

MEETING DATE: December 14, 2017

TITLE: Approval of Medina Local Water Management Plan

RESOLUTION NUMBER: 17-075

PREPARED BY: Becky Christopher

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REVIEWED BY: Administrator Counsel Program Mgr. (Name): _____
 Board Committee Engineer Other

WORKSHOP ACTION:

<input type="checkbox"/> Advance to Board mtg. Consent Agenda.	<input type="checkbox"/> Advance to Board meeting for discussion prior to action.
<input type="checkbox"/> Refer to a future workshop (date): _____	<input type="checkbox"/> Refer to taskforce or committee (date): _____
<input type="checkbox"/> Return to staff for additional work.	<input type="checkbox"/> No further action requested.
<input checked="" type="checkbox"/> Other (specify): <u>Requesting approval at December 14 Board Meeting</u>	

PURPOSE or ACTION REQUESTED:

Approval of the City of Medina Local Water Management Plan (LWMP)

PROJECT TIMELINE:

- April 21, 2017: City of Medina submits LWMP to MCWD for review
- June 20, 2017: MCWD officially denies and provides comment on the Medina LWMP
- October 9, 2017: City submits revised LWMP
- November 14, 2017: Medina grants extension for MCWD review through December 31, 2017 to address requirements of draft MCWD Watershed Management Plan (WMP)
- November 20, 2017: MCWD and City staff meet to discuss requirements of draft MCWD WMP
- December 4, 2017: City submits revised LWMP
- December 6, 2017: MCWD provides further comment and requested edits
- December 8, 2017: City submits revised LWMP

PAST BOARD ACTION:

- July 16, 2009 - Resolution 09-071: City of Medina Local Water Resources Management Plan Approval
- October 12, 2017 - Resolution 17-063: Authorization to Submit MCWD Watershed Management Plan for BWSR Approval

SUMMARY:

Background:

MN Statutes § 103B.235 and MN Rules § 8410.0160 grant watershed districts the authority to review and approve local water management plans (LWMPs). Under this framework, watershed districts can assign responsibilities to local government units (LGUs) for carrying out implementation actions defined in the watershed plan. Cities are required to update their LWMPs before the end of 2018.

The Minnehaha Creek Watershed District (MCWD or District) is in the process of updating its Watershed Management Plan, including its requirements for LWMPs. The District Plan is scheduled for approval by the MN Board of Water and Soil Resources on December 20, 2017 with adoption by the MCWD Board of Managers anticipated on January 11, 2018.

The City of Medina (City) has submitted its LWMP for MCWD review and approval, with the final draft submitted on December 8, 2017. Given the timing of the City's submittal, the LWMP is subject to the requirements of the District's 2007 Plan; however, the City has agreed to also meet the requirements of the District's draft 2018-2027 Plan.

The District's requirements for LWMPs under its new draft Plan reflect a shift in the District's approach. The District's new Plan relies less on mandates and more on support for a partnership approach to align local and District efforts. The primary focus of the LWMP requirements is on the development of a coordination plan that provides for ongoing awareness and collaboration on City land use planning, infrastructure programming, and development regulation.

District staff reviewed the draft LWMP and provided detailed comments to the City for consideration and incorporation into the LWMP and met with city representatives to discuss the goals and requirements of the District's draft Plan. The City has revised the LWMP to address the District's comments.

Medina LWMP Summary:

The City of Medina is located partially within the MCWD and covers portions of the Long Lake Creek, Painter Creek, and Gleason Lake subwatersheds. Major waterbodies within the City include Katrina, Holy Name, Wolsfeld, School, Thies, and Mooney lakes.

The LWMP identifies the following priority actions and partnership opportunities within the MCWD:

- Implement projects and studies to address load sources identified in the MCWD Plan and Upper Minnehaha Creek Watershed TMDL and Restoration Strategy Report
- Continue to maintain and foster regional partnerships between Long Lake, Orono, MCWD, and the Long Lake Waters Association to improve water quality within the Long Lake Creek subwatershed, including carp assessment and management
- City-wide education program to address manure management
- Provide education and outreach regarding pet waste management
- Establish a manure management ordinance for large farming operations
- Opportunities to partner with MCWD:
 - Improve stormwater management of Tamarack Road when it is reconstructed in 2018-2019
 - Improve Wolsfeld Woods and assess local erosion that may contribute to lake sediment loads
 - Repair/abate erosion on streambanks near Meadow Woods Trail
 - Identify grant sources for improved manure management
 - Internal load management for School Lake
 - Wetland and/or streambank restoration projects along Painter Creek

The City has developed a coordination plan under which it has committed to:

- Meet annually with District staff to exchange and review capital improvement plans
- Route requests for land use approvals for District comment during concept plan review
- Require documentation of MCWD permit issuance as a condition of City approvals
- Involve MCWD staff in Technical Evaluation Panels for the Wetland Conservation Act
- Seek support from MCWD for identifying grants and other funding opportunities for water quality projects
- Share any new or relevant data on an annual basis (e.g. studies, monitoring data, BMP performance)

The City has not proposed to acquire implementation authority for any MCWD Rules and has proposed that it retain Local Government Unit status for the Wetland Conservation Act.

The full LWMP can be found at: <https://wsbeng.sharefile.com/app/#/share/view/s61d98b645124a268?>

Recommendation:

Staff has verified that the LWMP meets the requirements of MN Rules § 8410.0160, MN Statutes § 103B.235, and the MCWD 2007 and draft 2017 Watershed Management Plans and is recommending approval.

RESOLUTION

RESOLUTION NUMBER: 17-075

TITLE: Approval of Medina Local Water Management Plan

WHEREAS, on July 5, 2007, the Minnehaha Creek Watershed District (MCWD) adopted amendments to its watershed management plan (WMP) under Minnesota Statutes §103B.231, which detailed the existing physical environment, land use and development in the watershed and established a plan to manage water resources and regulate water resource use to improve water quality, prevent flooding and otherwise achieve the goals of Minnesota Statutes §103B and 103D; and

WHEREAS, the MCWD is in the process of updating its WMP, with adoption of the revised WMP anticipated on January 11, 2018; and

WHEREAS, the City of Medina (City) has updated its Local Water Management Plan (LWMP) and submitted it to the MCWD for review and approval; and

WHEREAS the City does not wish to assume regulatory authority but, instead, wishes to authorize the MCWD to continue to require permits for the use and development of land, and otherwise exercise its regulatory authority, within the meaning of Minnesota Statutes §103B.211, subd. 1(a)(3); and

WHEREAS, the City wishes to continue to exercise authority as the Local Government Unit for the Minnesota Wetland Conservation Act; and

WHEREAS, the Metropolitan Council has reviewed the LWMP and provided its written comments to the MCWD in a letter on May 26, 2017, and the MCWD has fully considered the comments; and

WHEREAS, MCWD staff reviewed the draft LWMP and provided detailed comments to the City for consideration and incorporation into the Plan and met with City representatives; and

WHEREAS, the City revised its LWMP to address MCWD's comments; and

WHEREAS, the MCWD has determined that the final revised LWMP meets the requirements of MN Rules § 8410.0160, MN Statutes § 103B.235, and the MCWD 2007 and draft 2017 WMP; and

NOW, THEREFORE, BE IT RESOLVED, that the MCWD Board of Managers hereby approves the City of Medina Local Water Management Plan.

Resolution Number 17-075 was moved by Manager _____, seconded by Manager _____.
Motion to adopt the resolution ___ ayes, ___ nays, ___ abstentions. Date: _____.

Secretary

Date: _____