

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

WEDNESDAY, NOVEMBER 15, 2023

1. Call to Order

President Bob Cutshall called the Nine Mile Creek Watershed District Board of Managers regular meeting to order at 7:00 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, and Larry Olson

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

Staff Present: Randy Anhorn (Administrator), Lizzy Boor (Watershed Specialist), Brett Eidem (Natural Resources Project and Planning Manager), Dylan Monahan (Administrative Assistant), Erica Sniegowski (Deputy Administrator), Zach Stafslie (Regulatory Program Manager), and Gael Zembal* (Education and Outreach Coordinator)

* attended virtually

2. Approval of Agenda

Manager Olson moved, seconded by Manager Butler to approve the agenda. Upon vote, the motion carried.

3. Reading and Approval of Minutes

a. Minutes of October 5, 2023, Workshop

Randy Anhorn said he had received the following changes from Manager Chris-Ann Lauria:

- Inserting a final sentence in the second paragraph on page 2 to state, “She pointed out a couple area such as Hopkins and the Oxboro Lake, which have higher social vulnerability.”

- Revisions on page 3 to read as follows:

Ms. Boor said that all the programs under the cost-share grant program are educational programs designed to educate applicants on how to improve water quality, preserve and protect groundwater, and restore native plants. She noted the district conducts cost share project inspections as part of project maintenance agreements.

Ms. Boor said the district has a technical assistance program within the Cost Share Grant Program. She explained the technical assistance program is a design consultation service with the for-profit arm of Metro Blooms, called Metro Blooms + Design Build, for projects in which the district identifies that the applicant needs project design help. She said that Metro Blooms also has a non-profit arm that we have worked with before as well.

Erica Sniegowski mentioned that Metro Blooms also does a great job educating and answering the residents' questions. She said that it is a great value because staff does not have the time or extensive knowledge for the site visits and using Barr Engineering for the residential technical assistance would be more costly.

Manager Kvam moved, seconded by Manager Olson, to approve the minutes of the October 5, 2023, workshop as so amended. Upon vote, the motion carried.

b. Minutes of October 24, 2023, Regular Meeting

Manager Butler moved, seconded by Manager Olson to approve the minutes of the October 24, 2023, meeting as presented. Upon vote, the motion carried.

4. Public Open Forum

No members of the public were in attendance.

5. Consent Agenda

The board accepted the consent agenda by consensus.

6. Staff Updates

Mr. Anhorn reported that interviews with candidates have been completed for the district's open water resources program manager position and an offer has been extended.

7. **Treasurer's Report**

Manager Peggy Kvam reported the district has received the final payment of Clean Water Land and Legacy grant funds from the state for the Lynmar Basin project. Mr. Anhorn noted another column will be added to the future treasurer's reports to show governmental cost-share. He said the district has received funds from the City of Hopkins for the repair and maintenance of the creek project in the city, and funds from Edina for their cost-share portion of the storm sewer infrastructure work to increase the drainage area discharging to the Lynmar Basin BMP.

Manager Butler moved, seconded by Manager Lauria to accept the treasurer's report and pay the district's bills. Upon vote, the motion carried.

8. **Administrator's Report**

Beyond his report in the meeting packet, Mr. Anhorn and Erica Sniegowski reviewed with the managers the Minnesota Watersheds conference agenda for the upcoming annual meeting and conference.

9. **Unfinished Business**

a. **Arrowhead and Indianhead Lakes Water Quality Improvement Projects**

Mr. Anhorn noted the district held a public hearing on November 2, 2023, on water quality improvement projects including invasive-species treatment, application of alum compounds and aeration in Arrowhead and Indianhead lakes. He said three people from the Arrowhead Lake Association attended and showed support for the projects.

Janna Kieffer presented a scope of work for engineering services for the projects, including preparation of contract documents and oversight of the work. Manager Kvam asked why the aeration does not get installed until fall, when it is meant to enhance the iron treatment in the spring. Ms. Kieffer said that the schedule to design and contract the sediment treatments for spring application is tight and it wouldn't be realistic to also design and contract the aeration system in the same timeframe, given various schedule constraints. She indicated that since the intention is for the existing aerators to be operated initially in each lake.

Manager Grace Butler noted that some technical assistance with initial system operation or oversight of installation and verification that the system operates as designed may be needed.

Manager Butler and staff discussed the importance of ensuring that lessons learned from the Arrowhead and Indianhead projects are

applied to Lake Holiday. Ms. Sniegowski said herbicide treatment is planned for spring and alum/iron-treatment planned for the fall. Ms. Kieffer said the alum/iron treatment for Holiday has to be in the fall because Curly-leaf pondweed growth in the spring would hinder a spring treatment

Mr. Anhorn explained the resolution orders the projects based on the engineer's findings and recommendations, authorizes Barr's scope of work at a cost not to exceed \$82,530, and authorizes preparation of a cooperative agreement with the city for board approval.

Manager Olson moved, seconded by Manager Butler to adopt Resolution 23-08, ordering the Arrowhead Lake and Indianhead Lake projects. Upon vote, the motion carried.

10. New Business

a. Eden Prairie Deer Management Request

Mr. Anhorn said the City of Eden Prairie would like to use the Discovery Point property for deer reduction starting in December, as has been done in past years.

Manager Kvam moved, seconded by Manager Olson to authorize the administrator to execute a temporary access license agreement with Eden Prairie for deer management. Upon vote, the motion carried.

b. Watershed-wide Adaptive Level Control System Project Scope & Approach

Ms. Kieffer introduced Cory Anderson, a senior water resources engineer with Barr to present on adaptive level control s

Mr. Anderson provided an overview of an upcoming scope of work to evaluate the use of an adaptive level control system for the Nine Mile Creek watershed. He explained that an adaptive level control system would focus on controlling water levels in an adaptive manner, whether in water bodies or on the creek, to maximize benefits and reduce flood risk. Mr. Anderson explained a goal of an ALCS system would be to get more control of water flow in water bodies and the creek and noted the approach would need to work system-wide across the multiple waterbodies as a connected network..

Mr. Anderson said ALCS as an approach focuses on how we deal with water before, during, and after storms in a connected way. He stated the City of Edina is currently evaluating 10 waterbodies within the district for outlet modifications and the City of Bloomington is interested in participating in an ALCS study with the district. Mr. Anderson explained system-level control and automatic controls are the future and there are efforts already happening in and around this district.

Mr. Anderson said the goals of the ALCS project would be to gain a better system-wide understanding of how an ALCS could be implemented, create a good foundation for evaluating what is possible in the watershed to reduce flood risk and prepare the district for incoming questions and proposals from community partners about this type of control system.

Mr. Anderson said Barr is proposing to conduct a small-scale pilot, with Precision Water Resources as a subconsultant, using new Riverware modeling to validate effectiveness. He said the proposed schedule is to work on the district's ALCS project through 2024 and to work in parallel with the City of Edina's ALCS study. Mr. Anderson said Barr is preparing the scope of work and proposed budget.

In response to a question from Manager Kvam, Mr. Anderson said historical data can be entered into the software.

Manager Butler asked whether the district should start gathering additional data points right away. Mr. Anderson said the district has creek gauging stations in place with flow gauge, so those data are useful. Ms. Kieffer said the district has other data as well and some additional points may be needed but the district will not need to undertake exhaustive data collection as part of the preliminary study.

Manager Lauria asked if the Riverware software and XPSWMM have the capability to speak to each other. Mr. Anderson said there is language to enable one to feed the other would need to be developed. Manager Lauria asked if Riverware is being used in other watersheds or if it is being primarily used for hydro energy. Mr. Anderson said he does not know of it being used in the way Barr is proposing with the ALCS, which is part of the reason behind doing this proposed pilot study.

Michael Welch pointed out there will be regulatory considerations with this work as there are risks when water levels are manipulated.

President Cutshall said the district needs to do this because the purpose behind watershed districts is to look at the big picture. He said the initiative forms

the basis for forming an overall plan and he firmly believes ALCS is the direction the district needs to go.

c. **Barr Adaptive Management Plan for Multi-Year Lake Management Projects**
Scope of Work

Ms. Kieffer displayed a scope of work from Barr Engineering for the development and pilot of a project-assessment framework for water quality improvement projects. She explained that the plan is to pilot the framework with the Holiday/Wing/Rose lakes project and the Normandale Lake project.

Ms. Kieffer explained the draft framework stages include project implementation, monitoring, assessment and reporting, determination of management stage, and an iterative process of monitoring and reassessing.

Ms. Sniegowski said the framework will help the district move through the process of answering when the lake water-quality projects are complete and will help set public expectations regarding setting and meeting project goals.

Manager Lauria asked if the framework is both for staff and the public. Ms. Sniegowski said the public will receive information at a different level and staff has been discussing how to balance that. She and staff want enough information for the district to make management decisions but also information that is understandable to the public.

Ms. Kieffer clarified that the actual framework diagram will be more useful internally, but the reporting that stems from the management process will be useful for the public.

Manager Butler commented that she needs to see when the project is complete.

Manager Lauria commented the proposed framework's management stage currently noted as "additional management" could mean altered management as well. Ms. Kieffer agreed that through assessment, new goals and/or new objectives may be set, and there also should be a loop for that process.

Manager Olson moved, seconded by Manager Lauria to authorize Barr Engineering to undertake this scope of work to develop and pilot a project assessment framework for water quality improvement projects at a cost not to exceed \$47,110. Upon vote, the motion carried.

d. **Minnesota Watersheds Annual Meeting Delegation and Resolution**

Manager Olson moved, seconded by Manager Kvam to appoint Manager Butler and Manager Kvam as the NMCWD delegates and Manager Cutshall as alternate for the 2023 Minnesota Watersheds meeting.

11. **Adjournment**

Manager Olson moved, seconded by Manager Lauria to adjourn the meeting at 8:55 p.m. Upon vote, the motion carried.

Respectfully Submitted,



Grace Butler, Secretary

