



Title:	Adoption of Minor Plan Amendment to Watershed Management Plan
Resolution number:	24-045
Prepared by:	Name: Kate Moran Phone: 952-641-4520 k Moran@minnehahacreek.org
Reviewed by:	Becky Christopher, Policy Planning Director
Recommended action:	Adoption of a minor plan amendment to the 2017 Watershed Management Plan's Table 3.8 Lake Minnetonka Subwatershed CIP
Schedule:	June 13, 2024: Authorization to distribute minor plan amendment July 25, 2024: Public hearing for minor plan amendment August 22, 2024: Adoption of minor plan amendment September 2024: Update Watershed Management Plan
Budget considerations:	N/A
Past Board action:	Res #23-073: Adoption of the Land & Water Partnership Program Res #24-034: Authorization to Distribute Minor Plan Amendment

Summary

Background

In January, the Minnehaha Creek Watershed District (MCWD or District) launched the new [Land and Water Partnership \(LWP\) program](#), which provides technical and financial support for the development and implementation of projects that provide regional water resource benefit. The LWP program promotes early coordination with MCWD and provides an orderly process to integrate partner-led projects into MCWD's Capital Improvement Plan (CIP).

Under the new program, the District provided technical assistance for a city-wide scan of potential opportunities with the City of Deephaven (City). Based on this assessment, the most cost-effective opportunity was identified and includes the construction of an underground infiltration system. The City has submitted a request for funding support for the Calvary Church Stormwater Management Project (Project) and the request has been reviewed by MCWD staff, District Engineer, and the Board of Managers. The Project benefits include an estimated reduction in the total phosphorus loads by 5.4 lbs/yr to Lake Louise, a wetland that drains to the non-impaired Robinson's Bay within the Lake Minnetonka Subwatershed.

The District's 2017 Watershed Management Plan (WMP) includes opportunity-based stormwater management projects in the CIP with the purpose of reducing stormwater volume and nutrient loads to impaired waters. In order to incorporate the Project into MCWD's CIP, a minor plan amendment is required. The proposed minor plan amendment would allow opportunities to reduce stormwater volume and pollutant loading to non-impaired bays to be considered to protect and improve water quality throughout Lake Minnetonka. Attachment 1 provides the redlined changes to the WMP's Lake Minnetonka Subwatershed Plan under this minor plan amendment. The MCWD staff and District Engineer reviewed the Project, and on [June 13, 2024](#), the MCWD Board of Managers authorized the distribution of the proposed minor plan amendment and notice of public hearing to consider ordering the Project.

Agency Review and Comment Period

In accordance with Minnesota Rules Chapter 8410, MCWD requested review and comment on this proposed minor plan amendment from its city, county, and agency partners on July 1, 2024. The comment period closed on July 31, 2024, and no substantive comments were received. On August 5, 2024 the Board of Water and Soil Resources (BWSR) provided its confirmation that the proposed revision constitutes a minor plan amendment. In addition, the Board of Managers held a public hearing at the [July 25, 2024](#) Board meeting for the Calvary Church Stormwater Management Project's minor plan amendment and project ordering. At the public hearing two residents attended and expressed support for the Project.

Requested Action

MCWD staff recommend that the Board of Managers adopt the minor amendment to the 2017 Watershed Management Plan to include opportunities to reduce stormwater volume and pollutant loading to non-impaired bays of Lake Minnetonka and direct staff to incorporate the amendment into the WMP in accordance with Minnesota Rules 8410.

Supporting Documents

Attachment 1: Minor Plan Amendment: Redlines of WMP's Table 3.8 Lake Minnetonka Subwatershed CIP

Attachment 2: Board of Water and Soil Resources WMP Amendment (Minor) Letter - August 5, 2024



RESOLUTION

Resolution number: 24-045

Title: Adoption of Minor Plan Amendment to Watershed Management Plan

- WHEREAS, the Minnehaha Creek Watershed District (“District”) Watershed Management Plan (WMP), adopted pursuant to Minnesota Statutes §103B.231, outlines its intention to respond to opportunities created through land use change by means including opportunity-based projects, to target reduction of stormwater volume and nutrient loads to District surface waters;
- WHEREAS, to operationalize this commitment, the District developed the Land & Water Partnership (LWP) program, which offers technical and financial resources to partner-led projects based on a set of evaluative criteria and establishes an orderly process for such projects to be integrated into the District’s Capital Improvement Plan (CIP);
- WHEREAS, on November 27, 2023, by Resolution 23-073, the Board of Managers adopted the LWP program and directed that the program commence on January 1, 2024;
- WHEREAS, the City of Deephaven (“City”) applied to the program, seeking financial assistance of \$465,750 to support the implementation of the Calvary Church Stormwater Management Project (“Project”) to reduce total phosphorus (TP) loads to Lake Louise, a wetland that drains to a non-impaired bay within the Lake Minnetonka Subwatershed;
- WHEREAS, District staff has evaluated the City’s request using the LWP program evaluation criteria, and recommends that the District contribute funding of \$125,000 for the Project’s underground infiltration system (approximately 20 percent of eligible Project cost);
- WHEREAS, the District Engineer has reviewed the March 22, 2024 LWP – Calvary Church Feasibility Submittal prepared on behalf of the City, as well as cost estimates provided by the City, and advises that the benefits assessment and cost estimate for the Project are reasonable;
- WHEREAS, before the Board may commit funds to the Project, it must incorporate the project into the WMP CIP, review project feasibility and cost-effectiveness, and establish the Project by ordering pursuant to Minnesota Statutes §103B.251;
- WHEREAS, on June 13, 2024, by Resolution 24-034, the Board of Managers authorized the distribution of a proposed minor plan amendment for review by agencies and interested parties in accordance with Minnesota Statutes §103B.231, Minnesota Rules 8410 and the WMP, in addition to outlining that the Board ordering of the Project and approval of LWP funding remains subject to conditions including confirmation of City sources of funding and City acquisition of rights for Project construction and maintenance, and a Project funding agreement between the City and the District;
- WHEREAS, on July 1, 2025, in accordance with MN Rules 8410, the District distributed the proposed minor plan amendment to city, county and agency partners and commenced a 30-day comment period on a proposed amendment to the Lake Minnetonka subwatershed capital improvement program (CIP);
- WHEREAS, on July 25, 2025, the Board of Managers held a duly noticed public hearing on the proposed WMP amendment, and two residents attended to express their support for the Project;

WHEREAS, on July 31, 2025, the minor plan amendment comment period closed without comment of concern by any partner or interested member of the public and, on August 5, 2024, the District received concurrence from the Board of Water and Soil Resources that the proposed revision constitutes a minor plan amendment;

NOW THEREFORE BE IT RESOLVED that the Minnehaha Creek Watershed District Board of Managers adopts the proposed plan amendment; and

BE IT FURTHER RESOLVED that the District Administrator is to distribute the revised pages to the required review agencies and otherwise incorporate the amendment into the District WMP in accordance with MN Rules 8410.

Resolution Number 24-045 was moved by Manager _____, seconded by Manager _____. Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: 8/22/2024

Secretary Date: _____

Table 3.8. Lake Minnetonka Subwatershed CIP

Project	Stormwater Volume and Pollutant Load Reduction
Description	Implementation of opportunities to reduce stormwater volumes and nutrient loading to Lake Minnetonka, including but not limited to construction of infiltration or filtration basins and devices, reforestation, revegetation, and stormwater detention or redirection.
Need	Four bays (Halsted, Jennings, West Arm, Stubbs) and Forest Lake are listed on the State’s Impaired Waters List due to excess nutrients. A TMDL identified a need to reduce external phosphorus loading by 60% (116 pounds) to Forest Lake, 73% (2087 lbs) to Halsted Bay, 72% (1563 lbs) to Jennings Bay, and 51% (142 lbs) to Stubbs Bay. Opportunities to reduce stormwater volume and pollutant loading to non-impaired bays will also be considered to protect and improve water quality throughout Lake Minnetonka.
Outcome	Reduction of pollutant loading to Lake Minnetonka; reduction of stormwater runoff volume and rate and associated impacts; protection and enhancement of groundwater recharge, stream base flow, and wetland hydrology.
Estimated Cost	Capital costs: \$1,000,000, excluding land, in 2017 dollars.
Potential Funding Sources	District levy, partner contributions, grants
Schedule	2018-2027



August 5, 2024

Becky Christopher, Director of Policy Planning
Minnehaha Creek Watershed District
15320 Minnetonka Boulevard
Minnetonka, MN, 55345

RE: Minnehaha Creek Watershed District – Water Resources Management Plan Amendment (Minor)

Dear Becky Christopher:

On July 1, 2024, the Board of Water and Soil Resources (BWSR) received documentation of proposed changes to the Minnehaha Creek Watershed District's (MCWD) Watershed Management Plan (Plan) submitted in accordance with the minor amendment process defined in MN Rules 8410.0140 Sup.2. MCWD also sent the minor amendment documentation to plan review authorities for the required 30-day review and comment period, which ended on July 31, 2024.

The Plan amendment adds new language for stormwater volume and pollutant load reductions to non-impaired bays in the Lake Minnetonka subwatershed Capital Improvement Projects section.

BWSR staff provided no comments, nor did staff with the Minnesota Department of Transportation. Metropolitan Council praised MCWD on the current Plan and felt the proposed changes will benefit the Plan and added no further comments. The Minnesota Pollution Control Agency, Minnesota Department of Health, Minnesota Department of Agriculture, and Minnesota Department of Natural Resources reviewed the proposed minor amendment and had no comments.

No county board has filed an objection to the amendments with BWSR during the comment period. MCWD held a public meeting on the proposed plan amendment in accordance with the rule requirements on July 25, 2024.

In reviewing this information, BWSR agrees that this revision constitutes a minor plan amendment in accordance with MN Rules 8410.0140 Subp.2.

We commend the MCWD for maintaining a current watershed management plan as it leads to greater transparency and demonstrates a commitment to the implementation process. Once the MCWD Board of Managers adopts the changes, please forward it in the form of replacement pages to the Plan to all plan review authorities and plan holders in accordance with 8410.140 Subps. 4 & 5. Refer to the Metro Plan Review Roster, found on the BWSR website, for the plan format that review agencies have requested (BWSR only requires electronic copies/link to the updated pages). We appreciate the opportunity to comment and please contact me with any questions at 651-308-6956.

Sincerely,

Jen Dillum
Board Conservationist

Cc: Megan Moore, MnDNR (via email)
Abby Shea, MDH (via email)
Jeff Berg, MDA (via email)
Maureen Hoffman, Metropolitan Council (via email)
Jeff Risberg, MPCA (via email)
Katie Kowalczyk, MnDOT (via email)