COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: December 8, 2014
AGENDA NUMBER: 10
ITEM: Public Hearing: Minor Comprehensive Plan Amendment

POLICY IMPACT: Policy
FISCAL IMPACT: Not-Budgeted

REQUEST
Conduct hearing on Comprehensive Plan amendment and direct staff on option to proceed

BACKGROUND
On August 11, 2014 the Board of Managers clarified the alignment and extent of County Ditch 17 in Blaine and directed staff to prepare an amendment to the Coon Creek Watershed District’s watershed management plan to reflect the terminus of Anoka County Public Ditch No. 17 south of 97th Avenue.

On September 23, 2014 the Board of Managers of the Coon Creek Watershed District initiated a minor plan amendment of the District’s Comprehensive Plan. The amendment is being conducted under Minnesota Statutes section 103B.231 (11) (2012) and accompanying Minnesota Rules 8410.0140.

The amendment addresses Appendix B: Resource Assessment, Section 6: Stream Flow; the first part (Current Plan section) by inserting a table and map. A copy of that amendment is attached. Changes in text (table) are underlined and highlighted in yellow.

The intent of the amendment is to clarify the presence and extent of the public (county) ditch system within the watershed. On August 11, 2014 the Board of Managers clarified the alignment and extent of County Ditch 17 in Blaine and directed staff to prepare an amendment to the Coon Creek Watershed District’s watershed management plan to reflect the terminus of Anoka County Public Ditch No. 17 south of 97th Avenue. This amendment is intended to clarify that concern as well.

Public & Agency Review: Electronic copies of the amendment were sent to the BWSR on September 29. Hard and electronic copies were mailed to the TAC and the State Agency reviewers listed on the BWSR web site on October 9.

On November 6, 2014 the BWSR concurred that the proposed plan amendment was ‘minor’ and provided notice that the 45 day agency review would begin on October 15 making comments due November 28. At that time the BWSR concurred that the proposed changes to Appendix B constituted a minor plan amendment under MR 8410.0140.
Public Notice: While a public hearing is not required on a minor plan amendment, a public meeting to explain the amendment is required. The District has treated the public meeting as though it was a hearing and has provided public notice in the District official papers on November 21 and December 5 for the December 8, 2014 Board meeting.

ISSUES/CONCERNS
Agency Review and Comment: Electronic and hard copies of the proposed plan amendment were sent to all members of the BWSR review list (N=7) and members of the District’s Technical Advisory Committee (N=7). Comments were received from:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Contact</th>
<th>Date Received</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mn Department of Agriculture</td>
<td>Robert Sip</td>
<td>10/23/14</td>
<td>No comment</td>
</tr>
<tr>
<td>Metropolitan Council</td>
<td>Leisa Thompson</td>
<td>11/7/14</td>
<td>1. The amendment is consistent with MC Policies</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Acknowledges the correction on the terminus of County Ditch 17</td>
</tr>
<tr>
<td>City of Blaine</td>
<td>Jim Hafner</td>
<td>11/26/14</td>
<td>Acknowledges the correction on the terminus of County Ditch 17</td>
</tr>
</tbody>
</table>

Public Comment: Need to provide an opportunity for public comment on the need, and accuracy of the amendment.

OPTIONS
The Board has the following options:
1. Adopt the amendment by adopting the attached resolution

2. Close the hearing, receive comment and direct staff to make the needed corrections for either further review or adoption at the January 12, 2015 meeting

RECOMMENDATION
Adopt the amendment by adopting the attached resolution
PROPOSED RESOLUTION
ADOPTING AMENDMENT TO WATERSHED MANAGEMENT PLAN

WHEREAS, the Coon Creek Watershed District (District) is a metropolitan watershed district and watershed management organization subject to the requirements of the Metropolitan Surface Water Management Act, Minnesota Statutes sections 103B.201-.251; and

WHEREAS, in accordance with Minnesota Statutes section 103B.231 and accompanying Minnesota Rules Chapter 8410 the District has adopted and is implementing its 2013-2023 Watershed Management Plan; and

WHEREAS, the District prepared a proposed amendment to the Watershed Management Plan in which it clarifies the presence and extent of the Anoka County Public Ditch No. 17 system in the watershed district; and

WHEREAS, the Minnesota Board of Water and Soil Resources (BWSR) agrees that the proposed amendment is consistent with the District’s goals, policies and implementation priorities in its Watershed Management Plan, and constitutes a minor amendment as provided under Minnesota Rules 8410.0140, subpart 2; and

WHEREAS, in accordance with Minnesota Rules 8410.0140, subpart 2 the District has distributed the proposed amendment to the required governmental units and agencies for a 45-day comment period, which concluded November 28, 2014; and

WHEREAS, the District received written responses from only two plan review authorities, the Minnesota Department of Agriculture and the Metropolitan Council, neither of which objected to the amendment as proposed; and

WHEREAS, on December 8, 2014, after duly published notice, the District held a public hearing on the proposed amendment to explain and provide the public an opportunity to comment on the proposed amendment; and

WHEREAS, upon hearing and consideration of this matter the District finds that the proposed amendment clarifies the alignment and extent of Anoka County Public Ditch No. 17 with a terminus south of 97th Avenue in Blaine, Minnesota.

THEREFORE BE IT RESOLVED, that the proposed amendment is adopted and is effective as of this December 8, 2014 adoption date;

BE IT FURTHER RESOLVED, that the District Administrator shall provide for the amendment to be printed in the form of replacement pages for the Watershed Management Plan, showing deleted text as stricken and new text as underlined, renumbered as appropriate and including the amendment’s effective date, and within 30 days shall distribute copies of the amendment, electronically or in physical form, to all agencies and individuals who have received a copy of the Watershed Management Plan, and to those who have requested a copy of the amendment, and shall also make the amendment available for public access on the District’s web site.
Stream Flow
Current Plan

The Coon Creek Watershed District contains the following flowages and conveyance systems:

<table>
<thead>
<tr>
<th>Component</th>
<th>Systems</th>
<th>Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Ditches</td>
<td>20</td>
<td>134</td>
</tr>
<tr>
<td>Other Public and Private</td>
<td>844</td>
<td>173</td>
</tr>
<tr>
<td>Ditches, Swales and Channels</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal Storm Sewer Systems</td>
<td>7</td>
<td>384</td>
</tr>
<tr>
<td>Total</td>
<td>871</td>
<td>690.4</td>
</tr>
</tbody>
</table>

In 2009 the Coon Creek Watershed updated the hydrologic modeling for the watershed using XPSWMM (Wenck & Assoc, 2009).
From: Sip, Rob (MDA) <rob.sip@state.mn.us>
Sent: Thursday, October 23, 2014 1:00 PM
To: Tim Kelly
Subject: Minor Plan Amendment

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Tim,

I took a brief look at the letter dated October 8, 2014 from the Coon Creek WD, regarding a minor plan amendment. The MN Department of Agriculture would have no comments on this issue.

Robert L. Sip
Environmental Policy Specialist
Pesticide and Fertilizer Management Division
Minnesota Department of Agriculture
3725 12Th Street North
St. Cloud, MN  56303

320-223-6531 (Office)
651-319-1832 (Cell)
651-201-6120 (Fax)

rob.sip@state.mn.us
www.mda.state.mn.us
November 5, 2014

Mr. Tim Kelly  
District Administrator  
Coon Creek Watershed District  
12301 Central Avenue NE  
Suite 100  
Blaine, MN 55434

Re: Minor Amendment to Coon Creek Watershed District’s Comprehensive Watershed Management Plan  
Metropolitan Council Reviews File No. 21069-2

Dear Mr. Kelly:

The Metropolitan Council (Council) has completed its review of the minor amendment to the Coon Creek Watershed District’s Comprehensive Watershed Management Plan (amendment), dated October 2014. The amendment is consistent with Council policies and the Council’s Water Resources Management Plan.

The primary purpose of the amendment is to clarify the extent of the public ditch system in the watershed, and particularly to reflect the terminus of Anoka County Public Ditch 17 south of 97th Avenue. The Council has no further comments on the proposed amendment.

If you have any questions regarding this review, please contact Joe Mulcahy at 651-602-1104.

Sincerely,

Leisa Thompson  
General Manager, Environmental Services Division

Cc: Dan Fabian, Minnesota Board of Water and Soil Resources  
    Lona Schreiber, Metropolitan Council District 2  
    Edward Reynoso, Metropolitan Council District 9  
    Marie McCarthy, Metropolitan Council District 10  
    Sandy Rummel, Metropolitan Council District 11  
    Keith Buttleman, Assistant General Manager, MCES Environmental Quality Assurance Dept.  
    Freya Thamman, Metropolitan Council Sector Representative  
    Lisa Barajas, Manager, Metropolitan Council Local Planning Assistance  
    Joe Mulcahy, Water Resources Assessment Section  
    Raya Esmaeili, Metropolitan Council Reviews Coordinator
November 26, 2014

Tim Kelly
Coon Creek Watershed District
12301 Central Ave. NE, Suite 100
Blaine, MN  55434

RE: Coon Creek Watershed District Management Plan Minor Amendment

Dear Tim:

The City of Blaine has reviewed the proposed minor plan amendment to the Coon Creek Watershed (CCWD) District Comprehensive Watershed Management Plan which addresses the presence and extent of the Anoka County Public Ditch No. 17 system in the watershed district. Most of Ditch 17 drains part of Blaine and provides an important function in the City’s stormwater management program.

The work of CCWD staff in clarifying the extent and terminus of Ditch 17 confirms the City’s historic understanding of that drainage system. This information is very helpful in making determinations relative to overall responsibility for drainage and maintenance in that part of the City. This letter is to inform you that Blaine supports the minor plan amendment.

Sincerely,

Jim Hafner
Stormwater Manager