

Nine Mile Creek Watershed District 2007 Annual Report

Prepared and submitted by:

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Nine Mile Creek Board of Managers

LuAnn Tolliver, President 14801 Wychewood Road Minnetonka, MN 55345 (952) 938-6749 Appointing County: Hennepin

Term Expires: 09/29/09 Resident of Minnetonka

Corrine D. Lynch, Vice President 7400 Metro Blvd, Suite 450 Edina, MN 55439 (952) 893-6730 Appointing County: Hennepin Term Expires: 9/29/08

Robert Kojetin, Secretary 5016 William Avenue Edina, MN 55436 (952) 929-8889 Appointing County: Hennepin Term Expires: 9/29/08

Resident of Eden Prairie

Term Expires: 9/29/0 Resident of Edina

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Term Expires: 9/29/10 Resident of Edina

Steve Kloiber 6528 Scandia Road Edina, MN 55439 Appointing County: Hennepin Term Expires: 9/29/10

Resident of Edina

Citizen Advisory Committee Members

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Technical Advisory Committee Members

Scott Anderson	City of Bloomington Water Resources Engineer	1700 West 98 th Street Bloomington, MN 55431 952-563-4867
Jim Gates	City of Bloomington Deputy Director of Public Works	1700 West 98 th Street Bloomington, MN 55431 952-563-8700
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Leslie Stovring	City of Eden Prairie Environmental Coord.	8080 Mitchell Road Eden Prairie, MN 55434 952-949-8327
Wayne Houle	City of Edina Director of Public Works	4801 West 50 th Street Edina, MN 55424 952-826-0443
Joel Settles	Hennepin County Environmental Services	Hennepin County Environmental Management Division 417 North 5 th Street Minneapolis, MN 55401
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Brad Wozney	Board of Water & Soil Resources	520 Lafayette Road St. Paul, MN 55155

Employees and Consultants

The Nine Mile Creek Watershed District (District) employs a full-time administrator as its only employee. The administrator oversees daily operations of the District. The District retains the services of an engineering consultant, a legal advisor, and an accountant to assist with District activities. The District contracts with another accounting firm to perform its annual financial audit.

District Administrator:

Kevin Bigalke Nine Mile Creek Watershed District 7710 Computer Ave., Suite 135 Edina, MN 55435 kbigalke@ninemilecreek.org (952) 835-2078

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Auditor:

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Introduction

Established in 1959, the Nine Mile Creek Watershed District was the state's first urban watershed district. Despite its name, Nine Mile Creek's main branch actually travels 15.5 miles from its headwaters to its confluence with the Minnesota River. The Creek's name came from the fact that it is nine (9) miles from Fort Snelling following an early cart path that is now Old Shakopee Road. The Creek winds though the southwestern suburbs of the Twin Cities, draining a total of 50 square miles of a largely developed urban landscape, and encompassing most of Bloomington and Edina and portions of Minnetonka, Eden Prairie, Hopkins, and Richfield. Appointed by the Hennepin County Commissioners, each of the District's five Managers serve three-year terms.

Consistent with its statutory and regulatory obligations under Minn. Stat. § 103D.351 and Minnesota Rules § 8410.0150, the Board of Managers has prepared this Annual Report of the Nine Mile Creek Watershed District's financial status, its yearly activities and projects, its 2007 permitting and enforcement, and its 2008 goals and objectives. The Managers invite comments and suggestions concerning this report. Copies are available by contacting Kevin Bigalke, District Administrator, Nine Mile Creek Watershed District, 7710 Computer Avenue, Suite 135, Edina, MN 55435, (952) 835-2078.

2007 Highlights:

- Adoption of the 3rd Generation 509 Watershed Management Plan in March 2007.
- Initiated Rule-making process.
- Continued the volunteer Citizen-assisted Lake Monitoring Program (CAMP), working with the Metropolitan Council.

- Completed the Bloomington Culverts Replacement Project.
- Started the implementation of the Eden Prairie Lakes Water Quality Improvement Project.
- The District hosted a Fall Tour highlighting the present and future projects throughout the District.
- Developed a Plan Summary of the Nine Mile Creek Watershed District Water
 Management Plan.
- Initiated a major revision of the District's website.
- Performed ongoing maintenance of the Lower Valley Project.
- Initiated the feasibility study for the Hopkins Streambank and Habitat Restoration
 Project.

Assessment of Previous Work Plan

In its 2006 Report, the District identified several broad goals and objectives for 2007, including:

- 1. Development of new Watershed District Rules
- 2. Development and Implementation of Basic Water Management Projects
- 3. Continue UAA/Lake/Creek Studies
- 4. Continued with the Citizen Assisted lake Monitoring Program (CAMP)
- 5. Continued support of repair and maintenance proposals
- 6. Update the District website.
- 7. Continue working with the Technical Advisory Committee (TAC).
- 8. Continued support of the Citizen Advisory Committee (CAC).

In 2007, the District completed or made substantial progress toward all of these goals and objectives, as described below.

1. <u>Development of new Watershed District Rule</u>

In April 2007, the District initiated a rule-making process to update and amend its rules. The need for rule revisions was necessary because of the new goals and policies established in the District's new Water Management Plan that was adopted in March 2007. The District continued meeting with the Technical Advisory Committee (TAC) used to develop its Water Management Plan to provide assistance and guidance to the District on proposed rule amendments. The TAC included representatives from each of the six cities in the District, the Metropolitan Council, Hennepin County, the Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, Minnesota Department of Transportation, and the Board of Water and Soil Resources. The TAC met on a monthly basis to review proposed rule amendments and provide comments and recommendations on the rules to the District Board of Managers.

The draft rules were completed in December 2007. The rules were published for a 45-day public review and comment period on January 9, 2008. It is anticipated that the rules will be adopted in March 2008.

2. Development and Implementation of Basic Water Management Projects

Minnetonka Lakes Basic Water Management Project

In 2006, the Minnetonka Lakes Water Quality Improvement Project was completed. Some general maintenance was done to replace plants that did not survive or were damaged by wildlife. The pond in Kinsell Park was improved by adding a "beehive" overflow structure to prevent the pond from over topping an adjacent trail. General maintenance and some improvements were also made on the Baker Road pond. The District will be finalizing the Minnetonka Lakes Water Quality Improvement Project with the City of Minnetonka in 2008.

Bush Lake Outlet Invasive Species Control, Bloomington

Working with Prairie Restoration, the District continued a project to control invasive species along the Bush Lake Outlet shoreline. The project costs were shared with the City of Bloomington.

In 2007, the U.S. Army Corps of Engineers treated 14 acres on Bush Lake, 8 for Eurasian water milfoil and 6 for Curlyleaf Pondweed. Because the areas were small, granular formulations were used, which did not work as well as liquid formulations in previous years.

Native plants continue to increase in diversity and occurrence.

Eden Prairie Lakes Water Quality Improvement Project

The City of Eden Prairie petitioned the District for the Eden Prairie Lakes Water Quality Improvement Project. The purpose of the project is to address Curlyleaf Pondweed and internal phosphorus loading in Northwest and Southwest Anderson Lakes, to improve water quality and restore the water level in Birch Island Lake, and to address phosphorus loading in Bryant Lake.

The District Board of Managers ordered the project at a public hearing on December 13, 2006. After concerns from residents around Northwest Anderson Lake and Southwest Anderson Lake, the District held a series of public hearings to address citizen concerns. The first public hearing was held on May 30, 2007 at the Eden Prairie City Council Chambers. At this hearing the Board of Managers, took testimony regarding concerns about the drawdown of Northwest Anderson Lake and Southwest Anderson Lake. Following the public comment period at the hearing, the Board of Managers ordered an Environmental Assessment Worksheet (EAW) be completed for the Northwest Anderson Lake and Southwest Anderson Lake components of the Eden Prairie Lakes Water Quality Improvement Project. On July 18, 2007, the District held a public hearing on the Environmental Assessment Worksheet (EAW) for the Anderson Lakes component of the project. District staff presented the EAW findings to the Board of Managers. The Board of Managers heard public comments regarding the EAW. No decision was made on the EAW at this hearing. A second public hearing on the EAW was held on August 29, 2007. Because the final EAW was not published in the State Register on time, the Board decided to accept public comments on the EAW, but could not make a final decision on the EAW.

A final public hearing was held on September 19, 2007. At this public hearing, the Board of Managers made a finding of no significant impact for the Anderson Lakes Environmental Assessment Worksheet. Following the decision on the EAW on September 19, 2007, the Board of Managers also ordered the drawdown of Northwest Anderson Lake and Southwest Anderson Lake to be implemented.

The District published a Request for Bids for the Eden Prairie Lakes Water Quality Improvement Project and awarded the project to Rachel Contracting with unanimous Board approval on October 17, 2007. The project was started in December 2007.

Bloomington Culvert Replacement Project

The Bloomington Culverts Replacement Project was completed in 2007. The City and the District continued to express concerns about the structural integrity of the railroad culvert. The District and the City contracted with Braun Intertech to conduct an independent inspection of the culvert. The District and City of Bloomington will continue discussions with the railroad regarding the railroad culvert in 2008.

Lower Valley Project Maintenance

The Lower Valley Restoration Project was completed in 1991 to address erosion issues in the lower reach of Nine Mile Creek. The District and the City of Bloomington continue to partner on this project to address maintenance erosion issues and to stabilize the banks of Nine Mile Creek.

Hopkins Streambank and Habitat Restoration Project

In May 2006, the City of Hopkins petitioned the District for a streambank and habitat restoration project for Nine Mile Creek. The District accepted the petition and authorized the feasibility study for the project. The District is sharing the design responsibilities with the City of Hopkins. The District has entered into a cooperative agreement with the City of Hopkins defining the roles and responsibilities of each party. The District and City of Hopkins worked throughout 2007 on the designs and feasibility of the project.

The Hopkins City Council invited the Watershed District Board of Managers and staff to a Council work session in October 2007 to discuss the project. Watershed District and City staff

presented the designs and ideas for the project to the City Council and Watershed District Board of Managers. The Watershed District and City also held two public information meetings regarding the project in December 2007. At the public information meetings, staff presented information about the project to the general public. Questions and comments were accepted from the public.

District and City staffs continue to develop the feasibility report for the project. It is anticipated that the District will hold a public hearing on the project during the summer of 2008, with construction of the Hopkins Streambank and Habitat Restoration Project starting during fall/winter 2008.

Normandale Lake Water Quality Project

On August 15, 2007, the District Board of Manager received a petition from the City of Bloomington to develop a project to address water quality issues in Normandale Lake. The Board of Managers accepted the petition and directed District staff to begin work on a feasibility report for the Normandale Lake Water Quality Project.

3. Continue Use Attainability Analyses & Lake and Creek studies

Since 2004, the Nine Mile Creek has been on the Minnesota Pollution Control Agency's "Impaired Water" lists for turbidity, chloride and fish community Index of Biotic Integrity (IBI). In response to this listing, the District undertook a minimum three-year program, which includes water quality monitoring at three Watershed Outlet Monitoring Program (WOMP) stations on the creek, and electrofishing. In 2007, the District entered the fourth year of this program. In conjunction with this monitoring, the District continued to work with the MPCA to determine the

appropriate standards for assessing and classifying the creek's impairment, and to identify best practices for improving the water quality in the creek and achieving "unimpaired" status. The District worked with the MPCA in 2007 to get funding for TMDL studies for chlorides and fish IBI. The District will be initiating the TMDL studies for chlorides and fish IBI in 2008. The District partnered with the Metropolitan Council to establish continuous turbidity monitoring at the Metropolitan Council WOMP station. Continuous turbidity monitoring will begin at this station in 2008.

The District also worked with the City of Minnetonka and the Wing Lake Neighborhood Association throughout 2007 to look at water quality concerns on Wing Lake. The City of Minnetonka and the Wing Lake Neighborhood Association requested a study be conducted on Wing Lake. In 2008, the District will be conducting an initial analysis of water quality data available for Wing Lake, Lake Rose, and Lake Holiday. The District will consider a full Use Attainability Analysis for the Wing Lake Watershed in 2009.

4. <u>Establish a Citizen-Assisted Lake Monitoring Program (CAMP)</u>

In 2007, The District continued to partner with the Metropolitan Council to support Citizen-assisted Lake Monitoring efforts on 5 lakes in the District. The lakes included in the citizen monitoring program were: Glen Lake & Wing Lake in Minnetonka, Lake Cornelia in Edina, and Normandale Lake & Bush Lake in Bloomington. The District and the City of Minnetonka cost-shared the support for the Wing Lake monitoring team. The District partnered with the City of Minnetonka to add Minnetoga Lake to the program in 2007. The District plans to continue the CAMP monitoring on the same lakes in 2008.

5. Continued Support of Repair and Maintenance Project Proposals

The District continues to make repair and maintenance funding available to municipalities on a 50/50 cost-sharing basis, allocated according to the number of square mile of each city within the District. In 2007, the District's repair and maintenance funding supported several significant projects:

- o Highland Road Stormsewer Improvement City of Minnetonka
- o Walnut Ridge Park Trail Improvement Edina
- o Several sediment clean outs throughout City of Bloomington

6. Education and Outreach

Fall Tour

On September 27, 2007, the District hosted its Fall Tour highlighting Normandale Lake, Northwest Anderson Lake, and the rain gardens constructed by Lincoln Hills – Intermediate School District 287. Following the site visits, the tour returned to Richardson Nature Center for a volunteer appreciation dinner. District staff gave a presentation on the new Water Management Plan and the ongoing rule-making process. The District recognized contributions made by volunteers during the past year. The District also recognized the years of service of outgoing manager Floyd Laumann. The tour was attended by city, county and state agency staff, Watershed District Board, staff, & consultants, and members of the District's Citizen Advisory Committee.

Environmental Fairs

In 2007, Nine Mile Creek Watershed District staff and managers attended and participated in Environmental Fairs hosted by the Cities of Minnetonka, Eden Prairie, and Bloomington. The District had its display at the fairs and distributed information about the District, our water quality monitoring efforts, and our new Watershed Management Plan. The fairs provided an opportunity for the District to meet with residents of the District and discuss their concerns about the water quality and overall health of the Watershed.

Presentations to other organizations

As part of its education and outreach program in 2007, District staff gave presentations to interested groups and organizations. Presentations topics included the District's efforts to improve and protect the water resources of the Nine Mile Creek Watershed, alternative landscaping options to protect water quality, information on Lake Cornelia, the Eden Prairie Lake Water Quality Improvement Project and information on the District's stormdrain marking program. Presentations were given to a neighborhood groups concerned about the Eden Prairie Lakes Project in Eden Prairie, students at two Edina schools and the Bloomington Gyro International organization.

Plan Summary of the Nine Mile Creek Watershed District's Water Management Plan

In March 2007, the District adopted its new Water Management Plan. In an effort to make the Water Management Plan more accessible and more user friendly, the District developed a plan summary document. The plan summary is an abbreviated version of the Water Management Plan highlighting the District goals, policy, and objectives as well as the District's

proposed workplan over the next ten (10) years. The Plan Summary was distributed to each of the cities in the watershed and mailed to residents on the District's mailing list. The Plan Summary has also been distributed to citizens at community fairs and other outreach events hosted by the cities and the District.

7. <u>Continued support of the Citizen Advisory Committee</u>

In 2007, the District worked with its Citizen Advisory Committee (CAC) to begin implementing the CAC Workplan developed in January 2007. The CAC partnered with the City of Edina, the City of Bloomington and Friends of the Minnesota Valley to host an Earth Day Creek Clean Up event. The Creek Clean Up Event was held on Saturday, April 21, 2007 at two locations. One site was in Edina along Metro Boulevard. The second site was in Bloomington in Moir Park. The event was a huge success and the District and CAC will be host another clean up event in 2008.

Staff also worked with the CAC to organize and host the Summer Education Series. This program was a series of educational programs and field trips held in June, July, and August of 2007. The Summer Education Series included field trips to the Burnsville Raingardens Project and the Metropolitan Council's Blue Lake Waste Water Treatment Plant in Shakopee. The third education program was a presentation on Bats and water quality at Lone Lake Park in Minnetonka.

8. *Update the District's Website*

The District website has been a valuable tool for providing information about the District, its regulatory program, and its meeting calendar. District staff updated the website's calendar

and provided periodical notices regarding District activities on the website. The District initiated a major website revision in 2007 to make the website more user-friendly and to provide more information on District projects and activities. The website designs were completed in 2007 and the website launched in early 2008.

9. Continue Working with the Technical Advisory Committee

The District worked extensively with the Technical Advisory Committee (TAC) in 2007 during the District's rule-making process. The TAC met monthly to review proposed rules and rule amendments and to provide feedback to the Board of Managers. The TAC was a valuable component in amending the District rules.

The District will continue to work with the Technical Advisory Committee in 2008 as the District begins to develop chloride and fish IBI TMDLs.

10. Minnesota Association of Watershed Districts Participation

In 2007 Board members and staff attended the Minnesota Association of Watershed Districts' (MAWD) Summer Tour, the MAWD Annual Meeting and Conference, and the MAWD Legislative Breakfast. Board members and staff were also active with Metro MAWD and the District Administrator was active with the Association of District Administrators.

Projected 2008 Work Plan

<u>Implementation of New Watershed District Rules</u>

A primary component of the District's 2007 work is the development of new rules to support the goals and policies identified in the 3rd Generation Watershed Management Plan. The

District will continue to work closely with its Technical Advisory Committee throughout the rule-making process. The rules will reflect the District's desire to protect water quality as well as reduce the volume of water reaching the creek from stormwater runoff. It is anticipated that the new rules will be adopted in the spring 2008.

Continued Implementation of the Eden Prairie Lakes Water Quality Improvement Project

The District will be fully implementing this project that includes Northwest and Southwest Anderson Lakes, Bryant Lake, and Birch Island Lake. Work started in 2007 on Birch Island Lake will be completed, and work in the Cardinal Creek area and on Bryant Lake will begin. The drawdown of Northwest Anderson and Southwest Anderson Lakes will commence in August 2008 to address curly leaf pondweed and internal phosphorus loading issues.

<u>Implementation of the Hopkins Streambank & Habitat Restoration Project</u>

In May 2006, the District accepted a petition by the City of Hopkins for a streambank and habitat restoration project for Nine Mile Creek. The District has entered into a cooperative agreement with the City of Hopkins for the design and implementation of the project. In 2008, the District will work with the City of Hopkins to complete the feasibility/engineers report for the project and develop design options to achieve the goals of the project. It is anticipated that the project will be bid during the summer of 2008 following a public hearing, with construction to begin in the late fall and early winter of 2008.

Continue UAA /Lake /Creek Studies

In 2008, the District will continue to monitor Nine Mile Creek with the WOMP stations. The District will be adding continuous turbidity monitoring transducers at each of its WOMP stations. The District will also continue with the cycled lake monitoring.

The District will be conducting a Phase I study on Wing Lake, Holiday Lake and Lake Rose in Minnetonka. The study will analyze existing water quality date, conduct a macrophyte study on the lakes and make initial recommendations for watershed best management practices. It is anticipated that this Phase I study will lead to the development of a full Use Attainability Analysis for Wing Lake, Holiday Lake and Lake Rose.

Citizen Assisted Lake Monitoring Program (CAMP)

In 2007, the District is supporting citizen monitoring through the Metropolitan Council's Citizen Assisted lake Monitoring Program (CAMP). Trained volunteer monitoring teams will collect water quality samples from Lake Cornelia in Edina, Bush Lake and Normandale Lake in Bloomington, and Glen Lake and Wing Lake in Minnetonka. The District is partnering with the City of Minnetonka to support a monitoring team for Minnetoga Lake as well.

Continued Support of Repair and Maintenance Proposals

The District continues to maintain a Repair and Maintenance Fund to cost-share with the cities of the District the cost of repair and maintenance of stormsewers, water quality treatment features, and lake and stream projects. The cities request 50/50 cost-share of projects as they are scheduled.

Continued Support of CAC

The Nine Mile Creek Watershed District historically has had an active Citizen Advisory Committee (CAC). The District worked with the CAC in 2007 to develop a CAC work plan that will guide its activities over the next couple of years. The District will support and guide the CAC on the implementation of the work plan activities.

District Website

In 2008, the District will continue to expand its website. The District plans to add its water quality data and fact sheets on the water resources of the District to the website.

<u>Technical Advisory Committee</u>

The District will continue working with the Technical Advisory Committee to begin the development of the chloride and fish IBI TMDLs.

Photo Contest and Calendar

In 2008, the District will host its fourth photo contest to collect photos from throughout the watershed to use in the production of a 2009 calendar. The 2009 calendar will be used as one of the District's communication pieces for 2008.

Education and Outreach Activities

The District has identified education and outreach as a major component of the new Water Management Plan. The District will continue to work with its CAC in the development of educational presentation and workshops.

The District will also be hosting its second Earth Day Creek Clean Up Event. In 2008, the District is partnering with the City of Hopkins to clean up the stretch of Nine Mile Creek that flows through Hopkins. This is the headwaters of the North Branch of Nine Mile Creek and is also the focus area of the Hopkins Streambank & Habitat Restoration Project.

The District will again collaborate with its CAC to host the Summer Education Series.

The District has also made a commitment to incorporating more educational aspects into the Basic Water Management Projects. These efforts will include public information meetings, informational flyer or brochures and signage new project sites describing project goals and activities.

The District will participate in local community and environmental fairs. In 2008, the District will participate in the Bloomington Home and Landscape Show, the Eden Prairie Home and Garden Show, and the Minnetonka Eco-fair.

The District will also seek opportunities to partner with local schools to implement storm drain marking projects and give presentations of the water resources and water quality of the Nine Mile Creek Watershed District.

Wing, Rose, Holiday Lakes Phase I Study

In 2008, the District is conducting a Phase I water quality study for Wing Lake, Lake Rose and Holiday Lake in the City of Minnetonka. The Phase I study will analyze existing water

quality data, conduct a macrophyte survey on the three lakes, and make initial recommendations for best management practice implementation to improve the water quality of the three lakes.

This Phase I study will then be used to complete a full Use Attainability Analysis in 2009.

Normandale Lake Water Quality Improvement Project

The District accepted a petition from the City of Bloomington to develop a water quality improvement project to address curly leaf pondweed and internal phosphorus loading in Normandale Lake and to identify watershed best management practices to reduce nutrient loading into the lake. The District will be completing the feasibility/engineers report for the project in 2008.

Southeast Anderson Lake Project

The District accepted a petition from the City of Bloomington for a water quality project on Southeast Anderson Lake. The District will host neighborhood meetings to gather input on the interest of doing an aquatic macrophyte control project in Southeast Anderson Lake.

Permitting Activity

Summary of Permits and Variances Issued and Denied

In 2007, the District reviewed and granted 58 grading and land alteration permits. The Board of Managers reviews permit applications, with the assistance from the District Engineer and District Administrator, and imposes various conditions for approval as appropriate. The District issued permits in the following cities: Bloomington – 18; Edina – 17; Eden Prairie – 12; Hopkins – 2; Minnetonka – 8; Richfield – 1.

The District subjects projects to a preliminary review so that it can issue permits simultaneously, or shortly after, municipal permits. In 2007, the District did not grant any permits that required a variance to its rules.

In 1997, the MNDR issued a general permit allowing the District to regulate certain aspects of work in public waters, which streamlines and expedites the permitting process for applicants who undertake certain specified activities. In 2007, the District reviewed and approved seven(7) Minnesota Department of Natural Resources Permits for Work in Protected Waters.

Enforcement Activity

The District's engineer regularly inspects permitted work to ensure compliance with permit conditions. If violations are found, the District attorney typically will notify permittees and seek voluntary abatement or correction before resorting to formal legal action. In 2007, no enforcement actions were necessary.

Summary of Water Quality Monitoring Data

Under the 1996 Plan, the District conducted Use Attainability Analyses on all of its major lakes. Since the completion of the UAAs, the program now samples the lakes on a three-year rotating cycle. The Engineer's Annual Report contains UAA monitoring data for all of the District's Lakes. The annual Engineer's Report will be completed and made available later this year (2008).

2007 presented a very challenging year to monitor water quality in Nine Mile Creek and the lakes of the District. Drought conditions during July and August resulted in portions of Nine Mile Creek going dry.

Water quality and biological data collected during 2007 indicate Nine Mile Creek has remained stable with a similar water quality and biological community as was observed in previous years. On average, 99.8% of Nine Mile Creek measurements in 2007 were within the historical range of values. The 2007 fish data indicate the stream's actual ecological use is generally the same or better than the stream's historical use (from long-term fish data) and the stream's attainable ecological use (the fish community the stream is capable of supporting). The stream's average 2007 HBI water quality classification was also within the historical range of values for Nine Mile Creek.

Nine Mile stream water quality data generally met MPCA criteria during 2007 as 96.9% of 2007 measurements met MPCA criteria. All 2007 pH and temperature measurements and all but one turbidity measurement were within MPCA Criteria. Six 2007 specific conductance values on the North Fork and three 2007 dissolved oxygen values from the North Fork and Main stem failed to meet MPCA criteria. All 2007 data collected from the South Fork and Main Stem locations ECU-7B and ECU-7C were within MPCA criteria.

The data indicate that despite urbanization impacts, water quality data collected from Nine Mile Creek during 1968 through 2007 have remained relatively stable over time, although fluctuations have been observed. Urbanization impacts upon the stream result in an average fish and macro-invertebrate community tolerant of adverse conditions. Monitoring will continue at the specified stations to maintain this long-term record of water quality and biota in Nine Mile Creek.

Status of Local Plan Adoption and Implementation

The District monitors the plans of watershed districts and water management organizations that affect the District's cities and that have been approved by the Board of Soil and Water Resources. The District also reviews and approved the Comprehensive Surface Water Management Plans of each of the cities in the District. Currently, the city of Bloomington has a new approved local water plan. The cities of Edina, Eden Prairie, Minnetonka, and Richfield are operating under their current approved local water management plans and are in the process of updating their local water management plan.

Biennial Solicitation of Interest Proposals

Under M.S.A. 103B.227, subd. 5, the District must issue a biennial solicitation for legal, technical, and other professional services. The District issued a formal solicitation for accounting, engineering, and legal services in September 2007. The District selected Cavanaugh and Associates as its accountant, Barr Engineering as its engineer and Smith Partners, PLLP as its legal counsel in October 2007. New proposals for engineering, legal, and other professional services will be solicited in September 2009.

Fund Balances for Specific Program Elements.

The District's fund balances and financial status are included in the District's annual audit. The annual audit is included as an appendix to this report.

Status of any Locally Adopted Wetland Banking Program

Because of the inherent limitations of a fully urbanized watershed, the District has not developed a wetland-banking program. Instead, it uses the state wetland bank administered by the Minnesota Board of Water and Soil Resources.

Annual Written Communication to the Public

As required by Minn. R. 8410.0100, subp.4, the District prepared and disseminated its annual communication to the public that identified the Board members, the current CAC members, contact and public meeting information, and information concerning its role in watershed planning. In 2007, the District produced a "Summary of the Nine Mile Creek Watershed District Water Management Plan" to use as one component of its annual communication piece. The District also produced a two sided document that was inserted into the Plan Summary. Copies of the written communications are included in the Appendix.

The District also had several newspaper article written about various District projects and activities throughout 2007.

Annual Audited Financial Report and Audit Report

The District's audited annual financial report was prepared by HLB Tautges Redpath, Ltd., a certified public accounting firm. As required by Minn. R. 8410.0150, subp. 2, the Audited Financial Report includes classification and reporting of revenues and expenditures, a balance sheet, an analysis of changes in final balances, and all additional statements necessary for full financial disclosure. The 2007 Audited Financial Report may be found in the appendix to this Annual Report.

2008 Annual Budget

The District adopted its 2008 Annual Budget in August 2007. The 2008 Budget may be found in the appendix to this Annual Report.

Appendix

- 1. Annual Financial Audit
- 2. 2008 Approved Annual Budget
- 3. Copy of Annual Communication