

**MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF MANAGERS
OF THE
NINE MILE CREEK WATERSHED DISTRICT**

THURSDAY, JUNE 27, 2024

1. Call to Order

President Larry Olson called the Nine Mile Creek Watershed District Board of Managers regular meeting to order at 6:30 p.m. The meeting was held at the NMCWD office, Discovery Point, 12800 Gerard Drive, Eden Prairie.

Managers Present: Grace Butler, Bob Cutshall, Chris-Ann Lauria, Peggy Kvam, Larry Olson

Advisors Present: Janna Kieffer, Cory Anderson* and Michael McKinney* (Barr Engineering); Michael Welch (Smith Partners)

Staff Present: Erica Sniegowski (Administrator), Lizzy Boor (Watershed Specialist), Hailey Buckentin (Field Intern), Brett Eidem (Project and Planning Manager), Zach Stafslie (Regulatory Program Manager), and Gael Zembal (Education and Outreach Coordinator)

Other Attendees: Dustin Pavsek (City of Hopkins)

*Attended virtually.

2. Approval of Agenda

Manager Kvam moved, seconded by Manager Cutshall to approve the meeting agenda as presented. Upon vote, the motion carried.

3. **Public Open Forum**

No members of the public were in attendance.

4. **Action Items**

a. **Hopkins Park Plan & Central Park Feasibility**

Lizzy Boor said the City of Hopkins is working on its parks system master plan. She said the city-owned parks are some of the largest parcels of open green space and may provide project opportunities.

Brett Eidem displayed a map of Hopkins' Central Park and described several possible projects, including parking lot retrofits and adding flood storage and water quality treatment.

Manager Grace Butler suggested that the district and city consider whether stormwater can be stored under any of the ball fields in Central Park.

Mr. Eidem said district staff has added, at the city's request, feasibility of stormwater management flood storage to the city's request for proposals for a plan for redevelopment of Central Park. Mr. Eidem said that the city would like the district to commit to contributing \$50,000 for the district's recommended additional scope of work. Mr. Eidem added the city is open to having Barr Engineering respond to the RFP.

Ms. Boor stated that before the board takes action on the proposal, she wanted to note that she was appointed to the Hopkins Park Board, as of June 2024. Mr. Welch said this is an important disclosure, but not a conflict of interest, and Ms. Boor is sharing for transparency.

Manager Bob Cutshall raised the topic of contaminated soils and asked if soil borings or other environmental investigations are part of the proposed feasibility scope. Janna Kieffer agreed that an environmental investigation should be considered.

Michael Welch reminded the group that this is a City of Hopkins project, and the district can decide whether an investigation the city proposes to undertake is sufficient for the district to be involved.

Mr. Welch clarified that the staff is not seeking spending authority, just asking whether the managers are comfortable earmarking district funds for that work. Mr. Welch also noted that there is no conflict of interest for the board to waive with regard to Barr responding to the RFP.

Manager Butler said that deliverables from the assessment will be critical, but that staff should signal the district's willingness to consider a project in the park.

Manager Lauria moved, seconded by Manager Cutshall, to earmark up to \$50,000 for feasibility analysis of stormwater- and flood-management improvements as part of Hopkins Central Park Plan redevelopment planning and to direct the administrator to develop a cooperative agreement with the city for the work for board review and authorization. Upon vote, the motion carried.

5. Treasurer's Report

Ms. Kieffer said that the engineer recommends payment of pay application 1 from Solitude Lake Management for \$204,169.17 for sediment treatment on Wing Lake, Arrowhead Lake and Indianhead Lake. added that the district is holding 5 percent retainage, which is expected to be released next month.

Manager Peggy Kvam reviewed disbursements listed in the treasurer's report. Administrator Sniegowski stated the City of Bloomington will reimburse the district for 50 percent of the invoice from PLM Lake and Land Management for the Normandale Lake curly-leaf pondweed treatment.

Manager Butler moved, seconded by Manager Lauria, to accept the treasurer's report and pay the district's bills, including the pay application from Solitude Lake Management. Upon vote, the motion carried.

6. Consent Agenda

- a. **Draft Minutes May 15, 2024, Board Meeting**
- b. **2025 Budget Process**

Manager Lauria moved and Manager Kvam seconded, approval of the consent agenda. Upon vote, the motion carried.

7. Discussion Items

- a. **South Fork Project Status Update**

Mr. Eidem said that the staff has put the portion of the South Fork Stabilization Project in Bloomington on hold until it has a better understanding of the soils in the project area, including soil composition and contaminants. Mr. Eidem said staff is working with counsel and then project engineer, EOR, to work with property owners to get additional site data.

Mr. Eidem said the staff is preparing to bid on the work in Eden Prairie once an agreement is in place with the International School of Minnesota, which owns a significant portion of the project site.

b. Rosland Filtration Vault Update

Ms. Kieffer said that she is still working on getting quotes for televising the pipe in Rosland Park to determine if clogging is impairing performance of the Rosland Park filtration system constructed by the district. Ms. Kieffer said Barr had a successful meeting with City of Edina staff to discuss proposed design modifications.

c. Adaptive Level-Control Systems

Zach Stafslieen reminded the managers that Barr presented results of the Adaptive Level Control Systems study at the June 6 workshop, and staff is seeking feedback tonight.

Ms. Kieffer said the findings of the study show that many of the reductions in flow in the creek system from implementation of ALCS would be small individually, but even so, they may sufficiently offset other potential increases in flows from future flood reduction projects. She indicated that now district staff and managers will need to consider options for next steps in implementing ALCS.

Manager Butler asked if it would be beneficial to look beyond regional flooding and consider local flooding and collaboration with local partners. She asked for drought to be considered, such as holding water upstream and controlling its flow so that during drought conditions the creek still has flow.

Cory Anderson offered three ways the district could consider moving forward: The first is to start pursuing individual projects. Mr. Anderson said the evaluation identified several lakes in which retrofitting the outlet would provide benefits.

Mr. Anderson said also could further evaluate the combined benefits, impacts, and costs of implementing ALCS for numerous waterbodies as a group rather than individually.

Mr. Anderson explained that a third option is to evaluate combined projects in conjunction with developing an overall flood-management plan.

Ms. Kieffer said she recommends that the district evaluate options for effectively combining projects, and work on the comprehensive review that will be necessary to undertake permitting.

Manager Cutshall said he is hesitant about going too far without getting conditional approval from regulatory entities. Mr. Welch said permitting ALCS projects will be an iterative process and will require both collaboration with the regulatory bodies and district leadership.

Manager Butler said she thinks the board should direct Barr and staff to meet with member cities, so the district has the partnerships needed to move the initiative forward. Ms. Sniegowski agreed there will need to be a lot of effort in relationship-building to move forward, and the district's Technical Advisory Committee will be involved.

Administrator Sniegowski said the district's next 10-year plan covers 2027 to 2037 and should include the ALCS work to facilitate implementation.

Manager Butler said the district would like its member cities to start thinking about projects as potential opportunities to collaborate with the district to create larger storage capacity.

Manager Chris-Ann Lauria asked whether cities in the watershed besides Bloomington have a climate resiliency plan. Ms. Sniegowski responded that Edina does. Ms. Kieffer indicated that Minnetonka and Hennepin County have climate action plans.

Ms. Kieffer said part of the district's discussions with the cities includes learning about projects on the horizon because there may be projects the district is unaware of that might make sense to partner on and implement ahead of the timeline of further analysis. Manager Butler asked what would happen if a 100-year flood happened next year. If the district looks at its next steps through that lens, are there any projects it would want to implement as soon as possible?

8. Updates

a. Administrator's Report

Administrator Sniegowski said the City of Edina has been doing emergency preparedness meetings and has invited district staff to participate.

She and Mr. Eidem are collecting ideas from other watersheds about how they are approaching their watershed plan updates.

Administrator Sniegowski said Hennepin County has contacted the district about the Penn Avenue library redevelopment.

b. Staff Reports

Ms. Buckentin said that the district is participating in a study concerning the effects of firework chemicals on lake health. Staff are collecting before and after water samples from Normandale Lake and Lake Cornelia.

c. Attorney's Report

Mr. Welch said that the Minnesota Board of Water and Soil Resources has drafted changes to its wetland rules. He said the changes are primarily updates to reflect advances in wetland science.

d. Managers' Reports

Manager Butler reported attending the Zoom meeting of the Minnesota Watersheds Legislative Committee. She recommended that the NMCWD board members consider participating in the committee. Manager Butler said she would like her four hours to be eligible for the NMCWD per diem pay.

9. Adjournment

Manager Butler moved, seconded by Manager Lauria, to adjourn the meeting at 8:42 p.m. Upon vote, the motion carried.

Respectfully Submitted,

Chris-Ann Lauria, Secretary