul style="list-style-type: none"> • Provided technical assistance to cities and residents to promote the incorporation of water and natural resources benefits into their projects. • Increased participation in partner short-term and long-term strategic planning in natural and water resources. • Increased interaction/presence with partner community development, transportation and planning groups.
Water Management Plan Implementation	<ul style="list-style-type: none"> • Continually reviewed and identified needs for amendments to the Plan. • Annual maintenance plan review walk-through of North Branch and Lower Valley portions of Nine Mile Creek. • Completed water quality study updates for Arrowhead and Indianhead lakes. • Completed water quality study updates for Holiday, Rose and Wing lakes. <ul style="list-style-type: none"> ○ Including community stakeholder meetings. • Initiated water quality study update for Mirror Lake. <ul style="list-style-type: none"> ○ Including community stakeholder meetings. • Initiated water quality study update for Birch Island Lake. <ul style="list-style-type: none"> ○ Including community stakeholder meetings. • Continued to promote water conservation initiatives—including working with cities in their water efficiency rebate programs, education and identify highest commercial/ industrial/public users and conduct audits and identify, promote and incentivize the implementation of conservative measures. • Investigated primary causes of low dissolved oxygen throughout Nine Mile Creek and develop potential remedial measures.
Total Maximum Daily Load (TMDL) Studies	<ul style="list-style-type: none"> • Continued to work with the MPCA on the Lower MN River Watershed Restoration and Protection Strategies (WRAPS) and TMDL.
Aquatic Invasive Species (AIS)	<ul style="list-style-type: none"> • Implemented the District's AIS Strategy (in collaboration with partners).

Wetlands	<ul style="list-style-type: none"> • Developed wetland prioritization/scoping methodology for the District's identified highest quality wetlands and started the process of initiating restoration/protection projects. • Continually identified potential restoration and protection sites and looked to establish a District wetland bank. • Continued to administer the Wetland Conservation Act (WCA) requirements where NMCWD is the WCA LGU and participate on Technical Evaluation Panels in those that NMCWD is not.
Capital Projects	
Normandale Lake Water Quality Project	<ul style="list-style-type: none"> • Undertook projects in the Normandale Lake water quality feasibility study that are identified for implementation including: <ul style="list-style-type: none"> ○ Herbicide treatment for curly-leaf pondweed management. ○ Carp management. • Continued lake WQ monitoring to evaluate effectiveness of projects per adaptive management approach.
Lake Cornelia & Edina Water Quality Projects	<ul style="list-style-type: none"> • Undertook projects identified for implementation in the Lake Cornelia and Lake Edina water quality feasibility study, including: <ul style="list-style-type: none"> ○ Herbicide treatment for curly-leaf pondweed management. ○ Completed the Rosland Park stormwater filtration BMP & put the system online. ○ Identified fisheries management practices (aka carp/goldfish control). ○ Completed the Lynmar Basin feasibility study for the Lynmar Basin stormwater infiltration retrofit project and ordered the project. • Continued lake water quality monitoring to evaluate effectiveness of projects per adaptive management approach.
SE Anderson Lake Water Quality Project	<ul style="list-style-type: none"> • Evaluated the results of the 2021 monitoring season and pre-herbicide treatment needs to obtain DNR permit for curly-leaf pondweed herbicide treatment in 2022/2023. <ul style="list-style-type: none"> ○ Worked on a cooperative agreement with project partner (Bloomington). ○ Started the public outreach process.
Stormwater Facilities Fund (SFF) Projects	<ul style="list-style-type: none"> • Used SFF dollars to replace lost stormwater management requirements (volume retention and water quality) from applicants not fully meeting District stormwater requirements. <ul style="list-style-type: none"> ○ Continued conversations with Kraus-Anderson on the Southtown redevelopment area.
South Fork of NMC Stabilization & Restoration	<ul style="list-style-type: none"> • Developed feasibility study/engineering report to undertake stabilization/restoration projects on identified reaches of the South Branch of Nine Mile Creek - to be undertaken in 2022-2024. <ul style="list-style-type: none"> ○ Worked on a cooperative agreement with project partners and reached out to those needing maintenance easements.
Regional Flood Study Projects	<ul style="list-style-type: none"> • Continued to work with cities (and other partners) to identify and study regional stormwater management needs/issues and implement solutions.
Repair and Maintenance	<ul style="list-style-type: none"> • In coordination with partner cities, inspected past projects to determine needs for any repair and maintenance of project areas. • In partnership with partner cities, implemented repair and maintenance work.
Non-Profit Stormwater BMP Projects	<ul style="list-style-type: none"> • Conducted the last of the required two years of maintenance on non-profit stormwater BMP projects. • Developed maintenance plans and began implementation of BMP inspection and maintenance plan.

PROJECTED 2023 WORK PLAN

Administration	
Accounting and Audit	<ul style="list-style-type: none"> • Coordinate annual audit. • Continue to work with Treasurer and accountant to maximize fund investments. • Develop 2024 budget and fulfill required public participation process for levy/taxation submittal.
Board	<ul style="list-style-type: none"> • Continue to evaluate in-person and hybrid meetings. • Follow up on items coming out of the 2022 Board Retreat. • Hold workshops on policy and educational topics. <ul style="list-style-type: none"> ○ Education and Outreach program. ○ Cost-share grants program. ○ Water quality monitoring program.
Staff	<ul style="list-style-type: none"> • Continue to evaluate organizational needs. <ul style="list-style-type: none"> ○ Potentially hire additional FTE or 2 (hybrid). ○ Work with the City of Eden Prairie to amend the declaration and covenants on conditions and restrictions (increase cap on employees and # of Board meetings). ○ Evaluate sharing an administrative assistant position with RPBCWD. • Evaluate need for HR consultant. • Succession Planning. • Continue to evaluate staff job descriptions and adjust if necessary to meet District objectives. • Continue to promote staff professional development/training opportunities.
Internal Policies	<ul style="list-style-type: none"> • Continually review bylaws and internal manuals as necessary. • Update Employee Policy Manual. • Maintain ad-hoc Personnel Committee. • Maintain and update building/staff OSHA needs. • Integrate environmental justice into District programs and projects. <ul style="list-style-type: none"> ○ Complete Diversity, Inclusion and Equity Plan.
Advisory Committees	<ul style="list-style-type: none"> • Engage TAC on high water, AIS, water conservation and emerging topics. <ul style="list-style-type: none"> ○ Start to identify projects, program opportunities; engage planning offices at cities in the analysis and problem solving. • Engage CAC on cost-share grants, education and events and volunteer management. • Facilitate recruitment of CAC members.
Discovery Point	<ul style="list-style-type: none"> • On-going building maintenance. • Maintain long-term maintenance fund. • Ongoing landscape maintenance of previous Discovery Point restoration and stormwater BMPs. • Replace sliding glass door in greenhouse.
Professional Services	<ul style="list-style-type: none"> • Continue to look to broaden engineering pool for stand alone projects and programs.

Programs	
Data Collection, Assessment & Management	<ul style="list-style-type: none"> • Continue current data collection program at permanent sites. <ul style="list-style-type: none"> ◦ Including targeted and special monitoring to answers specific water quality and quantity concerns. • Continue to investigate strategically expanding (& repairing) the number of groundwater observation well sites. • Continue fisheries management on Cornelia and Normandale lakes. • Undertake strategic monitoring at sites to assess future projects, programs, and issues. <ul style="list-style-type: none"> ◦ Bush Lake and the Anderson lakes, in preparation of upcoming water quality study. • Submit collected monitoring data to MPCA and others (data clearinghouse). • Develop and distribute annual monitoring report. • Continue to monitor and investigate potential nitrogen loading along the south fork of NMC (e.g., Braemar Golf Course).
Education and Outreach	<ul style="list-style-type: none"> • Implement environmental education & outreach plan and review at year end. • Manage partnership activities with other organizations and stakeholders. • Coordinate public engagement and outreach for District projects and studies.
District Hydrologic & Hydraulic (H&H) Model & Atlas -14	<ul style="list-style-type: none"> • Coordinate maintenance of the District's H&H model. • Continue to coordinate model update with cities and other partners if additional information is collected or becomes available. • Undertake Phase 3 of flood risk vulnerability assessment (identifying and prioritizing flood reduction projects). <ul style="list-style-type: none"> ◦ Manage FEMA climate resiliency grants. • Partner with cities on regional flooding issues. <ul style="list-style-type: none"> ◦ Partner on Advanced Level Control System Study for maximizing stormwater pond functionality.
Grant Program	<ul style="list-style-type: none"> • Implement grant program. • Work with cities on groundwater conservation cost-share grants. • Track and inspect current and past grant projects. • Review program and recommend modifications where necessary. • Assess need for development of Fertilizer Optimization Program.
Regulatory Controls and Permitting	<ul style="list-style-type: none"> • Implement regulatory program. • Continue review of regulatory program to maximize efficiencies. • Evaluate added options of recently implemented permit and cost-share grant inspection and tracking software. <ul style="list-style-type: none"> ◦ Upgrade for online application to auto populate some information into MS4Front. • Continually review and amend District rules as necessary. <ul style="list-style-type: none"> ◦ Implement 2022 Rule amendment. ◦ Amend Rules to address linear project and the recent MS4 permit.
Technical/Planning Assistance	<ul style="list-style-type: none"> • Provide technical assistance to cities and residents to promote the incorporation of water and natural resources benefits into their projects. • Increase participation in partner short-term and long-term strategic planning in natural and water resources. • Increase interaction/presence with partner community development, transportation and planning groups.

Water Management Plan Implementation	<ul style="list-style-type: none"> • Continually review and identify needs for amendments to the Plan. • Annual maintenance plan review walk-through of North Branch and Lower Valley portions of Nine Mile Creek. • Complete water quality study updates for Birch Island and Mirror Lakes. <ul style="list-style-type: none"> ○ Potentially initiate engineering reports on proposed projects coming out of studies. • Initiate water quality study update for Penn Lake. <ul style="list-style-type: none"> ○ Including community stakeholder meetings. • Continue to promote water conservation initiatives—including working with cities in their water efficiency rebate programs, education and identify highest commercial/industrial/public users and conduct audits and identify, promote and incentivize the implementation of conservative measures.
TMDL Studies	<ul style="list-style-type: none"> • Continue to work with the MPCA on the Lower MN River Watershed Restoration and Protection Strategies (WRAPS) and TMDL.
Aquatic Invasive Species (AIS)	<ul style="list-style-type: none"> • Implement the District's AIS Strategy (in collaboration with partners). • Partner with the City of Minnetonka to evaluate the extent of the brittle naiad infestation on Shady Oak Lake and determine if rapid response treatments are needed.
Wetlands	<ul style="list-style-type: none"> • Undertake the Whited Fen Restoration Project. • Continually identify potential restoration and protection sites and look to establish a District wetland bank. • Continue to administer the Wetland Conservation Act (WCA) requirements where the NMCWD is the WCA LGU and participate on Technical Evaluation Panels in those that the NMCWD is not.
Capital Projects	
Normandale Lake Water Quality Project	<ul style="list-style-type: none"> • Undertake projects in the Normandale Lake water quality feasibility study that are identified for implementation including: <ul style="list-style-type: none"> ○ Herbicide treatment for curly-leaf pondweed management. ○ Carp management. ○ Filamentous algae biomass and dissolved oxygen analysis. • Continue lake water quality monitoring to evaluate effectiveness of projects per adaptive management approach.
Lake Cornelia & Edina Water Quality Projects	<ul style="list-style-type: none"> • Implement projects identified in the Lake Cornelia and Lake Edina water quality feasibility study including: <ul style="list-style-type: none"> ○ Herbicide treatment for curly-leaf pondweed management. ○ Complete the Rosland Park stormwater filtration BMP and put the system permanently online and monitor the system. ○ Previously identified fisheries management practices (aka carp/goldfish control). ○ Complete the Lynmar Basin stormwater infiltration retrofit project. • Continue lake water quality monitoring to evaluate effectiveness of projects per adaptive management approach.
Arrowhead and Indianhead Lakes Water Quality Project	<ul style="list-style-type: none"> • Complete Arrowhead and Indianhead lakes engineering report/feasibility study. • Order and implement projects and programs in the resulting engineering report/feasibility study (e.g., alum treatments, aeration, enhanced street sweeping program).

Holiday, Wing, and Rose Lakes Water Quality Project	<ul style="list-style-type: none"> • Complete Holiday, Wing and Rose lakes engineering report/feasibility study. • Order and implement projects and programs in the resulting engineering report/feasibility study (e.g., alum treatments, aeration, Holiday Lake filtration system, enhanced street sweeping program).
Stormwater Facilities Fund (SFF) Projects	<ul style="list-style-type: none"> • Find opportunities to use SFF dollars to replace lost stormwater management requirements (volume retention and water quality) from applicants not fully meeting District stormwater requirements.
South Fork of Nine Mile Creek Stabilization/Restoration	<ul style="list-style-type: none"> • Complete 90% design of project, go out for bid to select contractor to undertake the project. <ul style="list-style-type: none"> ○ Work on a cooperative agreement with project partners and reach out to those needing maintenance easements. ○ Work on temporary access licenses and maintenance agreements with landowners.
Regional Flood Study Projects	<ul style="list-style-type: none"> • Continue to work with cities (and other partners) to identify and study regional stormwater management needs/issues and implement solutions. <ul style="list-style-type: none"> ○ Including opportunities identified in the Phase 3 flood risk and resiliency assessment study.
Repair and Maintenance	<ul style="list-style-type: none"> • In coordination with partner cities, undertake inspections of past projects to determine needs for any repair and maintenance of project areas. • In coordination with partners cities, implement repair and maintenance needs. <ul style="list-style-type: none"> ○ Complete the repair maintenance project within Valley Park (Hopkins) of the Hopkins Streambank Stabilization Project. ○ Get quotes and enter into an agreement to continue the Bush Lake shoreline buffer invasive control maintenance project.

2022 PLAN IMPLEMENTATION/ACTION ITEM TRACKING –

In an effort to track the District’s annual accomplishments against the program and project implementation action items shown in Table 6-1 and 6-2 of the District’s 10-year Water Management Plan (Plan), identified action items for that year are tracked as to whether they are completed, ongoing, or have not had much progress made on them.

The table shown in [Appendix 2](#) highlights Plan activities for 2022 (as well as activities that are to be undertaken in 2023), where the District is at in completing that Plan activity, and measurable outcomes for each.

The green cells indicate that the action item was completed in 2022. The yellow cells indicate those action items that were partially completed or are still in progress, and red cells indicate that little or no progress was made on that activity.

The tracked results for activities/implementation items identified in the 10-year Plan for 2022 are 49 green cells and 8 yellow cells for the 57 activities/implementation items.

2022 WATER QUALITY MONITORING PROGRAM SUMMARY

The District continued to implement its routine water quality monitoring program in 2022. As part of the program, the District continued monitoring stream water quality and ecological uses at historically established monitoring stations along the south fork, north fork and main stem of Nine Mile Creek (similar to past years) and five lakes: Lake Cornelia (north and south), Normandale Lake, Bush Lake, and Penn Lake. The District also conducted fishery surveys on Lake Holiday, Mirror Lake and Wing Lake, and continuous dissolved oxygen monitoring on Lake Holiday. The lakes within the District are monitored on a rotating basis. A summary of the 2022 water quality monitoring is still being prepared as of early April 2023; when finished, it can be found in Appendix 1 and on the District’s website at: ninemilecreek.org/lake-creek-monitoring.

ANNUAL AUDITED FINANCIAL REPORT AND AUDIT REPORT

The District's audited annual financial report was prepared by Redpath and Company, 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 2022 Audited Financial Report can be found in [Appendix 3](#) and on the District's website at: ninemilecreek.org/reports.

2023 ANNUAL BUDGET

The District adopted its 2023 Annual Budget in September 2022. The total levy for 2023 will be \$2.8 million, a 7.7% increase from 2022. The 2023 budget is \$4.59 million, an increase of 11.8% from the 2022 budget of \$4.11 million. The 2023 Budget can be found in [Appendix 4](#) and on the District's website at: ninemilecreek.org/reports.

PERMITTING ACTIVITY

SUMMARY OF PERMITS ISSUED

In 2022, the NMCWD continued to review projects and permit applications under the rules adopted in 2008 and amended in 2015, 2018, 2021 and 2022. Of the 163 permits applied for in 2022 (the District's second busiest permit year to date), 36 triggered the District's stormwater rule, and as a result, required stormwater management best management practices (BMPs). At the end of 2022, 20 of these 36 applications that triggered stormwater management have been approved and are projected to reduce stormwater runoff volume by 269,108 cubic feet per year and reduce phosphorus and suspended solid loading by 306 and 71,176 pounds per year respectively. Of the permits issued in 2022, four were issued with variances (one to the District's wetland buffer rule, three to the District's floodplain management rule).

In 2017, the District initiated a new permit tracking program that has since been extended to include all permits issued from 2014 through 2022. During this time period, the District issued 1,173 permits of which 401 triggered the District's stormwater rule, and as a result, required stormwater management BMPs. Through this extended analysis, these BMPs (from 2014-2022) were projected to reduce stormwater runoff volume by 1,901,690 cubic feet per year and reduce phosphorus and suspended solid loading by 1,352 and 327,706 pounds per year respectively.

ENFORCEMENT ACTIVITY

The District's Permit Coordinator regularly inspects permitted work to ensure compliance with permit conditions. If violations are found, the Permit Coordinator will typically notify permittees and seek voluntary abatement or correction before resorting to formal legal action. In 2022, no enforcement actions were necessary.



*Adequate erosion control best practice
on a recent permit inspection*

ANNUAL COMMUNICATION

As required by Minn. R. 8410.0100, subp.4, the District prepared and disseminated its annual communication to watershed residents. This annual communication identified the Board members, contact information, and public meeting information and provided a general overview of the watershed and its programs. It was made available at public libraries and open city halls, and emailed out via the District's electronic newsletter. A copy of the 2022 Annual Communication is included in [Appendix 5](#).

STATUS OF LOCAL PLAN ADOPTION AND IMPLEMENTATION PROJECTS

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, Hopkins, 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 early 2022. The District selected Cavanaugh and Associates as its accountant, Barr Engineering Co. as its engineer and Smith Partners, PLLP as its legal counsel at its May 2022 regular board meeting. The District selected Redpath and Company Ltd., to conduct the District's annual financial audit.

The District will solicit new proposals for engineering, legal, and other professional services in 2024.

FUND BALANCES

The District's fund balances and financial status are included in the District's 2022 annual audit. A copy of the 2022 annual audit is included in [Appendix 3](#) and on the District's website at: [ninemilecreek.org/reports](https://www.ninemilecreek.org/reports).

STATUS OF WETLAND BANKING PROGRAMS

Because of the inherent limitations of a fully urbanized watershed, the District has not developed a wetland banking program. Instead, to date, it uses the state wetland bank administered by the Minnesota Board of Water and Soil Resources. The District is, however, participating in the wetland restoration/bank creation process with Hennepin County Environment and Energy on a large wetland complex at the County Home School site in Minnetonka.

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If you would like to volunteer with us, sign up for our volunteer e-newsletter at [ninemilecreek.org](https://www.ninemilecreek.org).

Follow us on social media to see what we're up to! You can follow us on Facebook, YouTube, Instagram, and Twitter!



APPENDICES

1. Summary of 2022 Monitoring Programs and Appendices (being compiled as of April 2023)
2. [2022 Plan Implementation/Action Item Tracking](#)
3. [2022 Annual Financial Audit](#)
4. [2023 Approved Annual Budget](#)
5. [2022 Annual Communication](#)

