COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: April 8, 2019
AGENDA NUMBER: 11
ITEM: Receive Draft Comprehensive Plan Amendment Process

AGENDA:
Policy

ACTION REQUESTED
Receive Draft Chapter for Amendment to District Comprehensive Water Management Plan

BACKGROUND
On March 11 the Board of Managers granted staff permission to seek input from the District’s advisory committees on a rough draft of the Comprehensive Plan Amendment Process. The plan amendment process is being amended a part of a group of changes and updates to seven chapters needing updates and to bring the Comprehensive Plan and District activities current with legislative requirements and management needs.

The rough draft chapters were reviewed and discussed by both Advisory Committees as follows:

<table>
<thead>
<tr>
<th>Advisory Committee</th>
<th>Date of Review and Discussion</th>
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<tbody>
<tr>
<td>Citizen Advisory Committee</td>
<td>3/13/19</td>
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<tr>
<td>Technical Advisory Committee</td>
<td>3/20/19</td>
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Seven comments/concerns in total were expressed and submitted. The issue, comment and response/action are listed below

ISSUES/CONCERNS

<table>
<thead>
<tr>
<th>Issue/Concern</th>
<th>Comment</th>
<th>Source</th>
<th>Response</th>
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<tbody>
<tr>
<td>Suggestion</td>
<td>P.2: Identifying Needs. Include Board &amp; Staff as potential sources</td>
<td>CAC: Gary Elsner</td>
<td>Will change: Added</td>
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<tr>
<td>Question</td>
<td>P. 3 #5: Would it be appropriate to include “climate” as a source of change</td>
<td>CAC: Gary Elsner</td>
<td>This factor is already included in #5 as a change in physical condition</td>
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<tr>
<td>Issue: Needs for Amending Plan</td>
<td>P.3 #6: Amending the plan to include “projects and activities outside the scope” of the current Comp Plan</td>
<td>CAC: Gary Elsner</td>
<td>We will change the wording to address projects and activities not included or adequately addressed in the existing Comp Plan</td>
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<tr>
<td>Question: Public Involvement</td>
<td>P.1-Regulatory Authority: How will the proposed plan</td>
<td>TAC: Mark Hansen</td>
<td>This statement is a repeat of existing state rule concerning public involvement. While</td>
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<td>Response</td>
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| Recommendation | amendments be communicated to the public? | | the concern is a legitimate one, this is not the place to address –  
**No Change Recommended** |
| **Recommendation** | **P.2 Policy #3:** Comprehensive plans should be written in plain language to be useful planning documents, and to facilitate better understanding by the public and policy makers | TAC: Mark Hansen | We agree that is why it is stated as policy. Because the District works with a considerable number of highly technical issues, we feel it is important that this guidance be in the form of a policy statement. –  
**No Change Recommended** |
| Suggestion: Include methods to encourage & facilitate public participation | **P.2 Policy #6:** Add discussion on how the District intends to encourage and facilitate public participation. | TAC: Mark Hansen | The statement in question encourages public participation. Not all amendments, such as spelling correction, update of citations require the time and expense of a public issue surfacing and involvement process. The policy is intended to be operational in nature and does not waive the District’s ongoing public involvement and responsiveness or the review process required by MR 8410.  
**No Change Recommended** |
<p>| Suggestion: Public Notification | P.4-Public Notification: Vague – suggest adding specifics on how notifications will take place, and ways to engage the public in the process. | TAC: Mark Hansen | The District operates under 5 separate “Mission Driving” statutes and rules involving at least three different public notice requirements as to allowed method and posting timeline. Therefore, the word “Appropriate” was used. It is most efficient and effective to simply rely on the statute governing the need for public |</p>
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<td>No Change Recommended</td>
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**PRIOR DECISIONS**

**March 11:** Allowed Advisory Committee reviews to occur prior to Board review and discussion of Rough Draft Policy

**OPTIONS**

**Table** Action on Plan amendment until some future date with guidance on corrections and clarifications to staff of what the Board wishes to see.

**Receive** Chapter with above or other corrections and adding the plan amendment chapter to the others that are part of the Comprehensive Plan Amendment process approved by the Board in 2018.

**RECOMMENDATION**

Receive Chapter with above or other corrections and adding the plan amendment chapter to the others that are part of the Comprehensive Plan Amendment process approved by the Board in 2018.
AMENDMENTS TO THE COMPREHENSIVE WATER MANAGEMENT PLAN

Amendments to the Comprehensive Plan

This appendix provides a process for developing, revising, amending and making administrative changes to the Comprehensive Water Management Plan and associated plans for the Coon Creek Watershed. The chapter should be used in conjunction with Minnesota Statutes 103B.235 and Minnesota Rule 8410.140

The Board of Managers recognizes that it will be necessary to amend the Comprehensive Water Management plan from time to time, in light of changing conditions and as new information becomes available.

Statutory Authority

Minnesota statute 103B.235 subd. 11 Authorizes amendments to the Comprehensive Water Management Plan

“To the extent and in the manner required by the adopted plan, all amendments to the adopted plan shall be submitted to the towns, cities, county, the Metropolitan Council, the state review agencies, and the Board of Water and Soil Resources for review in accordance with the provisions of subdivisions 7 and 9. Amendments necessary to revise the plan to be consistent with the county groundwater plan, as required by subdivision 4, must be submitted for review in accordance with subdivisions 7 and 9. Minor amendments to a plan shall be reviewed in accordance with standards prescribed in the watershed management plan.”

Regulatory Authority

Minnesota Rule 8410.140 requires that each Comprehensive Water Management Plan

1. Contain a section entitled "Amendments to Plan" containing the year the plan extends to and establishing the process by which amendments, as defined in this part, may be made and who may initiate the amendments.

2. A plan must extend at least five years but no more than ten years from the date the board approves the plan.

3. An organization must evaluate the implementation actions in its plan with the annual activity report under part 8410.0150, subpart 3, item E, at a minimum of every two years. If changes to the implementation actions are necessary as a result of the evaluation, then a plan amendment is required unless otherwise provided under subpart 1a.

Objectives

The general objectives of the plan amendment process are:

1. To develop and maintain a fully integrated plan to guide the management of the water and related land resources of the watershed

2. To disclose the short- and long-term management intent for the watershed to the public, and local, state and Federal governments