

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

THURSDAY, JUNE 6, 2024

1. Call to Order

President Larry Olson called the Nine Mile Creek Watershed District Board of Managers workshop to order at 5:30 p.m. The meeting was held at the NMCWD office, Discovery Point, 12800 Gerard Drive, Eden Prairie, Minnesota.

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

Advisors Present: Janna Kieffer and Michael McKinney (Barr Engineering) and Michael Welch (Smith Partners)

Staff Present: Elizabeth Boor (Watershed Specialist), Brett Eidem (Interim Administrator and Planning and Project Manager), Zach Stafslie (Regulatory Program Manager), Jordan Wein (Water Resources Project Manager), and Gael Zembal (Education and Outreach Coordinator)

2. Consent Agenda

a. Draft Minutes April 4, 2024, Workshop

b. Draft Minutes, April 17, 2024, Meeting

c. Draft Minutes, May 2, 2024, Workshop

Manager Peggy Kvam removed the May 2, 2024, workshop minutes from the consent agenda.

Manager Butler, seconded by Manager Lauria, to approve the consent agenda as amended. On a vote, the motion was approved.

Manager Kvam requested a revision of the May 2, 2024, workshop minutes to replace the word “representative” with “mayor” in reference to conversation she reported on with the mayor of Richfield.

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

3. Fisheries Management Scope of Work

Jordan Wein summarized a proposed scope of work from WSB to assess fisheries diversity, abundance and recruitment in Mirror Lake, Adelman Pond and Anderson Lakes, focusing on carp and goldfish. He stated the cost of the proposed work is \$25,796.

Mr. Wein said the work will help the district understand whether carp and goldfish are reproducing at high rates in these water bodies, particularly Adelman Pond. He said a future endeavor could be placing antennas alongside Adelman Pond and Penn Lake to track the movement of tagged fish.

Manager Butler moved and Manager Lauria seconded, to authorize the administrator to enter into an agreement on advice of counsel with WSB for fisheries assessment of Mirror Lake, Adelman Pond, and Anderson Lakes for not to exceed \$25,800. Upon vote, the motion carried.

4. Cost-Share Grants

Zach Stafslie reported presented Three applications for cost-share funding for habitat-restoration projects. He said the applications have been reviewed by the Citizens Advisory Committee and staff, which recommended for approval.

Given some uncertainty as to whether the Malotky permeable paver project is required to meet applicable regulations, Michael Welch said that the board could add a condition on approval requiring staff to verify that the project is indeed not needed to meet regulatory requirements.

Manager Cutshall moved, and Manager Kvam seconded, to authorize the administrator to enter into a cost-share agreement with Catherine Malotky for not to exceed \$5,000, contingent on staff determining the project is not required to meet regulations; an agreement with Alex Brose for not to exceed \$1,450; and an agreement with Basswood First Homeowners Association for not to exceed \$13,582.50. Upon vote, the motion carried.

5. **South Fork Status Update**

Brett Eidem reported that the district has secured land-use rights to complete the Nine Mile Creek South Fork Stabilization Project from Three Rivers Park District, the City of Bloomington, and a private landowner in Bloomington. Mr. Eidem continues to work with landowners, several of whom have agreed in principle to authorize use of their properties. He said staff plans to bring a recommendation for a contractor to the board in July.

6. **Rosland Design Modification Status Update**

Janna Kieffer discussed the options for improving operation of the pump that supplies water to be treated by the practice constructed by the district at Rosland Park under low-water conditions. She noted there is uncertainty about the flow capacity through the existing 18-inch pipes which is hindering the technical evaluation of options for design modifications. Ms. Kieffer recommended that the existing 18-inch pipes between the source-water pond and North Lake Cornelia be televised to identify any potential clogging or deteriorated conditions impacting flow capacity (s). Ms. Kieffer mentioned that the next step would be for Barr to solicit quotes for the work for presentation to the board.

Manager Bob Cutshall said he wants to know how much additional phosphorous the district can remove by improving operation and the cost per pound of phosphorous removed. He said this perspective can help the district decide whether to go ahead with an option.

The board directed Barr to solicit quotes from vendors for televising the Rosland Park pipe.

7. **Adaptive Level Control Systems Task 1 Update**

Ms. Kieffer updated the managers on progress to date on evaluating options to utilize adaptive level control systems to mitigate flooding damage in the watershed.

Ms. Kieffer said the analysis revealed locations along the creek system that are more vulnerable to changes in flow – that is, pinch points. She said the study’s modeling and mapping identified potential structure and/or hydraulic impacts on a waterbody-by-waterbody basis for a 100-year event. Ms. Kieffer explained there are regulatory constraints. She explained changes in the Federal Emergency Management Agency-regulated 100-year flood elevations will trigger a rigorous floodplain regulatory process.

Michael McKinney described strategies for each lake in the district's study, including Glen Lake, Lake Minnetoga, Bryant Lake, Anderson Lakes, EP_1 Pond, Penn Lake, Bryant Park Ponds, Oxboro Lake, Lake Smetana, Normandale Lake, and Marsh Lake. He said the strategies are informed by what is happening both upstream and downstream of each lake. Mr. McKinney noted the strategies analysis included consideration of potential creek erosion when evaluating potential outlet modifications as part of ALCS implementation. Ms. Kieffer commented that a more extensive study would be needed to focus on broader solutions for water bodies with many adjacent structures at risk of flooding.

Manager Grace Butler mentioned the idea of holding water back during drought conditions to keep the stream flowing at a consistent rate to help biota and plants and requested the district consider this idea. Ms. Kieffer said this study focused on flood benefits, but a next step could look at cumulative benefits and identify other benefits that could be gained.

Ms. Kieffer said Barr and district staff met with the Minnesota Department of Natural Resources to discuss permitting ALCS implementation projects. Ms. Kieffer suggested the district have a deeper and broader discussion on regulatory considerations. She said recommended next steps include sharing the draft memo about this study and soliciting feedback from the DNR and the district's Technical Advisory Committee. She said other next steps include completing the RiverWare pilot, scoping for the next phase of ALCS analysis, and scoping for an overall flood-management plan.

The managers consented to the next steps as described.

8. **Adjournment**

Mr. Eidem announced that the new district administrative specialist will start in August.

Manager Kvam moved, and Manager Lauria seconded, to adjourn the workshop at 7:29 p.m. Upon vote, the motion carried.

Respectfully Submitted,



Chris-Ann Lauria (Jul 22, 2024 13:55 CDT)

Chris-Ann Lauria, Secretary

NMCWD-June-6-2024-Workshop-Minutes

Final Audit Report


2024-07-22

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