



Carver County Water Management Organization Citizen Advisory Committee

1. Introduction of new member
2. Approval of the February 27th, 2020 minutes and April 28th, 2020 agenda
3. Notes from the field
4. Business items
 - a. Stream monitoring
 - b. 2020 & 2021 Subsurface Sewage Treatment Systems program
5. Information items & project updates
6. Adjournment

April 28th, 2020

WebEx virtual meeting

6:00 p.m. to 8:00 p.m.

Committee Mission

Work with CCWMO staff to proactively make recommendations to the County Board on matters relating to water management including;

- projects and project prioritization
- Funding and water levy
- Water Plan, Groundwater Plan & Solid Waste Plan
- Water quality and TMDL program and projects
- Education program and projects
- Feasibility studies

MEETING OF THE
CARVER COUNTY WATER MANAGEMENT ORGANIZATION ADVISORY COMMITTEE
MEETING MINUTES
Thursday February 28th, 2020

COMMITTEE MEMBERS PRESENT

<i>Carroll Aasen</i>	<i>Citizen, East & West Chaska Creek</i>
<i>Jim Boettcher</i>	<i>Citizen representing Commissioner District 1</i>
<i>Mike Lynch</i>	<i>Citizen representing Commissioner District 4</i>
<i>Rob McKenna</i>	<i>Citizen representing Commissioner District 3</i>
<i>Stan Wendland</i>	<i>SWCD Board Representative</i>
<i>Mary Strother</i>	<i>Citizen, Bevens Creek</i>
<i>Doug Kammerer</i>	<i>Citizen, Crow River/Pioneer Creek</i>

COMMITTEE MEMBERS ABSENT

<i>Marcus Zbinden</i>	<i>SWCD Board Member Alternate</i>
<i>Vacant</i>	<i>Citizen, Carver Creek</i>
<i>Thomas Welch</i>	<i>Citizen representing Commissioner District 2</i>
<i>Lori Cox</i>	<i>Citizen representing Commissioner District 5</i>

STAFF PRESENT

<i>Paul Moline</i>	<i>Carver County Planning & Water Mgmt.</i>
<i>Tim Sundby</i>	<i>Carver County Planning & Water Mgmt.</i>
<i>Andy Edgcumbe</i>	<i>Carver County Planning & Water Mgmt.</i>
<i>Jess Norby</i>	<i>Carver County Planning & Water Mgmt.</i>
<i>Mike Wanous</i>	<i>Carver County Soil & Water Conservation District</i>

Meeting Minutes

The meeting was called to order at 6:03 by Carroll Aasen.

Committee members introduced themselves to new member, Rob McKenna, who describes himself as a naturalist and is excited to join the committee.

1) Approval of agenda and minutes

Aasen moved to approve the Feb. 27th, 2020 meeting agenda. Lynch seconded. Motion passed unanimously.

Wendland moved to approve the Jan. 28th, 2020 meeting minutes. Lynch seconded. Motion passed unanimously.

2) Notes from the Field

Edgcumbe presented data about the trend for increasing precipitation and how lake levels have been affected. The year 2019 was the wettest year on record since 1884 with an overall shift

towards a wetter climate and stronger storms. There have been fewer small storm events (0.5" or less) and the frequency of mega storms (6" or more) has almost tripled. More rainfall can be harmful for water quality by increasing runoff and the amount of sediment and nutrients to a lake. More precipitation is leading to higher lake levels which can also lead to property loss. More precipitation can be helpful in some cases by causing a dilution factor and lowering nutrient/sediment concentrations. Staff believe Swede Lake is an example of this because recent water quality has slightly improved. The WMO monitors 20 lakes for water elevation and the DNR has a database of historic and current lake levels across the state. Edgumbe presented trend analysis for WMO lake levels, 14 of which show an increasing trend. Firemens's Lake is the only lake showing a downward trend which could be attributed to the lake being partially used for stormwater reuse. Burandt and Swede have had property owner complaints for high water levels.

Wendland inquired about high-water levels at Lake Minnewashta or Piersons. Edgumbe responded that the WMO doesn't monitor those lakes but the data is available on the DNR website.

Lynch inquired about how creeks will respond this year and how that will affect lake levels. Moline responded that there has been flooding forecasted for this spring because of the high soil moisture content and that a slow melt for snow will be preferred to prevent flooding.

3) Business items

- **No Wake Ordinance**

Moline gave the history of the temporary no-wake ordinances for Lakes Waconia, Reitz, and Bavaria which were established in 2014 (no-wake for the entirety of the lakes) and 2019 (no-wake for all of Reitz and Bavaria, 600 ft from shore for Waconia). The temporary ordinances only lasted for 30 days and the County Board directed WMO staff to draft a permanent ordinance.

Moline reiterated the increasing precipitation trends for our region which lead to high lake levels. The permanent ordinance proposed targets four lakes: Waconia, Reitz, Bavaria, and Piersons. Other lakes within the county that have no-wake ordinances are through their respective cities.

The ordinary high-water level (OHWL) for Lake Waconia is above the FEMA Flood Zone by 6-inches. Water levels technically did not reach the OHWL in 2019 but complaints were still received. The OHWL and FEMA levels are different for each lake so drafting an ordinance based on one or the other could be undesirable.

Wendland inquired about the meaning of OHWL from the DNR. Moline responded the ordinary high water level was the maximum water level over a given period recorded from the DNR, some levels were designated more than 20 years ago.

Moline explained that the WMO is concerned for high water from a water quality standpoint not necessarily a structural damage standpoint.

Conversely, the OHWL is lower for Lake Bavaria than the FEMA Flood Zone. No records from recent years have reached the FEMA level.

The FEMA Flood Zone for Reitz Lake is 4 feet higher than OHWL. The OHWL has been reached or exceeded 8 out of 10 years from 2009-2019.

The FEMA level is slightly below the OHWL for Pierson Lake and recent records show the water level has not gone above OHWL but there were fewer lake level readings (lacking data for 2014 floods).

Water-level summary

OHWL % exceedance: Waconia (2.31%), Reitz (7.11%), Bavaria (15.12%), and Piersons (0%)

FEMA % exceedance: Waconia (3.4%), Reitz (0%), Bavaria (0%), and Piersons (1.09%)

Moline described the ordinance should be representative of an "exceptional" increase. An ordinance that frequently goes into effect will deter recreational boaters and/or cause insensitivity to the ordinance. The proposed ordinance is similar to the temporary ordinances in 2014 & 2019 and will be triggered by the OHWL or FEMA Flood Zone, whichever elevation is lower. Lake elevations would be monitored by PWM staff, authority will be delegated to County Administrator (or staff designee), and the ordinance will be enforced by the Carver County Sheriff's Dept.

Chanhassen lakes are governed by city ordinances. Victoria lakes are also governed by city ordinances except Wasserman Lake which wasn't included in the proposed ordinance because there have been no past complaints received. No other WMO lakes are included in the proposed ordinance because no past requests have been received, most likely because they are lower use lakes. The DNR governs the process for adopting the ordinance that will include a public hearing, coordination with cities, and final DNR approval which can take as long as 120 days.

Moline presented requested feedback on proceeding with the ordinance, the lakes that should be included, thoughts on OHWL vs. FEMA levels, and if there should be two levels for Lake Waconia (lower elevation for no-wake 600 ft from shore, higher elevations for no-wake across the whole lake).

Boettcher asked for clarification when the ordinance turns off after being in effect. Moline responded that it will turn off after 3 consecutive days of the water level being 0.1 below the ordinance level. Boettcher mentioned a bill that was introduced that will require no wakeboard boats within 200 feet of shore. He also asks if the ordinance on Lake Waconia would include Coney Island, Moline responded yes because the main goal is to maintain water quality by reducing any shoreline erosion.

Lynch inquired about Sheriff staffing on weekends if they are to enforce it and the process. Moline responded that they will respond to complaints and signs would go up around the lake to notify boaters as well as public media outlets.

Boettcher commented that signs should go up proactively to catch early morning boaters.

Lynch asked why a no-wake zone of 600 ft vs 300 ft was chosen. Moline said that the same distance is used on Minnetonka and it helps to be consistent for recreational boaters.

Wendland inquired if a level can be chosen that is neither OHWL or FEMA. Moline comments that yes we could look at overall historical levels and the percent of total exceedance but it is probably best to use an already established number. It is possible that the DNR may decline the WMO's proposal and only take OHWL into account. Boettcher mentioned Lotus recently dropped their ordinance to 6 inches below OHWL.

McKenna inquired if boats were registered by county (staff answer: no it is statewide registration) and how they were to inform boaters of no-wake. Moline mentioned they would inform with mailings/postcards to lakeshore owners and other public outlets.

Lynch asked about the outlet of Lake Waconia which Moline described as a small channel into Lake Burandt.

Wendland inquired about steep banks for these lakes. Staff commented that Waconia has bluffs on the north and east sides, Bavaria and Reitz also have some steep lawns and banks in several spots too.

Moline commented that one large reason for inclusion of Reitz and possibly Piersons is due to proximity to Waconia. The goal is to prevent boaters trying to escape the ordinance to nearby lakes.

Aasen inquired if we can correlate Lake Waconia ordinance to Lake Minnetonka to be consistent and prevent traveling boaters. Moline commented that Minnetonka has more water-level control with the dam and that it behaves differently compared to WMO lakes. Aasen mentioned to compare the OHWL to FEMA levels of Minnetonka similarly to how they were done for the four WMO lakes in the proposed ordinance.

Wendland asked if the past ordinances proved to prevent damage and Moline commented most likely yes, especially in 2014.

McKenna inquired of the intent of the permanent ordinance which Moline responded that temporary ordinances must have board approval which can be untimely. It'll be more efficient to have a permanent ordinance that automatically kicks in so action can be taken sooner.

- **Lake monitoring report**

Edgcumbe presented the 2019 monitoring summary for WMO lakes. The WMO monitors 19 lakes bi-weekly from April to October. Many parameters are monitored but the state uses three standards (Phosphorus, Chlorophyll-a, and transparency) to classify if a lake is healthy or unhealthy.

Phosphorus is an important parameter to monitor because it is a nutrient that can cause algae blooms in excess concentrations. Sources include agricultural fields, stormwater runoff, eroding banks and shorelines, and internal loading.

Chlorophyll-a (chl-a) is a pigment responsible for photosynthesis in plants and algae. Chl-a concentrations are basically a measure of algae suspended in the water column. Large concentrations reduce water clarity, some algae can produce toxins, and a decrease in dissolved oxygen can happen when the algae decays.

Transparency is a measurement of how clear the water is and is measured with a Secchi Disc. High concentrations of algae and/or suspended solids decrease water clarity.

Edgcumbe presented 2019 phosphorus (P) data for WMO lakes. Four lakes met the state standard (Bavaria, Brickyard, Courthouse, and Firemen's). Fifteen lakes did not meet the state standard. Waconia and Burandt only slightly exceeded the state standard. Four lakes show a 10-year downward trend for P (Courthouse, Jonathan, Miller, and Swede) while two show an upward trend in P concentrations (Bavaria and Benton).

Edgcumbe presented 2019 Chlorophyll-a data for WMO lakes. Only three lakes met the state standard for chl-a (Firemen's, Courthouse, and Brickyard) with five lakes showing a 10-year upward trend in chl-a concentrations (Bavaria, Benton, Eagle, Goose, and Hydes). Lake Bavaria shows an upwards trend for both P and chl-a.

Edgcumbe presented 2019 transparency for WMO lakes, nine of which met the state standard for transparency (Bavaria, Brickyard, Burandt, Courthouse, Eagle, Firemen's, Reitz, Swede, and Waconia). Two lakes show a downward 10-year trend in transparency (Firemen's and Goose) while two show an increasing transparency trend (Courthouse and Swede).

2019 Lake Grades: A (2), B+ (1), C (4), D (5), and F (7)

<https://carver.maps.arcgis.com/apps/Cascade/index.html?appid=e3946798c8134f5899e43cd948fff556>

McKenna asked who takes action on improving lake water quality, specifically for lower grade lakes. Moline responded that the WMO is charged with that and commented on the Water Plan for WMO goals. He added that many of the lakes with poor grades have remained the same for as long as the WMO has been around if not more. Improving lake water quality is complex.

- **2019 Water Management Organization and Soil & Water Conservation District annual reports**

Moline introduced the 2019 WMO annual report that will get submitted to the state after the County Board approves it. The annual report talks about 2019 highlights of the six WMO program areas: monitoring, permitting, education and outreach, projects, planning and research, and administration

2019 annual report highlights:

Monitoring

- Started year-round chloride monitoring for WMO lakes.
- Baseline calcium levels were determined for WMO lakes.
- Maintained groundwater monitoring
- Lake vegetation monitoring program was expanded to better understand existing lake macrophyte communities.

- The monitoring program includes 19 lakes sampled, 15 streams monitored, 28 locations for E. coli, and 20 stream sites monitored for turbidity.

Permitting

- Staff began meeting with members of the Technical Advisory Committee to revise the Water Rules.
- Staff reviewed applications for 3 potential wetland banks.
- In 2019 there were a total of 58 permits, 5 landowner cost share projects installed, 117 erosion and sediment control inspections completed, 29 stormwater BMPs installed, and 35 WCA permits reviewed.

Education

- New education displays like the watershed puzzle that was displayed at the County fair.
- The first-year pilot of the irrigation program was considered a success from participant response and reductions in water use data. This program allows residents to receive cost share for a smart irrigation controller for more efficient residential water use.
- In 2019, 38 educational programs were offered and an estimated 16,000+ people were directly reached through outreach.

Projects

- Program highlights include 13 active projects with \$377,000 money in WMO funds and over \$550,000 in grant funding.

Wendland asked about the SSTS program, which Moline responded that we have completed the program for the designated watershed but there is a year lag with installation.

Planning and research

- Highlights include two local water plans being approved
- Two feasibility studies (which help in grant funding), and three research project partnerships with the Carver SWCD.

Administration

- Annual budget information is not available until June pending state audit.
- Active grants (8) total more than \$1.2 million.
- There were 10 citizen advisory committee meetings and 3 technical advisory committee meetings in 2019.

10 year accomplishments:

- 29 cost share projects
- 307 urban stormwater management practices
- 681 septic systems replaced
- About 39,000 people directly reached through education

Wanous presented the annual report for the Soil & Water Conservation District. He explained that Soil & Water Conservation Districts are a political subdivision of the state and that they work closely with the WMO. There are SWCDs in almost every county (minus Hennepin & Ramsey), they were originally formed after the Dust Bowl, and they do not have taxing authority. The SWCD has an elected Board of Supervisors from five districts within Carver County and a staff of seven.

Wanous presents the 2019 accomplishments for the Carver SWCD which he breaks down into two categories: Agricultural programs & urban programs

Highlights for the 2019 Ag program include:

- Installation of 4 grassed waterway for a total of 3,993 ft that stabilize areas of concentrated flows with perennial vegetation
- Installed 3 WASCOD's (water and sediment control basins) that are designed berms to temporarily store water on the landscape to allow sediment to drop out
- Sold 8,725 trees to 128 landowners
- Rented the Great Plains Drill to 12 landowners for seeding 158 acres
- Wrote prescribed burns for 305 acres of native prairie
- Four landowners participated in the new cover crop program
- 224 acres of restored wetlands and upland native vegetation through CREP program which includes 15 years of CRP payments and one large lump sum RIM payment for landowners

Wanous gave an overview of a large-scale wetland restoration project that restored 152 acres of wetland and upland draining into Patterson Lake. The property has been historically wet, and the landowners had installed lift pumps to make the land farmable. A permanent easement is placed on the property which require funds from many partners. Costs for the project totaled over \$1.5 million dollars.

Wanous highlighted past wetland restoration successes: sod farm near Lake Waconia (2011), wetland banking site near Reitz Lake (2014), and the Watertown wetland restoration (ongoing)

Wanous gave an overview of the Buffer Law that went into effect from Governor Dayton. The SWCD is charged with implementing the law that requires a 50 ft average buffer on public ditches. 3,725 landowners have complied, 12 are working towards compliance, and 4 have been referred to the state for legal enforcement.

Wanous highlighted the cover crop program which provides cost share and incentives to landowner to plant a cover crop over the winter. He also highlights wetland compliance through the Wetland Conservation Act (WCA) for both Ag and Urban programs. The SWCD is a member of the Technical Evaluation Panel (TEP) that met for 60 meetings or reviews in 2019. Restorations were completed on 3 previous sites. The SWCD also provides technical assistance to the WMO.

Wanous presented 2019 highlights for the Urban Conservation program:

- 54 plan reviews that followed Water Rules
- 133 construction site erosion and sediment control inspections
- 21 inspections for stormwater treatment installations
- 2 violations that required enforcement to comply with Water Rules

The SWCD provides technical assistance to WMO, RPBCWD, and LMRWD for cost-share programs for urban stormwater management which included: 73 site visits (15 in WMO), designed 15 projects (8 in WMO), and installed 19 projects (5 in WMO)

The SWCD started a new pollinator program in 2019 that provides cost-share for replacing turf grass with pollinator habitats. The designed and assisted with installation of 3 projects and conducted 31 site visits.

The SWCD also provides drainage ditch inspections for all public drainage systems in the County, hosts education events, and provide assistance to other county departments such as Parks and Environmental Services.

Strother asked about landowner rights with buffer laws next to public water. Wanous responded that the buffer doesn't change that the property is still private property. He mentioned that all public waters are technically waters of the state but the land would be under ownership.

Wendland asked if you can harvest the grassed buffer area which Wanous explained no they cannot.

Moline commented how having a SWCD partnership is extremely useful for a WMO with a relatively small staff compared to other Watershed Districts.

Lynch asked for clarification on neighboring landowner rights for the wetland restoration near Patterson Lake since it will likely cause flooding to nearby properties. Wanous explained that in this case there are no legal ramifications because they are simply removing lift pumps that the landowner had installed and ran for 60 years. The nearest landowner that will likely be affected was approached to join the CREP program and declined.

4) Information items and project updates

Meeting adjourned at 8:02 pm.



Water Management Organization Advisory Committee

April 28th, 2020 Meeting

Business Item

Subsurface sewage treatment system 2020 program

Water Management Plan Related Goals

- Goal SW-1 Maintain or improve the physical, chemical, biological, and aesthetic condition of surface water resources in the CCWMO, taking into account the watershed context of each resource.
- Goal MON-1 To maintain a comprehensive, accurate assessment of surface and ground water quality trends over the long term and comply with all current and future TMDL's monitoring and assessment protocols. This data will be used to compile trend analysis, assess BMP effectiveness, and complete TMDL studies.

Summary:

In 2008, Carver County staff began a Sub-surface Sewage Treatment System (SSTS) Incentive Program to replace direct discharge sewer systems to reduce contributing bacteria to Bevens and Carver Creeks. Both Bevens and Carver Creek are impaired with bacteria. Since its beginning, the program has helped homeowners replace 398 direct discharges through loans and cost share assistance. Each year new sub-watersheds are targeted for this program. There is \$68,000 in WMO funds approved for the 2020 program. An up to date summary of the program activities will be presented, a short summary of the current data and results, and a discussion regarding the 2020 program and recommended target sub-watersheds.

Discussion Points:

- Input and questions on the program and the recommended targeted sub-watersheds for 2020.

Recommended WMO Advisory Committee Action:

- Motion to accept staff recommendation for the next sub-watersheds to target for the SSTS direct discharge incentive program.

Attachments:

- SSTS memo
- 2020 proposed sub-watershed map



Carver County Water Management Organization

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Chaska, Minnesota 55318
Phone: (952)361-1820
Fax: (952)361-1828
www.co.carver.mn.us/water

Memo

To: WMO Advisory Committee Members
From: Paul Moline, Carver County Water Management
Date: April 22, 2020
Re: PROPOSED 2020 DIRECT DISCHARGE SSTS COST SHARE PROGRAM

Enclosures: Priority sub-watershed maps

The Total Maximum Daily Load (TMDL) Implementation Plan for the Bevens, Carver, & Silver Creek Watersheds was approved by the state (MPCA) and the County Board in 2007. The implementation plan calls for a reduction of fecal loads sources in the watersheds, mainly agricultural manure source runoff and direct discharge SSTS systems. The County Board has approved a landowner incentive program for SSTS annually since 2008 that has proved successful. The program was targeted in the Bevens, Silver and Carver Creek watersheds up to this point and is now expanding into the Crow River watershed.

PROGRAM ACCOMPLISHMENTS

SSTS Direct Discharge Program began in 2008 and has accomplished the following to date:

- **Total participants/SSTS replaced:** 398
- **Loans Taken:** 152

2020 PROPOSAL

The TMDL implementation plan is continuing in 2020 with funding directed by the Board in the 2020 WMO budget. This will be the first year for the program in the Crow River Watershed. The following sub-watersheds are recommended by staff (See attached map):

- | | |
|--|----------------------------|
| 1. Crow River: Smith tributary (in Camden Twp) | - 6 likely systems |
| 2. Crow River: JD9 tributary (in Camden & Hollywood Twps) | - 10 likely systems |
| 3. Crow River: Lippert tributary (in Hollywood & Watertown Twps) | - 12 likely systems |
| 4. Crow River: CM28 tributary (in Camden & Young America Twps) | - 7 likely systems |
| 5. Crow River: WT31 tributary (in Waconia Twp) | - <u>3 likely systems</u> |
| TOTAL | - 38 likely systems |

Factors leading to the recommendation are as follows:

- Ecoli monitoring data for overall counts and seasonal counts
- Geography of the sub-watersheds (lake presence, size)
- Distribution of funds across multiple townships
- Number of likely systems in the sub-watershed
- Coordination with other WMO plan efforts priorities

2020 FUNDING

Available Incentive Funds – 2020 CCWMO budget has \$68,000 available for SSTS direct discharge incentives (up to 34 systems)

Available loan funds estimate: There is approximately \$650,000 available for loans in 2020, enough to fund approx. 43 systems at the maximum loan amount.

2020 COST SHARE QUALIFICATIONS

Similar to previous years, incentive recipients must sign up for the cost share with no previous SSTS trigger (i.e. current enforcement, compliance inspection as a result of property transfer, complaint, or building permit).

1. Located in 2020 Priority Sub-Watersheds – The County will provide a cash grant of 25% of the cost of a new system up to \$2,000 for the upgrade of systems identified as a likely direct discharge system in the priority sub-watersheds. Owners of likely direct discharge systems in the priority sub-watersheds with no previous trigger (i.e. current enforcement, compliance inspection as a result of property transfer, complaint, or building permit) must sign up by September 30, 2020, and must install the system by September 30, 2021. Owners that do not sign up shall be required to submit a Compliance Inspection to the County by September 30, 2020. The County will also offer a low interest loan with an amortization of up to 10 years to qualified applicants.
2. Located outside 2020 Priority Sub-Watersheds – For systems outside of the priority sub-watersheds, the loan funds with an amortization of up to 4 years and the cash incentive of \$2,000 will be available on a first-come, first-serve basis after September 30, 2020 until allocated funds are depleted. For systems outside of the priority sub-watersheds, the owner would be required to replace SSTS within ten months of completing Cost Share Form.

Payment will be issued to the SSTS contractor upon successful completion of the project (as determined by Environmental Services Staff).

2021 Program

Staff is recommending that the program be continued into the Crow River Watershed in 2020 using WMO funds. There will approximately an additional 177 likely systems remaining in the watershed following the 2020 year.

CCWMO Advisory Committee

April 28th, 2020 Meeting

Business Item
<i>2019 Stream Monitoring Update</i>
Water Management Plan Related Goal
Goal MON-1 To maintain a comprehensive, accurate assessment of surface and ground water quality trends over the long term and comply with all current and future TMDL's monitoring and assessment protocols. This data will be used to compile trend analysis, assess BMP effectiveness, and complete TMDL studies.

Summary

Presentation of the 2019 stream monitoring results.

The Carver County WMO implements an annual stream monitoring program that includes monitoring four stream and one river system county wide. These samples are collected to determine the overall health of Carver County streams. WMO staff utilize this data to assess trends in stream chemistry over historical periods, which aides in prioritizing potential projects to mitigate pollutant loading in each watershed.

Discussion Points

- Questions about monitoring methodology, results, and trends

Recommended WMOAC Committee Action

- No formal action required. Feedback and discussion only.



Carver County Water Management Organization Advisory Committee

Upcoming Meetings

Date	Meeting Type	Business Items
5/26/2020	Virtual	2021 Project Recommendation 2021 CCWMO Levy Recommendation
6/30/2020	Regular or Tour?	
7/28/2020	Regular	
8/25/2020	Regular	

Other Events

Date	Program	Details
6/28/2020	Sustainable Lawns online workshop	In this practical webinar you'll learn everything from how to assess your current lawn, to selecting the right seed, planting, and maintaining a no-mow or pollinator lawn. You will have an opportunity to ask the presenter questions in the Q&A at the end. Register here: ninemilecreek.org/turf1/
