

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

THURSDAY, MARCH 2, 2023

Call to Order

President Bob Cutshall 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.

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

Manager absent: Larry Olson

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

Staff Present: Randy Anhorn (Administrator), Brett Eidem (Natural Resources Project and Planning Manager), Zach Stafslie (Regulatory Program Manager), and Gael Zembal (Education and Outreach Coordinator)

*Attended virtually

Atlas 14: Phase 3 of Flood Risk Reduction and Resiliency Study Update

Janna Kieffer introduced three components of phase 3 of the Atlas 14 Flood Risk Reduction and Resiliency Study:

- Task 1.1 – High-level Flood Mitigation Review
- Task 2.2 – Characterizing District Flooding
- Task 3.1 – Communication Strategy Review

Michael McKinney said the engineers found that there is potential for incremental flood benefits in several of the locations evaluated as part of the high-level flood mitigation review, with some alternatives providing flood benefits at the project location and most alternatives providing downstream flood benefits emanating from reduced flows. Mr. McKinney explained grouping alternatives may amplify benefits.

Mr. McKinney recommended moving forward with six project opportunities for detailed review:

- Bredezen Park (N_02) – channel routing and berm modification
- Edina Creek Valley/ High School (N_03) – storage expansion and modification of the Tracy Avenue culvert crossing
- Lake Smetana (S_02) - inlet and outlet modifications
- Braemar Golf Course (S-03) – restricting the West 78th Street culvert crossing to store more water in the golf course
- East Bush Lake Road (S_04) – channel modification to restrict high flows and store more water in the upstream floodplain area
- Poplar Bridge Road (L_01) – raise roadway to prevent overtopping and store more water in the upstream marsh area

In response to a question from President Cutshall, Ms. Kieffer said the effectiveness of creating additional storage areas elsewhere in the watershed depends on the timing of the flows and peak rates at specific locations.

Manager Grace Butler suggested consideration of potential co-benefits during drought situations of modifying flows or diverting water.

Mr. McKinney said Technical Advisory Committee members commented on the project opportunities, noting potential conflicts due to utility crossings, concern about potential reduced freeboard in a specific area in Eden Prairie, recurring maintenance needs at the existing Lake Smetana outlet structure in Eden Prairie, and possible opportunities at alternative locations in Edina.

Mr. McKinney said the next step will be detailed modeling of the six selected opportunities, including refining the concepts, evaluating upstream and downstream impacts, adding model resolution, evaluating resiliency, and evaluating the potential to support downstream projects.

In response to a question from Manager Butler, Randy Anhorn suggested that Mr. McKinney and Ms. Kieffer include the timeline in the engineer's memo for the next board meeting.

Mr. McKinney explained the purpose of characterizing flooding in the watershed, the next task in the engineer's flood-risk review, is to define "regional" and "local" flood areas to provide the District additional context for defining guidelines for project partnerships. He explained that defining project partnership guidelines will help the district establish a process for evaluating if and how it will be involved with flood-mitigation projects.

Mr. Anhorn asked Ms. Kieffer to review provisions in the watershed plan regarding NMCWD's project priorities for involvement at the next board meeting.

Mr. McKinney said that Barr is also drafting a memorandum summarizing the methodology and mapping of local and regional flood areas. He asked managers to provide any questions or comments on that topic in the next couple of days.

Ms. Kieffer discussed another upcoming matter: The need to develop a communication strategy and plan for sharing the flood-risk modeling and mapping results, which will need to consider audiences, the level of information detail, information distribution, educational materials, and potential impacts on socially vulnerable groups.

Ms. Kieffer explained the different audiences include the general public, community stakeholders, and decision makers. She noted decision makers include the district, board of managers, city staff, and city councils.

Ms. Kieffer said the information about flood risk includes mapping of the extent of flood-inundation areas, specific flood elevations, and potentially impacted structures. She explained that as the district considers the level of information that should be shared, it will consider which flood frequency results to share and if and how to identify potentially impacted structures in the results, given the uncertainties in supporting data.

Ms. Kieffer said that staff has solicited and received feedback from the Technical Advisory Committee on communicating flood risk.

Manager Hunker noted that there is uncertainty in identifying potentially impacted structures based on inundation mapping because the data do not reflect low-entry elevations. She supports communicating the data with a direct point of contact because then the story behind the data can be communicated. Mr. Anhorn said for example if the information is provided on the district website, there could be a notation saying contact the district for more information.

Mr. Anhorn noted that the State of Minnesota intends to publish updated light detection and ranging or LIDAR elevation data in the upcoming year and asked if updated LIDAR would have an impact on the uncertainties regarding structural impacts. Mr. McKinney indicated that the updated LIDAR information could be incorporated into the models and used for mapping, but it is a big task because so much would need to be updated and redrawn. He said remapping an elevation on updated LIDAR is a lot easier to do and is a fairly simple task, but will not match with the underlying assumptions in the model.

Manager Butler said she thinks the district should provide a link to the flood-risk data and a district resource to help people through it and that everyone should have access to the same information.

Manager Peggy Kvam shared her experience in which her housing development previously included a steep slope and then as part of development, the area was graded and filled. She said the Federal Emergency Management Agency map shows her structure is in the floodplain but the structure is actually above the floodplain due to the grading and filling during development. She asked if there are a lot of instances similar to hers and asked where the topography data come from. Ms. Kieffer said the elevation data used for the modeling and mapping are from 2011 and confirmed there are numerous locations throughout the watershed where grading activities since 2011 would not be reflected in the flood mapping.

Ms. Kieffer listed options for distributing the data, including an interactive web map hosted on the district's website, which could work well for community stakeholders. She noted this option has the ability to offer numerous data sets but could be complicated for some users. Ms. Kieffer said another option is using geographic information system story maps with educational elements and hosting them on the district's website. She said these are simpler to use and would more readily accommodate the addition of educational information, but data layers cannot be turned on and off.

Ms. Kieffer said a third option is distributing the flood-mapping deliverables to the watershed's cities and leaving it to the individual cities to decide how to share the information. She said yet another option is to provide static graphic maps instead of online mapping tools and applications.

Ms. Kieffer indicated the preliminary recommendation based on Barr staff and TAC feedback is to develop a user-friendly story map to communicate flood risk to the general public and develop an interactive web map to communicate flood risk to community stakeholders interested in a higher level of technical detail. The district may also wish to consider distribution options that are not web based.

Ms. Kieffer said next steps in this task are to hear manager feedback and then develop a memo with recommendations.

Manager Butler said she is lukewarm on the story map concept because of the time investment and potential for minimal use. She said she thinks the district would be better off spending time on the paper options and having more time with the public walking them through the information on the district's website.

Manager Kvam suggested developing an interactive map so the public-facing display does not contain all the layers but the decision maker version does. She suggested it would be one tool but the layer of granularity could be changed according to the audience. Manager Kvam and Manager Erin Hunker commented that they are not in favor of the story map approach either. Ms. Kieffer said she is hearing the board is in favor of going with an interactive map with a very simple

starting point for easy use and comprehension, but offer the ability to activate additional data layers for users interested in a higher level of technical detail.

Manager Butler said it will be very important to communicate the date of the data, including the date of the underlying topographic data.

NMCWD Education and Outreach Program

Gael Zembal shared history about the NMCWD's education and outreach program, which included hiring its first dedicated education and outreach staff member in 2009. NMCWD has won numerous awards, including the Minnesota Association of Watershed Districts' program of the year, for innovative programs. She described her training and education, including achieving her master's degree in education from Hamline University in 2019.

Ms. Zembal said the program is based on goals and objectives identified in the district's Water Management Plan and the program always ties back to these objectives:

- To educate and engage those that live, work, or recreate in the Nine Mile Creek watershed;
- To provide effective education and outreach through Nine Mile Creek Discovery Point;
- Increase the effectiveness of the district's education and outreach program through partnerships;
- Build a stewardship principle among those who live, work, and recreate in the Nine Mile Creek watershed; and,
- Improve management and protection of district water resources through effective and open communication and stakeholder participation.

Ms. Zembal provided examples of district programs that supports each of the five objectives. She said the education team does a planning session every year to look at the previous year's successes and short falls and to bring in current issues and event, and to align education and outreach back to the district's watershed management plan.

Ms. Zembal reviewed how the education team measures results, such as by using a tracking spreadsheet about how many events the district conducts and how many people are reached per audience type. She said over the last five years the district has reached, on average, 2,500 people per year through conducting an average of 60 events annually.

President Cutshall asked how many district staff are dedicated or involved in education programming throughout each year. Ms. Zembal said she is full time and the district's Minnesota GreenCorps member is also full time on education programming. Ms. Zembal said Erica Sniegowski provides support, and Mr. Anhorn said most of Erica's time is on water quality projects and supports education initiatives around those.

Mr. Anhorn said in May, staff will present the water-quality summary report and will provide a historical look at these programs. Staff will present similar information on the district's cost-share program.

Diversity, Equity, Inclusion and Accessibility Policy

Brett Eidem said staff appreciates the managers' time and effort reviewing and providing feedback on the draft diversity, equity, inclusion and accessibility policy provided in previous meetings. Mr. Eidem displayed the draft policy as well as Manager Butler's draft revisions to the mission statement and DEIA policy.

Mr. Welch noted that it is critical for the district to tie its DEIA work to its water mission and water-resource and flooding-protection work to ensure compliance with the Public Purposes Doctrine requiring governmental entities to undertake only activities that benefit statutory purposes.

After discussion, Ms. Zembal said she is hearing that the district has a mission statement that maybe needs to be updated along with the policy of how is the district tying the DEIA work to water management. There was general agreement that the policy statement should be brief and goal-oriented.

Mr. Anhorn said a revised policy statement will be sent for the managers' review and discussion at the March 15 regular meeting. Manager Butler said she would like staff to include all the previous drafts along with the newest draft.

Amendment to Eden Prairie Declaration of Covenants, Conditions, and Restrictions

Mr. Anhorn introduced the discussion of the restrictions in the city land-use approval on the number of staff and the number of meetings NMCWD can have at Discovery Point, noting that a memo in the board meeting packet summarizes the current status of the covenants, conditions and restrictions. He said the restrictions limit the Discovery Point to five full-time staff. Mr. Anhorn summarized a recent discussion with City of Eden Prairie staff about the addition of a part-time administrative assistant, which led to the determination that the declaration of covenants does not need to be amended

for the new part-time assistant as long as all six staff members are only in the office together on one day a week.

Mr. Anhorn said the district has discussed the need for 24 board meetings a year, updating the number of Citizen Advisory Committee meetings, and planning for future staff growth. He said discussion will continue to determine if a consultant's help is needed with long-term planning.

Adjournment

Manager Butler reported that Minnesota House File 820, the limited liability salt legislation, will go to the House Judiciary Committee on Thursday, March 9. The legislation is struggling to pass through this committee.

Manager Kvam said she was in the Minnesota Watersheds newsletter this week for her watershed presentation to the Richfield Chapter of the League of Women Voters

It was moved by Manager Butler, seconded by Manager Kvam to adjourn the meeting at 7:42 p.m. On a vote, the motion was approved.

Respectfully Submitted,



Grace Butler, Secretary

