



Title: Conditional Approval of Minnetonka Local Water Management Plan Amendment

Resolution number: 23-040

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Recommended action: Conditional approval of the City of Minnetonka's amended local water management plan

Past Board action: Res # 18-128 Title: Approval of Minnetonka Local Water Management Plan

Summary:

The City of Minnetonka has submitted an amendment to its local water management plan to the Minnehaha Creek Watershed District (MCWD) for review and approval. A local water management plan is a required element of each city's comprehensive land use management plan. MN Statutes §103B.235 and MN Rules §8410.0160 grant watershed districts the authority to review and approve local water management plans.

The purpose of the amendment is to incorporate updated flood modeling results based on recently completed stormwater management models for the entire city. These changes reflect updated Atlas 14 precipitation-frequency estimates as well as land use changes and infrastructure additions and modifications made throughout the city in recent decades. The updated models were used to establish revised flood elevations throughout the city and provide a tool to plan and prioritize future system improvements. A summary of the proposed changes (prepared by City staff) is attached, and the full amendment is available at the following link: [2023 WRMP Updates](#).

The proposed changes to the City's plan are generally limited to incorporating information regarding the flood model updates and revised flood elevations. The model updates included the development of a "future conditions" model that incorporates potential system modifications for consideration in the future to reduce flood risk within the watershed. The City has not proposed changes to its capital improvement program as part of this amendment. As a next step, the City will be developing a flood mitigation prioritization strategy and attempting to address increased flood risk through the existing capital improvement program, with updates to be made in its next local water management plan.

The City's plan acknowledges that, for any proposed infrastructure changes, there is a need to consider potential impacts including upstream and downstream flood risk, erosion potential, wetland protection, and water quality. The plan also notes the need to consider input from other entities, including watershed districts.

As a regional agency charged to align water management policies and manage flood risk across municipal boundaries, MCWD staff's review was focused on understanding the potential for downstream impacts that may result from the City's efforts to reduce flood risk. As cities across the MCWD take steps to reduce flood risk within their boundaries, particularly in the context of climate change, flood risk may be transferred downstream and there may be downstream water quality, channel or ecological impacts from increased or altered flows. The MCWD is undertaking a significant effort to develop a two-dimensional hydraulic and hydrologic model, to develop a better understanding of these risks at a watershed scale.

The MCWD desires to work cooperatively with its cities to develop an understanding of these risks and to refine policy approaches to limit them, on both a project-specific and a system-wide basis. In this spirit, staff has requested that the City refine the proposed amendment to incorporate additional language that acknowledges the potential for downstream impact and expresses a commitment to work cooperatively with the MCWD to understand and prevent or minimize downstream impacts. Staff has discussed this proposed addition with City staff, and they have expressed a willingness to incorporate additional language to acknowledge and address the MCWD's concerns. City staff requested that the MCWD issue a conditional approval to allow their process to proceed while the additional language is finalized and incorporated.

MCWD staff request that the Board of Managers approve the City of Minnetonka's local water management plan, as amended, conditioned on submission of a final amended plan that incorporates language that:

1. Acknowledges the potential for cumulative downstream impact posed by the City's flood risk reduction efforts
2. Expresses a commitment to work cooperatively with the MCWD to understand and prevent or minimize downstream impacts, including:
 - a. Engaging MCWD in the development of the City's flood mitigation prioritization strategy
 - b. Coordination on a project-specific basis to evaluate options to manage flood risk
 - c. Advising MCWD in its development of a two-dimensional model to inform flood risk management policies
 - d. Exploring opportunities to partner with MCWD on regional flood storage projects

Attachments:

Minnetonka staff memo summarizing the proposed amendment



RESOLUTION

Resolution number: 23-040

Title: Conditional Approval of Minnetonka Local Water Management Plan Amendment

- WHEREAS, on June 1, 2023, the City of Minnetonka (City) submitted an amendment to its local water management plan (LWMP) for MCWD review and approval pursuant to Minnesota Statutes section 103B.235, subdivision 3; and
- WHEREAS, the purpose of the amendment is to incorporate updated flood modeling results based on recently completed stormwater management models for the entire city; and
- WHEREAS, the LWMP is a primary tool to provide a framework for coordination of land use and water planning through the coordination plan that is a required component of the LWMP under the MCWD's Watershed Management Plan; and
- WHEREAS, MCWD staff reviewed the draft amendment and recommends that additional language be incorporated to strengthen coordination between the City and MCWD on flood risk management, including language that:
1. Acknowledges the potential for cumulative downstream impact posed by the City's flood risk reduction efforts
 2. Expresses a commitment to work cooperatively with the MCWD to understand and prevent or minimize downstream impacts, including:
 - a. Engaging MCWD in the development of the City's flood mitigation prioritization strategy
 - b. Coordination on a project-specific basis to evaluate options to manage flood risk
 - c. Advising MCWD in its development of a two-dimensional model to inform flood risk management policies
 - d. Exploring opportunities to partner with MCWD on regional flood storage projects; and
- WHEREAS, the proposed revisions have been discussed with City staff, and they have expressed willingness to work with MCWD to finalize and incorporate these proposed revisions; and
- WHEREAS, the City of Minnetonka wishes to retain its present water resource regulatory authority within the meaning of Minnesota Statutes §103B.211, subd. 1(a)(3), and assert sole permitting jurisdiction with respect to activities subject to MCWD Erosion Control; Floodplain Alteration; and Stormwater Management Rules; and
- WHEREAS, the MCWD will continue to exercise its present authority with respect to its rules for Appropriations, Illicit Discharge, Dredging, Shoreline and Streambank Stabilization, and Water Body Crossings and Structures under authority provided by MCWD Rules and the Minnesota Department of Natural Resources, and otherwise exercise its permitting and approval authority in accordance with the terms of Minnesota Statutes §103B.211(a)(3); and 1(a)(3); and
- WHEREAS, the LWMP states that the City elects to continue to act as the Local Government Unit responsible to implement the Minnesota Wetland Conservation Act; and

WHEREAS, the MCWD has determined that the amended LWMP meets the requirements of Minnesota Statutes § 103B.235, Minnesota Rules 8410.0160, and is consistent with the MCWD watershed management plan, though revision in accordance with the comments provided by MCWD will strengthen the LWMP;

NOW THEREFORE BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers hereby approves Minnetonka's local water management plan, as amended, conditioned on Minnetonka's submittal of a final amended plan that the District Administrator has found to adequately incorporate the acknowledgements and commitments described above.

Resolution Number 23-040 was moved by Manager _____, seconded by Manager _____. Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: 7/27/2023

Secretary Date: _____

DRAFT



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June 1, 2023

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RE: City of Minnetonka – Local Surface Water Resources Management Plan Amendment

Dear Agency Review Partners:

On May 22, 2023, the Minnetonka City Council discussed a draft amendment to the city's Water Resource Management Plan (WRMP). At that meeting, the city council authorized staff to begin a public engagement process and submit the draft WRMP amendment for agency review and comment.

The city is proposing to amend the WRMP to incorporate updated flood modeling results based on recently completed stormwater management models for the entire city. These changes reflect updated Atlas 14 precipitation-frequency estimates as well as infrastructure additions and modifications made throughout the city in recent decades and land use changes. The updated models were used to establish revised flood elevations throughout the city and provide a tool to plan and prioritize future system improvements.

The proposed changes to the city's WRMP are generally limited to incorporating information regarding the flood model updates and revised flood elevations. Specific changes to the WRMP include the following:

- *Chapter 3: Physical Environment Inventory* has been revised to reflect the updated stormwater modeling methodology, watershed information and flood modeling results. The Watershed Management Organization modeling summaries have also been revised to reflect major updates to the respective watershed model since the development of the 2019 WRMP.
- Chapter 3 tables have been updated. Tables 3-2, 3-3, 3-4, and 3-5 contain watershed data and flood elevations for each subwatershed. Tables 3-6, 3-7, 3-8 and 3-9 contain water quality modeling data that was previously combined with watershed and hydrologic modeling data.
- *Chapter 4: Watershed Plans* provides a summary of water resource information and has been revised with updated watershed delineations and flood modeling results.

- Chapter 4, Table 4-1 has been updated to reflect current watershed data within each drainage subdistrict. Total drainage areas, number of contributing subwatersheds and number of landlocked subwatersheds have been updated. No updates were made to the wetland summary.
- *Chapter 5: Assessment of Issues* describes the complex set of issues that the city faces in managing its water resources. This section was updated in areas that address stormwater runoff rate and volume (flooding) issues.
- *Appendix E: Hydrologic/Hydraulic Models* describes the methodology to develop the stormwater models. This section has been updated to reflect the updated modeling.

The amended sections of the city's WRMP are available at MinnetonkaMatters.com and directly at the following link: [2023 WRMP Updates](#). The current WRMP is also available at this link: [2019 Minnetonka WRMP](#).

This letter initiates a 60-day review period. Please provide comments by 4:30 pm, August 1, 2023. Following the comment period, the city will review and respond to comments received.

Thank you in advance and if you have any questions during your review, please do not hesitate to contact me at 952-939-8239 or polson@minnetonkamn.gov.

Sincerely,



Phil Olson, P.E.
City Engineer
City of Minnetonka

Cc: Sarah Schweiger, P.E., City of Minnetonka
Michael Larson, Metropolitan Council
Angela Torres, Metropolitan Council
Steve Christopher, BWSR
Wes Saunders-Pearce, DNR
Neil Ralston, Metro Airports Commission
Jeff Risberg, MPCA
Mark Wettlaufer, MDH
Hennepin County
Three Rivers Park District
Cities of Chanhassen, Deephaven, Eden Prairie, Edina, Golden Valley, Hopkins, Plymouth, Shorewood, St. Louis Park, Wayzata and Woodland Hopkins, Minnetonka and Wayzata School Districts