



**Nine Mile Creek Watershed District  
2008 Annual Report**

*Prepared and submitted by:*  
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Scott Anderson	City of Bloomington Water Resources Engineer	1700 West 98 <sup>th</sup> Street Bloomington, MN 55431 952-563-4867
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## **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. In 2008, the District hired an education/outreach consultant to assist with the District's education/outreach programs. The District contracts with another accounting firm to perform its annual financial audit.

### *District Administrator:*

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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 through 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 2008 permitting and enforcement, and its 2009 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.

### **2008 Highlights:**

- Adoption of New Rules in March 2008
- Hired Education and Outreach Consultant
- Continued the volunteer Citizen-assisted Lake Monitoring Program (CAMP), working with the Metropolitan Council



- Continued with the implementation of the Eden Prairie Lakes Water Quality Improvement Project:
  1. Drawdown of Northwest and Southwest Anderson Lakes
  2. Alum treatment on Bryant Lake
  3. Started lake level restoration on Birch Island Lake
- The District hosted a Fall Tour highlighting the present and future projects throughout the District
- Hosted the fourth photo contest and produced the 2009 calendar
- Commissioned a book on the history of the Nine Mile Creek Watershed District to commemorate the District's 50<sup>th</sup> Anniversary in 2009
- Completed the feasibility study for the Hopkins Streambank and Habitat Restoration Project and ordered the project to proceed

### **Assessment of Previous Work Plan**

In its 2007 Report, the District identified several broad goals and objectives for 2008, including:

1. Implementation 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. Develop education & outreach activities
7. Continued support of the Citizen Advisory Committee (CAC)

8. Continue working with the Technical Advisory Committee (TAC)
9. Maintain District website
10. Hold Photo Contest and produce 2009 Calendar

In 2008, the District completed or made substantial progress toward all of these goals and objectives, as described below.

1. *Implementation of New Watershed District Rules*

Throughout 2007 the Watershed District worked with its Technical Advisory Committee on the development of new District rules. 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. Following the public comment period, the District Board of Managers held a public hearing in March 2008. At the public hearing, the Board of Managers adopted the new District rules and established an implementation date of April 1, 2008. The rules have been well received and the District has not had any significant issues implementing the new rules.

2. *Development and Implementation of Basic Water Management Projects*

*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. Following the four public hearing, many neighborhood meetings, and a voluntary Environmental Assessment Worksheet, the Nine Mile Creek Watershed District Board of Managers ordered the project to commence in September 2007.

Implementation of the project was officially started in December 2007. During 2008 substantial progress on the Eden Prairie Lakes Water Quality Improvement Project was made. The tile system designed to restore the lake level in Birch Island Lake was completed in February 2008. In addition to the lake level restoration, two existing stormwater basins were cleaned out and improved and a new stormwater pond was constructed to treat stormwater runoff prior to reaching Birch Island Lake.

In the fall of 2008 an alum treatment was completed on Bryant Lake. Water clarity of Bryant Lake improved from 1 meter to over 6 meters in the weeks following the alum treatment. Construction of the nature trail around the Cardinal Creek Wetland was completed during in December 2008. A new outlet control structure on Cardinal Creek was also completed in December 2008.

The drawdown on Northwest Anderson Lake and Southwest Anderson Lake was started in August 2008. The District and the City of Bloomington removed the stop logs from the outlet control structure, starting the drawdown by gravity. In September 2008, the pumps on Northwest and Southwest Anderson Lakes were turned on. The drawdown was completed in November 2008. The District partnered with the University of Minnesota to study the density and viability of the turion bank in the lake sediment. Lake sediment samples were collected in Northwest, Southwest, and Southeast Anderson Lakes. Southeast Anderson was being used as a

control. Additional turion samples and analysis will be conducted in the spring of 2009 to help determine the success of the drawdown.

### *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 and 2008 on the designs and feasibility of the project.

In August 2008, the Hopkins City Council passed a resolution supporting the design of the project. In September 2008, the Nine Mile Creek Watershed District initiated a voluntary Environmental Assessment Worksheet on the project. The District held a public hearing on September 10, 2008 on the Hopkins Streambank and Habitat Restoration Project. The District Board of Managers recessed the public hearing until the EAW process was complete. In December 2008, the District Board of Managers continued the public hearing, issued a finding of no significant impact on the EAW, and ordered the Hopkins Streambank and Habitat Restoration Project to proceed. It is anticipated construction of the Hopkins Streambank and Habitat Restoration Project starting during summer of 2009.

### *Southeast Anderson Lake Water Quality Improvement Project*

In March 2008, the City of Bloomington petitioned the District for a water quality improvement project on Southeast Anderson Lake. The project is to address curly leaf pondweed and internal phosphorus loading. Throughout 2008, District staff and consultants developed the Southeast Anderson Lake Water Quality Improvement Project Engineer's Report. The District also held a public information meeting on the project in July 2008. The District submitted the Engineers Report for agency and public review in January 2008. It is anticipated that the District will begin project implementation in May 2009.

### *Lower Valley Restoration Project*

In 2008, the City of Bloomington requested assistance with the repair and maintenance of the Lower Valley Restoration Project originally completed in 1991. The District worked with the City of Bloomington on the designs for the repair work on Nine Mile Creek. The project will be implemented in 2009.

### 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 2008, the District entered the fifth 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 initiated 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 began at this station in 2008. The additional data will be used to address the turbidity impairment.

The District also worked with the City of Minnetonka and the Wing Lake Neighborhood Association throughout 2008 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 2007. In 2008, the District conducted an initial analysis of water quality data available for Wing Lake, Lake Rose, and Lake Holiday. The District also mailed a survey to over 900 residents in the Wing, Rose, Holiday Lakes watershed. The District had a 35% response rate to the survey. The survey results will be used in the development of the Use Attainability Analysis for the Wing Lake Watershed in 2009.

The District partnered with the City of Bloomington to conduct a water balance study of Lower Penn Lake. The City of Bloomington had been operating a well used to augment surface water levels and for aeration of Lower Penn Lake. Due to State of Minnesota law prohibiting the use of groundwater to augment surface waters, the Minnesota Department of Natural Resources ordered the City of Bloomington to limit its use of the well to less than 10 million gallons per year. The water balance study undertaken by the District was to determine the impact the well was having on Lower Penn Lake. During the study, the District installed 3 observation wells around Lower Penn Lake to monitor the groundwater levels during a pump test. The studies concluded that the well was actually drawing water away from the lake and did not have any

positive impact on Lower Penn Lake and that the lake levels in Lower Penn Lake would reach equilibrium and maintain its water level.

4. *Continue with the Citizen-Assisted Lake Monitoring Program (CAMP)*

In 2008, 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.

5. *Continued Support of Repair and Maintenance Project Proposals*

- o 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 2008, the District did not receive any new requests for Repair and Maintenance fund from the municipalities. The District will continue to offer the Repair and Maintenance funds on a 50/50 cost-share basis.

6. *Education and Outreach*

*Fall Tour*

On September 25, 2008, the District hosted its Fall Tour highlighting Northwest Anderson Lake, Birch Island Lake, Bryant Lake, and the Hopkins Streambank Project. Following the site visits, the tour returned to the Bryant Lake Park Pavilion for a volunteer appreciation dinner. Tom McDonald of Barr Engineering gave a presentation on the Hopkins

Streambank & Habitat Restoration Project. The District recognized contributions made by volunteers during the past year. 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 2009, 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, the new District rules, and the District's cost-share grant program. 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 2009, 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 and to students at two Edina schools. District staff also gave presentations to the Wing Lake Neighborhood Association, the Lake Rose Association, and the Lake Minnetoga Association.



7. Continued support of the Citizen Advisory Committee

In 2008, the District worked with its Citizen Advisory Committee (CAC) to continue implementing the CAC Workplan developed in January 2007. The CAC partnered with the City of Hopkins to host an Earth Day Creek Clean Up event. The Creek Clean Up Event was held on Saturday, April 19, 2009 at Valley Park in Hopkins. The event was a huge success and the District and CAC will be host another clean up event in 2009.

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 2008. The Summer Education Series included field trips to the Eden Prairie Water Treatment Plant, to Quality Bicycle Products, a LEED certified facility in Bloomington, and a presentation on fishing opportunities in the Nine Mile Creek Watershed by the Minnesota Department of Natural Resources.

District staff and the CAC were also busy planning the education and outreach events for 2009.

8. Continue Working with the Technical Advisory Committee

The District continued to work with the Technical Advisory Committee (TAC) in 2008 during the completion of the District's rule-making process. The District also worked with the Technical Advisory Committee in 2008 as the District began to develop chloride and fish IBI TMDLs.

9. 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. The District initiated a major website revision in 2007 and the website launched in early 2008. The District uses the website to post announcements about upcoming meetings and maintains an active calendar of events. The District also posts Board of Manager meeting agendas on the website as well as the District rules and permit application.

10. Photo Contest and 2009 Calendar

In January 2008, the District held its fourth photo contest to collect photos for the 2009 Nine Mile Creek Watershed District Calendar. The photo contest was a big success with over 150 photographs of the natural and cultural resources of the Nine Mile Creek Watershed being submitted. Twenty photos were selected for use in the 2009 Calendar. The District also included a number of historical photos to commemorate the District's 50<sup>th</sup> Anniversary. The calendar is used as the District annual communication.

## **Projected 2009 Work Plan**

### *Continue Implementation of Watershed District Rule*

The District will continue implementing its new rules during 2009. Also, the District will be evaluating the rules and determining where modifications need to be made. If it is determined that changes are necessary, the District will proceed with a rule amendment process.

### *Complete Implementation of the Eden Prairie Lakes Water Quality Improvement Project*

Substantial progress on the Eden Prairie Lakes Water Quality Improvement Project was made in 2008. In 2009, the District hopes to implement the remaining components of the project. Elements of the project that remain to be completed are the restoration of the Cardinal Creek wetland area, vegetative restoration and stabilization of the nature trail constructed around the Cardinal Creek wetland, and revegetation on the stormwater pond near Northwest Anderson Lake. The District also plans to take more lake sediment samples to analyze curly leaf pondweed turion viability in Northwest Anderson Lake and Southwest Anderson Lake. This will help determine the effectiveness of the drawdown.

### *Implementation of the Hopkins Streambank & Habitat Restoration Project*

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 2009, the District will work with the City of Hopkins to complete the project designs, bid the project and begin implementation. The project has been split into two phases. Phase one includes the upstream portion of the project that included mainly streambank stabilization. Phase one is

anticipated to start in the summer of 2009. Phase two includes the downstream portion of the project that incorporates significant bioengineering and re-meandering of Nine Mile Creek. It is anticipated that construction on Phase two will begin in the fall/winter of 2009.

#### Continue UAA /Lake /Creek Studies

In 2009, the District will continue to monitor Nine Mile Creek with the WOMP stations. The District will continue use of the continuous turbidity monitoring transducers at each of its WOMP stations. The District will also continue its lake monitoring program, collecting data on Bryant Lake, Glen Lake, Normandale Lake, Lower Penn Lake and Southeast Anderson Lake.

The District will be completing the Use Attainability Analysis on Wing Lake, Holiday Lake and Lake Rose in Minnetonka. The study will analyze water quality data, conduct a macrophyte study on the lakes and make recommendations for watershed best management practices.

#### Citizen Assisted Lake Monitoring Program (CAMP)

In 2009, the District will continue to support 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 adding Lower Penn Lake to the CAMP program.

### 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 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 in 2009. The CAC will assist with numerous education and outreach events developed to celebrate the District's 50<sup>th</sup> Anniversary.

### District Website

In 2009, the District will continue to utilize its website for public information, education and outreach. The District plans to add its water quality data and fact sheets on the water resources of the District to the website. The District will also post project reports and updates.

### Technical Advisory Committee

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

Education and Outreach Activities

2009 District Anniversary Events

2009 marks the 50<sup>th</sup> Anniversary of the Nine Mile Creek Watershed District. To celebrate this milestone, the District will be hosting several exciting events to engage the public and raise awareness about the resources of the Nine Mile Creek Watershed.

In 2009, the District will be a partner in the Minnesota Department of Transportation's Adopt-A-Highway Program. The District will be hosting its third Earth Day Clean Up Event on this newly acquired Adopt-A-Highway segment. The District will again collaborate with its CAC to host the Summer Education Series.

The District will also be hosting numerous events. The events will include a rain barrel art contest, a flotilla in partnership with the City of Bloomington's 4<sup>th</sup> of July sand castle building event, a native garden competition, and a native garden tour.

Also in its third year, the District will again be hosting the Summer Education Series. This series of educational programs & events are held on the second Wednesday of June, July, and August. This year the Summer Education Series events include a bird watching walk in June, a presentation and demonstration on the Volunteer Stream Monitoring Program in July, and a talk on gardening with native plants in August.

As a special commemoration of the District's 50<sup>th</sup> Anniversary, the District commissioned a book on the history of the Nine Mile Creek Watershed and on the Watershed District. This exciting book will be completed in early 2009. Following the completion of the book, the District will be hosting numerous presentations and talks by the book's author, award winning author Ms. Deborah Morse Kahn. It is anticipated that these history presentations will be very well attended.

The District will participate in local community and environmental fairs. In 2009, the District will participate in 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.

The District will continue to incorporate 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.

#### *Blue Thumb*

In December 2008, the District became a Blue Thumb program partner. In 2009, the District will work with the Blue Thumb program to provide education and outreach programs to the citizens of the Nine Mile Creek Watershed District. Many of the programs described above are being used as Blue Thumb education programs.

#### *Wing, Rose, Holiday Lakes Use Attainability Analysis*

In 2009, the District will be completing the Use Attainability Analysis for Wing Lake, Lake Rose and Holiday Lake in the City of Minnetonka. The Use Attainability Analysis will analyze water quality data, conduct a macrophyte survey on the three lakes, and identify recommendations for best management practice implementation to improve the water quality of the three lakes.

### 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 begin the feasibility/engineers report for the project in 2009.

### Southeast Anderson Lake Project

The District accepted a petition from the City of Bloomington for a water quality project on Southeast Anderson Lake in March 2008. The District will be completing the Engineer's Report for the project and begin implementing the multi-year project in the spring of 2009.

## **Permitting Activity**

### *Summary of Permits and Variances Issued and Denied*

In 2008, the Nine Mile Creek Watershed District adopted and began implementing new rules. The District reviewed and granted 55 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 – 29; Edina – 14; Eden Prairie – 3; Hopkins – 1; Minnetonka – 6; Richfield – 2.

The District subjects projects to a preliminary review so that it can issue permits simultaneously, or shortly after, municipal permits. In 2008, 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 2008, the District reviewed and approved one (1) 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 2008, 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. In 2008 the District approved the Local Water Management Plans for the City of Minnetonka and the City of Richfield. The cities of Edina, Eden Prairie, and Hopkins 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 2008, the District produced 2009 Nine Mile Creek Watershed District Calendar to use as its annual communication piece. Copies of the written communications are included in the Appendix.

The District also had numerous newspaper article written about various District projects and activities throughout 2008.

### **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 2008 Audited Financial Report may be found in the appendix to this Annual Report.

### **2009 Annual Budget**

The District adopted its 2009 Annual Budget in September 2008. The 2009 Budget may be found in the appendix to this Annual Report.

## **Appendix**

- 1. Annual Financial Audit**
- 2. 2009 Approved Annual Budget**
- 3. Copy of Annual Communication**