COON CREEK WATERSHED DISTRICT
Request for Board Action

MEETING DATE: August 13, 2018
AGENDA NUMBER: 12
ITEM: Receive Review of City of Blaine Local Water Plan

AGENDA: Policy

ACTION REQUESTED

BACKGROUND
Minnesota Statutes 103B.235, Subd. 3 requires that each local unit shall submit its water management plan to the watershed management organization for review for consistency with the watershed plan.

The organization shall approve or disapprove the local plan or parts of the plan. The organization shall have 60 days to complete its review; provided, however, that the watershed management organization shall, as part of its review, take into account the comments submitted to it by the Metropolitan Council pursuant to subdivision 3a.

If the organization fails to complete its review within the prescribed period, the local plan shall be deemed approved unless an extension is agreed to by the local unit.

Blaine submitted its revised Local Water Plan on July 12 making the 60 day mark August 26.

Minnesota Rule 8410.160 requires each local plan must, at a minimum, meet the requirements for local plans in Minnesota Statutes, section 103B.235. Each local plan must include sections containing a

1. table of contents;
2. purpose;
3. water resource related agreements;
4. executive summary;
5. land and water resource inventory;
6. establishment of goals and policies;
7. relation of goals and policies to local, regional, state, and federal plans, goals, and programs;
8. assessment of problems;
9. corrective actions;
10. financial considerations;
11. implementation priorities;
12. amendment procedures;
13. Implementation program; and an appendix.

**TIMELINE AND RECORD**

We have reviewed the above document and have the following comments.

2/9/18 – Received a copy of the DRAFT Local Water Plan from WSB for the official 60 Day review and requesting comments by 4/10/18

2/25/18 – Completed Plan Review

2/27/18 – Met with Blaine City Staff to inform them that the February, 2018 Blaine Local Water Plan as submitted was incomplete and contained numerous errors and inaccuracies. At that meeting City staff were specifically made aware of the following
1. The directness and conciseness of the plan was appreciated and made the plan easy to access and utilize, which it should be.
2. The plan is poorly organized and was difficult to review
3. The plan is confusing
4. The plan is internally inconsistent
5. Issue statements are often vague and not well coordinated or not statements of the water resource issues and concerns facing the City of Blaine and the areas to which they contribute water.
6. Goals and Policies are often inverted or statements that are neither goals or policies

3/12/18 – Met with Blaine City Staff and representative of WSB Engineering who are consultants and preparers of the plan to review comments on the plan, and answer questions or clarify District concerns.

At that time, all parties were informed that the current plan does nothing to assist the City of Blaine or the CCWD in qualifying for Grants or programs were interagency collaboration is a basic requirement.

3/14/18 – Forwarded marked up copy of the DRAFT plan to WSB

3/16/18 – Met with Blaine City Staff to review concerns and comments

3/19/18 – Received Metropolitan Council comments on Blaine LWP

3/28/18 – District submits formal written comments on Rough DRAFT LWP

4/6/18 – Rice Creek WD submits formal written comments on Rough DRAFT LWP

7/12/18 – Revised plan submitted to District for formal 60 day review under MS 103B.235.

8/26/18 – End of 60 day comment period
# FINDINGS

Does the plan contain the sections required un MR8410.160 General Structure?

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Finding</th>
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<tbody>
<tr>
<td>1. An executive summary stating highlights of the local water plan.</td>
<td>Partially meets requirements. By rule the executive summary must “…summarize[s] the highlights of the local water plan.” The draft plan executive summary is simply an overview of the planning purposes, watershed requirements, and broad table of contents. It should include a brief recap of problems and issues and the City’s general strategies to address them.</td>
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<td>2. A summary of water resource management-related agreements, including joint powers agreements, into which the LGU has entered with watershed management organizations, adjoining LGUs, private parties or others.</td>
<td>Meets requirements.</td>
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<td>3. Maps of current land use and future land use.</td>
<td>Meets requirements. Section 2.2.4 and Figure 6 should identify the year and source of the existing land use data – the Met Council 2016 land use dataset?</td>
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<td>4. Maps of drainage areas with paths, rates and volumes of stormwater runoff.</td>
<td>Partially meets requirements. Figure 3 would more clearly show flow paths between drainage areas if the arrowheads indicating the direction of ditch flow were larger. No rates and volumes of stormwater runoff are provided or referenced for that part of the city in CCWD.</td>
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<td>5. Identify areas and elevations for stormwater storage adequate to meet the performance standards established in the Watershed Management Plan.</td>
<td>Does not meet requirements. No storage data is provided or referenced in the plan.</td>
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<td>6. Define water quality and water quality protection methods adequate to meet the performance standards established in the Watershed Management Plan.</td>
<td>Meets requirements. Blaine requires development and redevelopment to meet NPDES permit requirements of no net increase or reduced TP and TSS export post construction, and to infiltrate 1.1” of runoff from impervious surfaces. The city maintains and enforces an Erosion and Sediment Control ordinance. In addition, the plan includes</td>
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actions such as infiltration basins and pond sand filter benches to reduce pollutant loading and runoff volume to Pleasure Creek and Springbrook Creek.

7. Identifies regulated areas.  Meets requirements. Section 2.4.2 calls out the Blaine Preserve Scientific and Natural Area and the Blaine Airport Rich Fen SNA and they are depicted on Figure 11. The plan notes that any waters within are classified as Outstanding Resource Value Waters that are prohibited from receiving water from the city’s storm water conveyance system. These SNAs are outside the CCWD.

8. An executive summary stating highlights of the local water plan.  Meets requirements. Section 4 of the Plan provides a good overview of identified issues within the city and proposed corrective actions.

9. Metropolitan Council  Meets requirements. The Metropolitan Council submitted general observations and positive comments on the LWP 3/14/18.

ISSUES/CONCERNS
1. Revise the Executive Summary to meet the requirements of MR 8410.0160.
2. Provide or reference hydrologic, hydraulic, and storage data for that part of Blaine in CCWD.
3. Revise the Plan Update section to provide more clarity as to process and to state that the local plan will be updated as necessary in response to any amendments to the watershed plans.
4. Identify which local controls will be updated for consistency with watershed requirements, and the schedule for those updates.

PRIOR DECISIONS
3/22/18 Pulled review of February 2018 rough draft of LWP from Coon Creek WD Board meeting at City’s request
OPTIONS
1. **Approve Plan:** Not advised. The plan submitted has been left intentionally general to provide the city with the maximum amount of flexibility and ability to adapt and adjust to the ever changing political, legislative and financial environments that the city perceives.

2. **Table Plan:** The plan could be tabled pending a redrafting of the plan and addressing the issues and concerns discussed at the 2/27/18, 3/12/18, 3/14/18 and this staff report.

3. **Deny Plan:** The District could deny the plan, forcing the City of Blaine to essentially start over at least with the planning process. This would be the most expensive and least constructive option for the City and would be wholly inconsistent with District actions in the past.

RECOMMENDATION
Table the Blaine Local Water Plan pending a redrafting and/or addressing the following issues and concerns:

1. Revise the Executive Summary to meet the requirements of MR 8410.0160.
2. Provide or reference hydrologic, hydraulic, and storage data for that part of Blaine in CCWD.
3. Revise the Plan Update section to provide more clarity as to process and to state that the local plan will be updated as necessary in response to any amendments to the watershed plans.
4. Identify which local controls will be updated for consistency with watershed requirements and the schedule for those updates.