

**MINUTES OF THE WORKSHOP  
OF THE  
BOARD OF MANAGERS  
OF THE  
NINE MILE CREEK WATERSHED DISTRICT**

**THURSDAY, JUNE 2, 2022**

**I. Call to Order of the Workshop**

President Robert Cutshall called the Nine Mile Creek Watershed District Board of Managers workshop to order at 5:30 p.m. on Thursday, June 2, 2022. The meeting was conducted by web-based video conference, pursuant to Minnesota Statutes section 13D.021, after the president determined that because of the COVID-19 pandemic, it was not prudent for the board of managers to meet in person.

Managers Present: Grace Butler, Bob Cutshall, Erin Hunker, Peggy Kvam, and Larry Olson

Advisors Present: Michael Welch (Smith Partners)

Staff Present: Randy Anhorn, Lizzy Boor, Brett Eidem, Lauren Foley, Ani Kruse, and Erica Sniegowski

**II. Equity in Watershed Management**

NMCWD Program and Project Manager Erica Sniegowski introduced the meeting topic, equity in watershed management, and noted that this evening's discussion would focus on definitions and issues and barriers related to diversity, equity, inclusion and accessibility.

Ms. Sniegowski said that the District's mission statement plainly requires, by its terms, protection and management of water and natural resources for everyone's benefit. She said the focus of tonight's discussion is not solutions or how to address issues but to assess needs within the organization and externally. Ms. Sniegowski described the process and parameters for tonight's interactive discussion, including breaking into breakout groups to discuss topics and then reconvene as a full group to discuss. She said for the first breakout, groups will get three definitions to consider and discuss what they mean and how they connect to the District's work as a watershed. Ms. Sniegowski asked the groups to report back to the group in the form

of “Our first word was [fill in the blank] and it’s important to our watershed because [fill in the blank]. She listed the three breakout group assignments and informed the groups which of the following definitions each group will discuss:

- Diversity: The range of human differences, including but not limited to race, ethnicity, gender, gender identity, sexual orientation, age, social class, physical ability, or attribute, religious or ethical values system, national origin, and political beliefs (Ferris State University).
- Equity: The effort to provide different levels of support based on an individual’s or group’s needs in order to achieve fairness outcomes. Working to achieve equity acknowledges unequal starting places and the need to correct the imbalance (Center for the Study of Social Policy).
- Inclusion: A state of belonging, when persons of different backgrounds and identities are valued, integrated, and welcomed equitably as decision-makers and collaborators. Inclusion involves people being given the opportunity to grow and feel/know they belong. Diversity efforts alone do not create inclusive environments. Inclusion involves a sense of coming as you are and being accepted, rather than feeling the need to assimilate (Center for the Study of Social Policy).
- Accessibility: The extent to which a space is readily approachable and usable by people with disabilities. A space can be described as a physical or literal space, such as a facility, website, conference room, office, or bathroom, or a figurative space, such as a conversation or activity (Center for the Study of Social Policy).
- Environmental Justice: The right to a safe, healthy, productive, and sustainable environment for all, where “environment” is considered in its totality to include the ecological (biological), physical (natural and built), social, political, aesthetic, and economic environments. This also includes fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development of environmental laws, regulations, and policies (Minnesota Department of Health; Environmental Protection Agency).
- Intersectionality: Coined by Professor Kimberle Crenshaw in 1989 and stemming from her experience of being black and a woman, this term describes the ways in which race, class, gender, and other aspects of our identity “intersect,” overlap, and interact with one another. It helps explain the complex, cumulative way in which the effects of multiple forms of discrimination (such as racism, sexism, and classism) combine, overlap, or intersect especially in the experience of marginalized individuals and groups. (Center for the Study of Social Policy; Merriam-Webster.com dictionary).

- Privilege: A set of unearned advantages, positive perceptions, outcomes, or immunity granted or available based on identity (American Institute of Research the Intersectional Environmentalist).
- Bias: A preference for or against a thing, person or group compared with another. Bias can be conscious or unconscious, implicit or explicit (Hennepin County).

President Cutshall recessed the meeting at 5:46 p.m. for the group to move into breakout rooms to discuss the definitions.

President Cutshall reconvened the meeting at 6:03 p.m. NMCWD Natural Resources Project and Planning Manager Brett Eidem summarized the discussion held by breakout group 1 about the word diversity. He said regarding the word diversity, the group talked about what it means in their day-to-day work and what it means in terms of restoration, habitat, and plants, and overall. Mr. Eidem said the group summarized that diversity is significant to our watershed because our watershed population is diverse, and it is going to take social change and action to accomplish our watershed goals. He said the group discussed the watershed comprises diverse cities, and not just diverse populations in the cities but the cities' governmental structure and make up as well as the ecology, ownership, and value of property in the city. Mr. Eidem said the group agreed that for the watershed to accomplish its goals requires social change and action from everyone in the watershed. He presented other points the group developed and discussed, including:

- Use diverse principles to inform work to layer in greater benefits
- Parks have more diverse housing adjacent/ nearby
- Stream restoration segments and lake projects, areas where people live around water that has a specific tax base property value

Manager Erin Hunker summarized the discussion held by group 2 about the word accessibility. She explained the group discussed the District needs to consider whether it is cognizant of who it serves and how it serves them. She described other points group 2 discussed, including:

- Education programs and materials to be accessible for people who are neurodivergent or have different learning styles/abilities.
- Projects – are they solving problems that impact underserved portions of our jurisdiction?
- Power dynamics that are set up in meetings – needing to provide address.
- Do we know where underserved populations are?

- Are we accounting for using inaccessible language (e.g., acronyms) in outreach and otherwise?
- With the Covid-19 pandemic, is everyone able to participate and feel safe?
- Are gender-neutral bathrooms a possibility at the office?
- Are hiking trails and parks accessible for those with mobility problems?
- Education and outreach events – are we being accessible

Ms. Sniegowski summarized group 2's discussion of the term environmental justice and points the group talked about including:

- What is fair treatment
- Disproportionate impacts – we don't know what those are
- Are we taking underserved communities into consideration in making programming and project plans?
- What is meaningful involvement for each group?
- Accounting for disparate impact of project work on different people
- Making sure that grants are given to people in diverse neighborhoods so they aren't only benefiting white, well-off people.

Manager Larry Olson reported on group 3's discussion about the term "intersectionality." He said the group discussed how being part of multiple minority groups is a reality for a lot of people. Manager Olson shared points the group discussed, including:

- Hopkins 101 on 8<sup>th</sup> and groundwater project.
- Be a welcoming place no matter what someone's intersectionality.
- Being rich can override other aspects of life (race, etc.).
- Our programs tailor to property owners. Property ownership overlaps with race and income.

Manager Oslon reported on group 3's discussion about privilege, such as access to cars. He said his group talked about how the District office isn't on a bus route, which could make it difficult to reach the office without a car unless one is within walking distance. Manager Olson listed other points the group discussed:

- The privilege of not considering factors that others have to consider
- Privilege doesn't only apply to race

- Privilege could include ability, age, and gender
- Privilege includes having time to be a board member

Manager Olson said group 3 also discussed bias. He said for example someone's opinion may be dismissed because the person is seen as young or old.

Ms. Sniegowski stated staff will send the managers and staff copies of the terms and definitions discussed as well as notes on comments shared by the groups. Permitting and Communications Intern Lizzy Boor discussed the differences among the concepts of equality, equity, and justice. Ms. Sniegowski said the group will move back into the breakout groups to discuss:

- What are the needs related to diversity, equity, inclusion, and accessibility that exist internally within the organization and externally as we do our work?
- What are the barriers to implementing this work, internally and externally?

Manager Cutshall recessed the meeting at 6:17 p.m. Manager Cutshall reconvened the meeting at 6:28 p.m. Manager Olson reported on the points group 3 discussed regarding the two questions on needs and barriers, summarizing:

- Discovery Point isn't easy to access with a wheelchair or a stroller
- Pronouns in meeting minutes and emails could be substituted with a person's name.
- There are few minority groups in the watershed. The District will need to make an effort.
- Work on education programs, reaching minority students and building foundational relationship.
- Staff, citizens advisory committee, board are not diverse because privileged can apply and take time to find/get positions.
- Build more partnerships with groups in cities surrounding (schools just outside, etc.)
- Permitting rules so complex, only people with resources can navigate the process to get permits

Ms. Sniegowski introduced the District's new intern Ani Kruse. Ms. Kruse reported that group 2 discussed needs and barriers including reaching more diverse people with watershed education and programs like grants. She said that can be achieved by going to different types of places and reaching out to different

communities. Ms. Kruse said group 2 discussed changing power dynamics, making topics more interesting, and partnering with community groups. She said the group had an interesting discussion about how does the District value or equate the costs of inclusion when much of the District's work is measured by return on investment through ecological and environmental impacts. Ms. Kruse mentioned additional points group 2 talked about, including:

- How do we reach diverse audiences for public participation?
- Managers and CAC members – how to reach diverse populations for candidates to be involved?
- Are there opportunities to partner with community groups to assist with outreach to populations?
- Hiring practices – how to reach diverse candidates?
- Time and effort to get diversity, equity, inclusion and accessibility in District manuals and the 10-year plan
- Prioritizing work to reach more diverse populations
- Education about topic
- Diverse groups are more difficult to reach
- Relationships
- Need more flexibility in funding, policies
- No one knows what the District does and then in trying to reach broader groups – it seems impossible

Regarding the questions about needs and barriers, Mr. Eidem reported that group 1 discussed the accessibility of Discovery Point, how different people have different interests and recreate in different ways, for example people who fish may be more interested in quality habitat for fish than the topic of drinking water.

- Getting diversity in jobs
- Relationship
- Board and advisors are not very diverse in population and ethnicity. We need to do a better job with recruitment and build relationships with different groups.
- Office may not be completely Americans with Disabilities Act compliant

- Adjust grant requirements
- Translate website to multiple languages
- Access to natural resources
- Bike rack at the office
- Diverse contractor pool
- Things that appeal to other populations, e.g., fishing

President Cutshall recessed the meeting at 6:34 p.m. for the group to move into breakout rooms to discuss or continue discussing the question, “What are the barriers to implementing this work, internally and externally?” President Cutshall reconvened the meeting at 6:40 p.m.

Michael Welch summarized the barriers group 2 discussed. He said the group acknowledged being intimidated by the idea of doing the work wrong, in terms of reaching out to diverse communities and doing damage instead of making progress. Mr. Welch said group 2 discussed that the District measures outcomes when assessing its projects and program, but it is not clear that measuring diversity, equity, inclusion and accessibility outcomes is effective toward improving NMCWD’s work. He said another barrier the group discussed is DEIA work isn’t included in the strategies in the District’s watershed management plan, so DEIA isn’t identified as something for the District to work on. Mr. Welch reported group 2 noted that lack of time and resources is a barrier. The group also discussed:

- Competing priorities – cost-benefit and how to put benefit on diversity and inclusion.
- Creating space within the organization to do this work.
- Organization structures that limit flexibility needed to work with some people
- Knowledge of the communities and how to access them
- Continuous journey, can’t be fixed fast or easily
- We have undervalued DEIA...how do we stay on track?
- Making sure diverse voices are being heard throughout every step. In order to do this, we need to find these voices.
- Feeling intimidated
- Inapplicability of cost-benefit analysis.

Administrator Randy Anhorn summarized the barriers group 1 discussed, noting some of the overlaps with group 2’s discussion. He said group 1 discussed prioritizing DEIA in the watershed plan and budget, and that it is difficult to have an encompassing discussion about DEIA without points of view from a diverse group of

discussion participants. Manager Peggy Kvam reported the group discussed reaching diverse populations through the schools. Group 1 also discussed:

- Funding
- Difficulty understanding change
- Unknown barriers, need to establish a relationship to better understand individual barriers.
- What schools do we work with? How do we decide who we work with?
- Diversify our focus – historically we have been managing resources, not always with human interaction taking precedent.
- How do we gain perspective from populations that are seeing inequities?
- We haven't thought about where we are weak in the whole DEIA. So, this process itself is the first step.

Ms. Boor reported on group 3's discussion about barriers. She said one of the group's biggest concerns was limitations of staff time and it doesn't seem the District can increase staff time because of restrictions on the number of employees at Discovery Point. She said the group discussed the fear of taking staff time away from natural resources issues in the watershed to put equity work at the forefront. Ms. Boor said the group noted that difficult to ask people to contribute their time helping the District without compensation and that the make-up of the District's staff and board has gender diversity but otherwise is not diverse. She said the District doesn't have representatives of all the communities is it trying to help.

Ms. Boor noted said group 1 talked about the idea of reducing education programs from some cities like Edina and allocating them to other cities and higher impact areas like Richfield. She mentioned systemic barriers like owning property.

Ms. Sniegowski said the District needs to have a good idea of needs and barriers and hoped this discussion was a good starting point for the board and staff to come together and start thinking about these topics. She said staff recommends:

- Within the next month: Form an equity team ad hoc committee comprised of staff and Board representatives to finish assessing internal DEIA needs and draft a plan to prioritize addressing needs.
- By end of 2022: Share what other similar organizations are doing. Complete staff's review of census data and mapping environmental justice in the District.

Ms. Sniegowski asked for manager comments. Manager Grace Butler said she is concerned about lack of staff time to complete DEIA work. She said the equity team could help define how to prioritize this initiative in terms of time and resources and lay out a project plan. She said she'd like internal manuals reviewed to see if they could be more inclusive. Ms. Sniegowski asked if the managers think forming the



equity team ad hoc committee is a good idea. The managers commented on their consent to the idea.

President Cutshall said it will be helpful to him to understand what other water management organizations that are farther along in the process have done. Manager Butler said the District could consider having an equity educator come speak to the board and staff. She suggested reaching out to Capitol Region Watershed District staff to find out more about its equity educator role. Ms. Sniegowski said staff will talk more about this ad hoc task force and will send out an email to managers as a next step.

### **III. Discovery Point Landscaping and Stormwater BMP Maintenance Quote**

Mr. Eidem present a request from staff for authorization of the administrator to enter into an agreement with Minnesota Native Landscapes for not to exceed \$6,000 for vegetation management work at Discovery Point, covering plantings around the building and vegetation in the rain garden. He noted that NMCWD contracted for a comparable scope of work last year. Mr. Eidem said that since the contract is for only \$6,000, staff solicited just the quote from MNL for the work, but his view is that the price is competitive. Staff intends next year to seek quotes for a larger scope of maintenance and restoration work.

**Manager Butler moved, seconded by Manager Olson, to authorize the administrator to enter into agreement on advice of counsel with Minnesota Native Landscapes not to exceed \$6,000. On a roll call vote, the motion was approved 5-0.**

### **IV. Single-Family Home Stormwater Requirements**

Mr. Anhorn said that based on past board discussion of the cost-benefit of the applicability of the district's stormwater rule to single-family homes, staff proposes to adjust the rule threshold and would like manager feedback.

Permit and Water Resource Coordinator Lauren Foley said staff is considering a threshold whereby if proposed land-disturbing activity that would disturb more than 50 percent of a site and increase impervious-surface area by 50 percent or more, the stormwater criteria will apply to the disturbed area and area of increased impervious surface.

Mr. Anhorn said that if the managers want staff to continue exploring this direction with the District's stormwater rule, staff can come back to a future meeting with more detail.

Manager Butler said she finds the change reasonable, but suggested staff consider steep slopes, where runoff may cause damage to downgradient properties.

The managers otherwise concurred in the staff-articulated direction for the changes.

V. **Adjournment**

**It was moved by Manager Olson, seconded by Manager Kvam to adjourn the meeting at 7:22 p.m. On a roll call vote, the motion was approved 5-0.**

Respectfully Submitted,

  
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Grace Butler, Secretary