

HENNEPIN COUNTY

MINNESOTA

Memo

To: Hennepin County Board of Commissioners

From: Rosemary Lavin, Director

Date: September 4, 2025

Re: Nine Mile Creek Watershed District Board appointment

To aid in your preparation for the board action on the watershed appointment on Tuesday, September 9, Environment and Energy staff recommend the county board consider which applicant¹ will “fairly represent” the hydrologic areas in the district, if appointed.

Since there is no statutory definition of “hydrologic area,” staff recommend you rely on watershed districts’ own watershed management plans for guidance. The board action on September 9 will include the appointment of a manager to the Nine Mile Creek Watershed District. That District has identified 23² major subwatersheds, which can be understood as “hydrologic areas”:

“The drainage system through the [Nine Mile Creek Watershed District] is primarily defined by Nine Mile Creek, but is also characterized by many wetlands, lakes, and conveyance systems which all eventually drain to the Minnesota River. For management purposes, the District has broken down the watershed geographically into [23] major subwatersheds. A subwatershed is an area of land that drains directly to a common waterbody (or series of connected waterbodies).”

¹ The board must appoint city-nominated candidates only if there are at least three (3) such nominations, *and* if appointments made from those applicants would fairly represent the hydrologic areas of the watershed district. Minn. Stat. § 103D.311. In this case, the only applicant did receive a city-nomination. Because there are not 3 city-nominated applicants, the board may appoint any applicants that fairly represent the hydrologic areas.

² The District’s Comprehensive Watershed Management Plan identifies 20 major subwatersheds, but county staff confirmed with the District that “20” is a typo, and the District recognizes 23 major subwatersheds.



The District's own hydrologic divisions seem most appropriate for use in determining appointments that "fairly represent the various hydrologic areas within" the Nine Mile Creek Watershed District.

This watershed district has a total of five (5) managers, all of whom are appointed by Hennepin County. There is one (1) seat up for Hennepin County appointments on September 9. Of the other four (4) seats held by current managers, two live in the Bryant Lake subwatershed, one lives in the Main Stem Nine Mile Creek subwatershed, and one lives in the Minnetoga Lake subwatershed.

To further assist the county board in determining whether the applicants will fairly represent the hydrologic areas, a table is provided below, which identifies the four current, continuing managers and the current applicant for the vacancy, as residents of the various subwatersheds, or hydrologic areas.

| | Continuing Managers | Olson* |
|-----------------------------------------|--------------------------------|---------------|
| North Branch Nine Mile Creek | | |
| Shady Oak Lake | | |
| Minnetoga Lake | # | |
| Glen Lake | | |
| Holiday/Wing/Rose Lakes | | |
| Birch Island Lake | | |
| Bryant Lake | ## | |
| Lone Lake | | |
| Mirror Lake | | |
| Highlands Lake | | |
| Hawkes Lake | | |
| Arrowhead Lake | | |
| Indian Head Lake | | |
| Normandale Lake | | |
| Smetana Lake | | |

| | | |
|------------------------------------------|---|---|
| Anderson Lake (Upper, Middle) | | |
| Anderson Lake (Lower) | | |
| Bush Lake | | |
| Lake Cornelia | | # |
| Lake Edina | | |
| Main Stem Nine Mile Creek | # | |
| Penn Lake | | |
| Oxboro Lake | | |

* Designates 2-time incumbent, which would require a supermajority

The county board may appoint a single applicant and comply with chapter 103D. There are many subwatersheds in this particular district and, taking into account the many subwatersheds without a current manager representative, and the fact that there is only one applicant for the vacancy, appointing the applicant would continue to maintain a fair representation of the hydrologic areas of the Nine Mile Creek Watershed District.

If you have questions on this recommendation, please contact Karen Galles, Natural Resources Manager in the Land and Water Unit at 612-235-0712 or Karen.Galles@hennepin.us.

CC: Jodi Wentland
 Lisa Cerney
 Ben Schweigert, HCAO
 County Clerk's Office